

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pandal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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

*Referral to Joint Select Committee*

Resumed from an earlier stage of the sitting.

*Question to be Put*

Mr M. McGOWAN: I move -

That the question be now put.

Question put and a division taken with the following result -

Ayes (29)

Mr P.W. Andrews	Mrs D.J. Guise	Mr M. McGowan	Mrs M.H. Roberts
Mr J.J.M. Bowler	Mr S.R. Hill	Ms S.M. McHale	Mr D.A. Templeman
Mr C.M. Brown	Mr J.N. Hyde	Mr A.D. McRae	Mr P.B. Watson
Mr A.J. Carpenter	Mr J.C. Kobelke	Mr N.R. Marlborough	Mr M.P. Whitely
Mr A.J. Dean	Mr R.C. Kucera	Mr M.P. Murray	Ms M.M. Quirk ( <i>Teller</i> )
Mr J.B. D'Orazio	Mr F.M. Logan	Mr A.P. O'Gorman	
Dr J.M. Edwards	Ms A.J. MacTiernan	Mr J.R. Quigley	
Dr G.I. Gallop	Mr J.A. McGinty	Mr E.S. Ripper	

Noes (20)

Mr M.J. Birney	Mr L. Graham	Mr W.J. McNee	Mr R.N. Sweetman
Mr M.F. Board	Mr B.J. Grylls	Mr B.K. Masters	Mr T.K. Waldron
Dr E. Constable	Ms K. Hodson-Thomas	Mr P.D. Omodei	Ms S.E. Walker
Mr J.H.D. Day	Mr M.G. House	Mr P.G. Pandal	Dr J.M. Woollard
Mrs C.L. Edwardes	Mr R.F. Johnson	Mr D.F. Barron-Sullivan	Mr A.D. Marshall ( <i>Teller</i> )

Question thus passed.

*Motion Resumed*

Question put and a division taken with the following result -

Ayes (20)

Mr M.J. Birney	Mr L. Graham	Mr W.J. McNee	Mr R.N. Sweetman
Mr M.F. Board	Mr B.J. Grylls	Mr B.K. Masters	Mr T.K. Waldron
Dr E. Constable	Ms K. Hodson-Thomas	Mr P.D. Omodei	Ms S.E. Walker
Mr J.H.D. Day	Mr M.G. House	Mr P.G. Pandal	Dr J.M. Woollard
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Dr J.M. Edwards	Ms A.J. MacTiernan	Mr J.R. Quigley	
Dr G.I. Gallop	Mr J.A. McGinty	Mr E.S. Ripper	

Question thus negated.

*Suspension of Standing Orders*

**MR J.C. KOBELKE** (Nollamara - Leader of the House) [4.01 pm]: I move, without notice -

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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That so much of the standing orders be suspended as is necessary to enable the third reading of the Railway (Jandakot to Perth) Bill 2002 to be moved immediately following consideration in detail.

There is no doubt that this Bill is an important part of a major commitment made by the Gallop Government, and we will deliver on that.

Mr P.G. Pendal interjected.

Mr J.C. KOBELKE: Even though he yells, shouts, rants and raves, the member for South Perth cannot hide that he is simply running a range of obstructionist gimmicks to try to stop the Gallop Government building this railway. We will not be stopped. This suspension of standing orders is necessary so that when we finish consideration in detail, we can proceed forthwith to the third reading. By the time this Chamber rises this evening, it will have passed this railway enabling Bill so that the Gallop Government can deliver on its promise to the people of this State. It will not be thwarted by a backward-looking Opposition that has not built any rail in the past 20 years. It has only closed down rail lines and is trying stop this one being built. It will not stop us delivering this important piece of transport infrastructure for the people of Western Australia.

**MR R.F. JOHNSON** (Hillarys) [4.02 pm]: Members on this side of the House will oppose the motion to suspend standing orders to enable this Bill to proceed forthwith to the third reading at the end of consideration in detail. This is another attempt by the Leader of the House, who has problems managing the House, to bully members. There is an expression about managing a certain establishment. The Leader of the House would have great difficulty in managing even one of those. He does not manage the business of this House very well. If he thinks that he can continue to bully members on this side of the House into submission so that he can pass whatever legislation he wants without proper scrutiny, he is living in cloud-cuckoo-land and should be down at the bottom of the garden where he belongs, with many of the other little things down there. While I and other members on this side are in this place, we will scrutinise the legislation that comes before this House. The Leader of the House is becoming known as the minister for gags. If it were jokes, we would not mind. However, he is becoming known for the gags that have been applied to the debates over the past few days. We were dealing with very serious issues. Today, the Leader of the House wants to do the same thing. He got his little friend the member for Rockingham, the minister in waiting, to move a gag on a very important debate. Rather than use commonsense and allow that debate to finish, which would probably have taken another 30 minutes, the Leader of the House gagged it once again.

Mr J.C. Kobelke: It had been going all day.

Mr R.F. JOHNSON: It would have finished in another 30 minutes, and that would have been normal for a debate in this House in which the gag or guillotine is not applied. As we have said, this is the biggest infrastructure Bill that this House will have considered in the past decade, and maybe for many decades. It deals with \$2.42 billion, and this Leader of the House -

Mr N.R. Marlborough: How much?

Mr R.F. JOHNSON: It is \$2.42 billion. It is a lot of money.

Several members interjected.

Mr R.F. JOHNSON: Sorry; it is \$1.42 billion. I was thinking of what the final, blown-out figure will be. At this stage, there has been a \$300 million blow-out; the cost is already \$1.42 billion. I was thinking of what the cost will be in 2008, if the rail is delivered that quickly. It will be \$2 billion. At the moment we are looking at \$1.42 billion.

#### *Points of Order*

Mr J.C. KOBELKE: Obviously the member needs a bit of time to try to lay out where he might go with his argument, but he should realise that we are dealing with the suspension of standing orders. The motion relates to the ability to move straight from consideration in detail to the third reading stage, and nothing else.

Mr R.F. JOHNSON: Once again the Leader of the House wants it all his own way. His comments following the motion did not refer to the motion. He simply attacked members on this side and accused us of all sorts of things that had nothing to do with the procedural motion.

The SPEAKER: The Leader of the House was correct. However, the opposition lead speaker is given some leeway. I am sure the member for Hillarys knows that he is fast approaching the end of that leeway and that he should address the motion.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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*Debate Resumed*

Mr R.F. JOHNSON: I will outline the reasons we should not suspend standing orders in this instance. With your indulgence, Mr Speaker, I will try to keep as close to the motion as possible. This is a procedural motion. I do not believe we should suspend standing orders, because this House has not had enough time to consider this Bill. That is the most important reason we should not suspend standing orders at the whim of the Leader of the House and the Gallop Labor Government, who want to ram the legislation, worth \$1.42 billion, through this House. The suspension of standing orders in this instance is equivalent to a form of soft gag, because the Government does not want members to have the normal period between the consideration in detail and the third reading stage of a Bill.

Mr L. Graham: Where in the standing orders will I find reference to a soft gag?

Mr R.F. JOHNSON: Somewhere at the back. The member should look through the last 79 pages. He will find it there somewhere.

It is not appropriate to suspend standing orders to enable the Government to have its way. As my colleague the member for South Perth said yesterday, the Government has every right to have its way, but the Opposition also has the right to have its say. We are not getting our say. If this House suspends standing orders, which this side will not agree to, the Opposition will not get its say. The general public of Western Australia, who do not even know the essence of this Bill and the consequences it will have on their hip pockets through the extra taxes and charges the Gallop Labor Government is already starting to introduce, has a right to expect the Opposition to scrutinise Bills properly. If the suspension of standing orders is allowed - no member on this side thinks it should be - we will not be able to do justice to this Bill or the people of Western Australia. Their elected representatives will not have the necessary period in which to have their say. A motion to send this Bill to a select committee of both Houses of Parliament for investigation was gagged. Members who move those sorts of motions will stand condemned. We know that certain members have their instructions. I do not want to see this House in disarray. The suspension of standing orders should be a very rare occurrence. It should occur only in specific circumstances when it will be for the general benefit of both sides of this House. That is why we have a standing order that provides that the House can suspend standing orders for specific purposes. This is not one of those occasions. If the suspension were for a technicality in order to get through the House something that had the concurrence of this side of the House as well, we would agree with it.

Since this Government has been in government, we have cooperated on motions to suspend standing orders. We have ensured that our members have remained in this Parliament so that a suspension motion can pass, because it requires an absolute majority. We can see on the government side today many members who would not normally be here, because the Government must keep up its numbers in this House. If all our members were to leave, the Government would have a job obtaining an absolute majority because some government members are absent.

The Leader of the House should seriously consider whether this is the type of issue that warrants a suspension of standing orders. The motion before the House is not the type of action that should be taken in relation to this Bill. Although it is a procedural motion, it relates to the Bill before the House. It seeks to suspend standing orders to enable this Bill to proceed forthwith from the consideration in detail stage to the third reading stage without any interruption. We do not know whether there will be any amendments to the Bill. Why should we be irresponsible and suspend standing orders to allow it to proceed automatically if amendments have been made? That would never normally happen. The third reading would have to be left to a later stage. I am surprised that the Leader of the House does not move a sessional order to do away with the consideration in detail stage completely. He has gagged the rest of the debate on this Bill, so why does he not move a sessional order to do away with the consideration in detail stage of this Bill that involves the expenditure of \$1.42 billion?

Mr J.C. Kobelke: I have noted your suggestion.

Mr R.F. JOHNSON: It would not surprise me if the Leader of the House did that. If there were a sessional order and the consideration in detail stage were done away with, we could all go home at 5.00 pm, which is the time set down by this Parliament for the House to rise on Thursdays. However, the Leader of the House does not want to do that.

Mr M.J. Birney: He is a little like a parking inspector. Give parking inspectors a little power and they think they are police officers.

Mr R.F. JOHNSON: I would like to think that he is growing.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Several members interjected.

Mr R.F. JOHNSON: I am a betting man. My mind was deflected from the subject for a second, because I took an interjection, which I know I should not have done. I was then slipped a note by my colleague the Deputy Leader of the Opposition.

Mr A.J. Carpenter: It is a bit of poetic licence to use the word “mind” to describe what goes on inside your head.

Mr R.F. JOHNSON: That is very nice! Mr Speaker, you have witnessed the sorts of slings and arrows that I must bear from members on the government benches. The Minister for Planning and Infrastructure earlier called me a moron. When I retorted by calling her an old witch, I had to withdraw my remark. She was allowed to carry on. I did say that if a broomstick were an official mode of transport, she would be an expert at it, but I did not have to withdraw that, which I think is quite fair, particularly as she had called me a moron. The nasty things that people say to me from the other side of the House are very unpleasant, but I must suffer these things.

The SPEAKER: I am sure that the interchange is quite amusing. However, we are talking about the suspension of standing orders, and I recall the member’s attention to that issue.

Mr R.F. JOHNSON: Mr Speaker, I always do what you instruct me to do, as you know. I respect your direction and will follow it.

Mr J.N. Hyde: You challenged it yesterday.

Mr R.F. JOHNSON: I never challenge the Speaker’s ruling. Members will never catch me doing that. I respect the Speaker very much indeed, and I always accept his direction.

I will address the motion before the House. The motion is to suspend so much of standing orders as to allow this Bill to go from the consideration in detail stage forthwith, without any more discussion, straight to the third reading stage. I know it is a procedural motion to suspend standing orders, but it is a little more than that, because it sets out what it wants to achieve. The opinion on this side of the House is that it wants to achieve as little debate and as little scrutiny of the Bill as possible. That is not the way any Parliament should conduct itself. This Chamber is no different from any other Parliament.

This is not a Third World Parliament. It is a top Parliament in the Westminster system. We normally have one of the most democratic systems in the world. Unfortunately, the motion before the House to suspend standing orders to do the things the Leader of the House wants to do is not democratic. Our forebears who initiated the Westminster system and installed this Parliament in Western Australia, and who sat in these chairs, would be absolutely aghast at what is being suggested today. Standing orders would normally be suspended only with the concurrence of both sides of the House in order to address an issue that needs urgent attention. In no way can the subject of this motion be described as an issue needing urgent attention. It needs scrutiny, accountability and integrity. Some of those attributes have been lacking in the debate that has taken place so far, because the debate has been gagged. Integrity, accountability and openness have been compromised. Moving this motion to suspend standing orders will further the appalling events that have taken place so far.

I am not going to go on for much longer, I assure you, Mr Speaker.

Mr P.G. Pendal: Why not?

Mr R.F. JOHNSON: I would love to go on for a lot longer, but I will not waste the time of this House.

This House operates with cooperation from both sides. I have tried to cooperate with the Leader of the House ever since he has been doing his job, but I am finding it an impossible task. A situation like that which has developed today indicates to the Parliament why that is the case. I cannot rely on him for any cooperation. I try to cooperate, but it gets me nowhere. Without that cooperation, the House will not function properly. If the Leader of the House wishes to call off cooperation that is fine, I will accept that, but he will have to do his damndest to get legislation through. We will scrutinise every single piece of legislation that comes before the Parliament. We will not allow legislation to be rammed through this House. The Government has had problems and suffered from incompetence, as a result of which legislation has left this House and been lost half way between this House and the other place in no man’s land, which is causing difficulties for the other place. Will the Leader of the House have another situation in which, because of his haste to get legislation out of this House, he runs the risk of it being lost somewhere? It may be that this time the Bills will not be lost, but integrity, accountability and openness will be lost between this House and the other place. This side of the House will certainly be opposing this soft gag, as I will call it, to suspend standing orders to allow the Government to ram its legislation through as quickly as possible.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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I have been asked to try to put a few more arguments about why we should not accept this motion to suspend standing orders. Members on this side of the House get very frustrated at times when this sort of motion is put forward. I remember well that when I was on the government side of the House, whenever we tried to put forward this sort of motion we were always frustrated by members of the then Opposition. The Leader of the House is a classic example, because he was leader of opposition business at one point, and he put forward -

Mr J.J.M. Bowler interjected.

The SPEAKER: Order! It is disorderly for the member for Eyre to speak when he is not in his seat. I call the member for Eyre to order for the first time.

Mr R.F. JOHNSON: There are many reasons that we should not suspend standing orders to allow this Bill to be rammed through the House. The first and most important reason is the enormous amount of expenditure that is involved in this Bill. The second reason is that members on this side of the House still have a concern that if we suspend standing orders, they may not be able to have enough input into this important Bill. Members of this side of the House are always reluctant to agree to the suspension of standing orders. Why do we need to suspend standing orders when a proper regulatory process is in place for this House to discuss the Railway (Jandakot to Perth) Bill? It is not appropriate to suspend standing orders. It is not in the best interests of democracy and accountability.

The Leader of the House would normally give some notice to the leader of opposition business when he moves a motion of this nature. When we were on the government side of the House, we often gave notice of a motion to suspend standing orders to do something that we wanted to do. When the Leader of the House was on this side of the House and was the leader of opposition business, he would come to members on the government side of the House and we would talk to him and give him the reasons that we wanted to suspend standing orders to do X, Y or Z and would ask him whether he would cooperate and agree.

A government member: Now you are getting another instruction!

Mr R.F. JOHNSON: I was just conferring with the Deputy Leader of the Opposition, because I needed to check on some things in this motion to suspend standing orders. I would like to put forward some more reasons that I believe standing orders should not be suspended. Is that okay, Mr Speaker?

The SPEAKER: Order! The member must continue to speak. He cannot have a break.

Mr R.F. JOHNSON: Sorry, Mr Speaker; I was not asking for that. Is it okay for me to continue giving the reasons that I believe standing orders should not be suspended?

The SPEAKER: That is the purpose of the member's speech.

Mr R.F. JOHNSON: Absolutely, Mr Speaker. I was just concerned, because I did not want to contravene anything that you might rule.

I have given some reasons that standing orders should not be suspended in this case. I do not mind the suspension of standing orders if there are good reasons, but this is not a good reason. I will give another reason; and I will give even more reasons, because many reasons keep coming to mind about why this is the wrong thing to do.

Ms M.M. Quirk: You could get *Mr Smith Goes to Washington* out on video and we could watch that!

Mr R.F. JOHNSON: I would love to watch it tonight, but I cannot. Another very good reason that we should not suspend standing orders is that the members in this Chamber are getting very tired, because we have had nothing but late night sittings this week and in the other weeks of this session and the Leader of the House has kept us here for unreasonable hours. That is the reason that we should not suspend standing orders on this issue. We should allow the normal debate at the normal rate and conclude at five o'clock so that members can get home to their families and country members can get back to their electorates. I do not want members of this House to have to drive home at three or four o'clock tomorrow morning, because they will not only be a danger to themselves but may also be a danger to other people on the road, or to pedestrians, if there are any pedestrians at three or four o'clock in the morning.

A government member interjected.

Mr R.F. JOHNSON: There may well be some pedestrians at that time. The member does not know that and I do not know that. Some people go jogging at that time of the morning; I do not, but there may be some. If I was driving home at three or four o'clock in the morning because we had been forced to sit here until that time because of the suspension of standing orders to allow this debate to go ahead, it could be an absolute danger for

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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me. More importantly, it could be a danger for the other members in this Chamber. I do not mind putting my life in the danger zone. However, as the leader of opposition business, I cannot tolerate for one moment my members being put in danger. I also have a concern for some of the members on the other side of the House if we have to stay in this House until that time of the morning because we have suspended standing orders. This is an important point, because it goes to the very crux of the health of the members of this Chamber. I am concerned that the government Whip may have to drive home at four o'clock in the morning. I have given many good reasons that we should not agree to the suspension of standing orders to ram this legislation through, not the least of which is the health of the members of this House, and also that they cannot contribute to a worthwhile debate on this very important Bill on this \$1.42 billion project if they are tired. I know all members are tired, because we have all had late nights. We could have sat later last night.

Ms A.J. MacTiernan: Get on with it! Your member wants to debate the legislation. Let her debate it, instead of going through this pontificating nonsense that is making a fool of you and a fool of this Parliament. Sit down and debate the Bill! We have had people sitting here all day waiting to answer your questions, but you do not want to do that.

The SPEAKER: Order, members!

Mr R.F. JOHNSON: I want proper scrutiny. By "proper scrutiny" I mean that we should not be suspending standing orders. We should be going through the proper stages of this Bill as set down in the standing orders and procedures of this Parliament. Just because the minister has had a jolly in the eastern States in the past few days is irrelevant. The minister has come back from her jolly and wants to get on with her Bill.

*Point of Order*

Ms A.J. MacTIERNAN: I take exception to this. It is completely unacceptable that the member for Hillarys should seek to cast reflections on me because I was summoned to a meeting called by the federal Minister for Transport as a matter of urgency. It seems it is all right for members of his party to go on a junket while the whole Parliament waits for a week.

The SPEAKER: Order! I do not know what the member was referring to in relation to "jolly". Perhaps the author of the word can determine whether it casts aspersions on the minister. I do not think there is a point of order. However, if an implication was made that the minister was doing something she should not have been doing, it should not have been said.

*Debate Resumed*

Mr R.F. JOHNSON: Mr Speaker -

Ms A.J. MacTiernan interjected.

The SPEAKER: Minister!

Mr R.F. JOHNSON: I have been asked to explain my interpretation of the word "jolly".

The SPEAKER: No; I do not want an explanation.

Mr R.F. JOHNSON: The word "jolly" usually means a trip. The fact that the minister took offence at that -

Ms A.J. MacTiernan: You're a jumped-up barrow boy.

Mr R.F. JOHNSON: Is that unparliamentary? I will not take offence because I am thick skinned and I can take that sort of thing.

In conclusion, I reiterate that the parliamentary process is being subverted by the Leader of the House and the Gallop Labor Government because it is stifling proper and thorough debate on this Bill. The Minister for Planning and Infrastructure may not think so, but we want to debate it thoroughly. We want to investigate all the issues. We will do that because we will have an opportunity at the consideration in detail stage. However, the motion to suspend standing orders to allow the Bill to go forthwith from the consideration in detail stage to the third reading has been moved to circumvent the usual procedures of this House. The Opposition abhors that sort of practice. It is undemocratic and is not in the best interests of the people of Western Australia or this House of Parliament.

**MR P.G. PENDAL** (South Perth) [4.32 pm]: Like the member for Hillarys, I oppose the motion. I ask members, particularly those on your right-hand side, Mr Speaker, to consider why we need to suspend any of the rules by which this place operates to get this Bill through. A couple of people have said to me during the past

Mr M. McGowan; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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day or so that I have had plenty to say about the Bill being referred to a joint select committee of both Houses. My response to that has been, yes, I have, but all within the confines of the standing orders.

When I gave notice of a motion on Tuesday night, that was not in addition to the standing orders. It was provided for, I think, by Standing Order No 171, which reads -

At any time after the second reading and before the third reading stage, a motion without notice "That this bill be referred to a standing (or select) committee" may be moved or the bill may be referred without notice to a legislation committee.

That standing order was not made up by me as I went along. It is a rule that has applied in this place for a long time and that periodically has been subjected to alteration. When a member has an opportunity to move something under Standing Order No 171, it is not a clever trick. It is not relying on breaking the rules; it is using the rules.

Mr J.N. Hyde: So is suspension of standing orders.

Mr P.G. PENDAL: As usual, the member for Perth comes in at the time to best emphasise one's point. Does it not raise a little bit of suspicion in members' minds, when the Government has the numbers, that the rules must be suspended because it cannot work within the rules? That is what the Government is seeking to do. The lament that we have spent since Tuesday night on this important issue should be the lament of the person who is in charge of government business. He seems to get it wrong every time. That is why at 4.35 pm at the end of the week, from the Government's point of view nothing has advanced. He has applied the guillotine, or gag, and wants to suspend standing orders. The Opposition does not have the numbers to do those things. It must therefore be due to a deficiency on the part of the person running the House. Two principal players have been involved in this issue in the past couple of days - one is the person who organises government business and keeps getting it wrong. Country members on the right-hand side will not go home to their electorates tonight because the Leader of the House keeps getting it wrong. The Opposition has not got it wrong because it does not have the numbers to do these things. However, government members have the capacity to do what I have the capacity to do; that is, use standing orders because something is happening by way of the legislative processes of the House that is detrimental to my electorate.

Government members should ask themselves why, this early in the session, we are even considering the suspension of standing orders when they have everything going for them. Why, therefore, must the Government resort to this sort of trick - the suspension of standing orders and the gag or guillotine - if it is not to cover up for the incompetence of the Leader of the House on the one hand and, on the other, the absence of the minister who had carriage of the Bill? I just heard the minister complain that she was somewhere on the eastern seaboard because the federal Government called a meeting. Is she so subservient that she dropped everything, including the carriage of the most important Bill that she will have responsibility for?

Mr L. Graham: I cannot let you get away with that. She is a secessionist with me, now.

Mr P.G. PENDAL: Okay, I wish she would secession! That is a play on words.

Ms A.J. MacTiernan: The Bill was supposed to be debated last week.

Mr P.G. PENDAL: The minister should just get back to her little spot down there! Whatever she does, she will get her chance to speak later.

Ms A.J. MacTiernan: You wanted to know.

Mr P.G. PENDAL: She can whinge and whine and sound like a fishwife later.

Ms A.J. MacTiernan: All hat and no cattle. That is why you never became a minister. You have no substance. You're another great big mouth.

Mr P.G. PENDAL: I do not need the assistance of a fishwife in all this. I want to make the point that the minister complained only 10 minutes ago that she had to go interstate because she had received an important call from on high.

#### *Point of Order*

Mr J.C. KOBELKE: Mr Speaker, I again ask you to consider the matter before the House. Going back to issues about the availability of the minister is in no way relevant to the suspension of standing orders and the reason for the suspension of standing orders, which is to allow the House to proceed forthwith from consideration in detail to the third reading.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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The SPEAKER: It is difficult in a debate of this type to not drift into the substance of the issue that will be debated. The member for South Perth has been involved in parliamentary procedure long enough to know that he should keep his comments to the question before the House, which is the suspension of standing orders.

*Debate Resumed*

Mr P.G. PENDAL: Thank you, Mr Speaker, you are correct.

We should not suspend standing orders in this place except in the most serious circumstances, and we are not confronted with those circumstances. If we were a day behind with the Bill - that is the reason I mentioned the minister's absence - the minister should have been in a position to send a parliamentary secretary in her stead, which would have allowed her to stay in the Parliament of Western Australia to do her job. She would then not be a day behind in the debate.

Ms A.J. MacTiernan: We stopped for a week to allow the member for Carine to go on a parliamentary tour.

Mr P.G. PENDAL: That is right.

The SPEAKER: Members, the interchange around the Chamber is prolonging this debate on the suspension of standing orders, which I must say is normally a short debate. I urge members to allow the speaker on his feet to have his say.

Mr P.G. PENDAL: My point is that a motion to suspend standing orders is for a most serious parliamentary challenge.

A government member interjected.

Mr P.G. PENDAL: A government member said that it is to get on with the job of government. It is not. Some new members appear to believe that a slowness in the parliamentary process is a bad thing. I tell them that a slowness in the parliamentary process is a good thing.

Mr L. Graham interjected.

Mr P.G. PENDAL: What are the words?

Mr L. Graham: Design characteristics.

Mr P.G. PENDAL: The member for Pilbara gets more articulate and beautiful with his language as he gets older! The member's remark is correct. These rules are not designed, members, for quick action. Members might ask why they would want anything to happen slowly. I learnt something from the late Andrew Mensaros, who came from one of the most oppressive of communist nations in the world and arrived in this place perhaps in his late 40s. He pleaded with new and young members in this place not to listen to anyone who told them that they had to do things in a hurry. All he was doing, as a person of middle European origin, was reflecting on the Westminster system that is embodied in the standing orders of this place. Mr Speaker, you know why these standing orders are designed to slow things down. It is because, invariably, errors are made when things are sped up in a place such as this.

I remind members that we have had trouble with this Bill since minute one. On 14 August - 36 days ago - the Railway (Jandakot to Perth) Bill 2002 was introduced, and I remind members that the Government's first response was to treat the Bill as an urgent Bill - that means getting rid of these rules. I cannot for the moment - another member might - think of the standing order that allows a Bill to be treated as urgent. However, when a Bill is allowed to be treated as urgent it is introduced and passed in the space of a sitting, yet the rules are designed for it to take at least three weeks. Why? Mr Speaker, there is no rocket science attached to it. It is to slow things down so that every member gets a fair go. In the course of this debate I have heard a few members ask out loud what my record was when another Government was in office. I will tell those members what my record was. I am very pleased to have learnt this from the member for Churchlands: every time the previous Government went down the path of moving to suspend standing orders, I voted with the Labor Party. I did that every single time there was a motion to suspend standing orders. As a previous partisan and party politician, I am grateful I learnt that from the member for Churchlands. I voted with the Labor Party on every single occasion. That is why I am telling government members that I know they cannot do anything about this vote right now on the floor of the House, because I know what will happen with it. However, I implore those members, most of whom are people of goodwill, to ask a few questions such as why the Government must apply the gag or the guillotine early in the year and why it must apply gags, guillotines and urgency on day one of a Bill. It was intended on day one to treat the Railway (Jandakot to Perth) Bill as urgent and, therefore, not subject to the normal slow-down rules referred to by the late Andrew Mensaros.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Mr Speaker, you know, because you have been in this place during two changes of government, that what goes around comes around. When government members find themselves on the opposition side they will think that the member for South Perth was not such a galah on these matters after all. They will see what I meant. They will say, "I, the new member for" - whatever Labor electorate it is - "can understand why members who are not part of the Government's party need to slow down things." I am not doing it for the good of my health. I am not doing it because I have nothing better to do. Like most people, I will miss out on a function tonight. I intended going to a theatre with my wife; that is out. Other members will lose far more than that: the chance to go home to their families. I implore government members to ask themselves why we have spent the last three-quarters of an hour on this suspension motion moved by the Leader of the House. It has taken up time and kept members in this place tonight when they could have been back in their electorates.

I said that you, Mr Speaker, had been in this place sufficiently long enough to see two changes of Government. I do not believe government members are as enthusiastic now about this Bill being urgent as they were half an hour, a day or three weeks ago when the minister wanted to treat it as urgent. I believe a message is getting through to them. The members to your right, Mr Speaker, are probably asking themselves what the Government is frightened of and why, for example, they opposed the motion I moved in the previous debate; that is, to refer a Bill involving the expenditure of \$1.5 billion to a committee of the Parliament for further scrutiny. They are probably asking themselves why we had argy-bargy in the House yesterday about sending a matter concerning the Country Alliance and the money being spent by some local authorities -

*Point of Order*

Mr J.C. KOBELKE: The member continues to challenge the bounds of the rules of debate and is going off onto matters that have no relevance to the suspension of standing orders or the impact of the suspension of standing orders, which he may be able under standing orders to allude to as part of his contribution.

The SPEAKER: The member for South Perth in much of his comments has endeavoured to do that, but, as I said, it is difficult to do that. The Leader of the House is correct about the last few minutes of the member for South Perth's speech and I ask the member for South Perth to again come back to the issue.

*Debate Resumed*

Mr P.G. PENDAL: On reflection, I was moving a bit outside the margins. The motion is that we suspend the rules of the House. Where is the emergency, the urgency or the hurry? I am reminded by the member for Stirling that the money is not even in the budget, which is correct. Of the \$1.5 billion that we are dealing with - it is growing each day - \$183 million has been allocated for the preliminary drawings and to buy -

*Point of Order*

Mr J.C. KOBELKE: It has been my experience in this place - many times when I was in opposition - when speaking to the suspension of standing orders, whether moved by the Government or the Opposition, that the rules have been to constrain debate. With the best efforts of the best debaters, the rules meant members would get 10 to 15 minutes into the motion to suspend standing orders without drifting off into the substance that surrounds it. The debate has gone on for well over half an hour on issues that may be vaguely related, rather than directly relevant, to the motion, which is to suspend standing orders and nothing else.

The SPEAKER: The point of order is once again well made. However, the member for South Perth is directing his comments back to the motion. It is a lengthy debate for a suspension, not necessarily due to the member for South Perth. I ask the member to be more succinct and to bring his comments to a conclusion as quickly as possible.

*Debate Resumed*

Mr P.G. PENDAL: I will do that. However, I have four minutes to go and -

Mr A.J. Dean: It is disgraceful.

Mr P.G. PENDAL: It is not for members to the right of the Speaker to talk about it being disgraceful; that is something the Speaker decides. Has the member for Bunbury got the general drift of that?

I oppose the motion to suspend the rules and the laws of this House, because no grounds have been made for setting aside 112 years of constantly updated laws. Are we faced with a state of emergency or with a situation in which people cannot get from Perth to Mandurah without a railway being built rapidly? Of course we are not!

Mr A.J. Dean interjected.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Mr P.G. PENDAL: I wish the member for Bunbury would not mumble. Mr Speaker, if he has something to say I am sure you would be pleased, like the rest of the members, to hear him say it aloud. That is what this place is for. I am making the point that the Leader of the House has not made a case for the suspension of standing orders; he has moved the motion on the basis of non-reasons.

Mr J.N. Hyde: I acknowledge you made some very valid points. During this whole lengthy debate since August, the member for South Perth and perhaps the shadow spokesperson on planning have been genuine and have done an important job to challenge the Government on this legislation. Would the member perhaps acknowledge that there have been others who have wasted time?

Mr P.G. PENDAL: I will respond to that - I hope without the Leader of the House taking a point of order. My answer generally to that is no. I had a private conversation with a member opposite, whom I will not name because I have a lot of time for him. He said to me during the lunchbreak that members on the right-hand side of the House are a bit frustrated that a lot of the members on the left-hand side of the Speaker seem to be wasting time. I told the member that it was only in his opinion. I am here to express a point of view. The member for Perth has been gracious enough to say that my points have been good. However, the member for Perth must also extend that graciousness a bit wider to people whose opinions might be at total variance with his, and acknowledge that they may only seem to be wasting the time of the House. In the end, the adjudicator of whether we waste time is in the standing orders and you, Mr Speaker; no-one else. I promise that if the members who are sitting on the Speaker's right-hand side today are on this side in three, five, seven or eight years from now, they will want to take refuge in the sorts of things that I am taking refuge in and that the Opposition's leader of House business has just taken refuge in; that is, no case has been made to suspend standing orders. Right from the word go, the Government, the Leader of the House and the Minister for Planning and Infrastructure have tried to make a case, which I cannot understand, to get the legislation through as swiftly and with as little pain as possible. I will repeat this before I sit down: that is the way in which Brian Burke, Peter Dowding and others ended up in a royal commission. I oppose the suspension of standing orders.

**MR L. GRAHAM** (Pilbara) [4.55 pm]: I will vote in favour of the motion and I am happy to explain why. I was amazed at the filibuster by the member for Hillarys.

Mr R.F. Johnson: Have you found the standing orders yet?

Mr L. GRAHAM: No; I am still searching. I distinctly recall being on a committee with the member for Hillarys that overhauled the procedures of this House. The member's sole contribution throughout the nine months of that committee was to argue extensively for the reduction of speaking times.

Mr R.F. Johnson: You and the other Labor members argued against it.

Mr L. GRAHAM: The member for Hillarys should read the report; I dissented from my Labor colleagues in the report of the procedures committee. The sole contribution of the member for Hillarys was to argue to reduce the speaking times of MPs.

I think the Government is doing a particularly dumb thing. However, that is not my decision; it is the Government's.

I want to take a couple of minutes of the time of the House, before some of the newer members in this place get carried away with the pontificating that sometimes occur in this place, to read a sessional order that used to apply in this place -

That for the balance of the present session, unless otherwise ordered, the following order shall apply -

- (a) at any time during the sitting of the House or Committee, the Leader of the House or a Minister acting on his behalf may move a motion without notice specifying or varying the specification of time to be allotted to, or for the completion of, any business or any stages or parts of that business, but a motion may be moved in Committee only in relation to the business then before that Committee. Debate on that motion shall not exceed 20 minutes and no member may speak to it for more than five minutes;
- (b) when the time allotted to any business under this order has expired, the person presiding shall put every question necessary to complete the business in accordance with the time allotted without permitting further debate or amendment, and shall in the case of a Bill in Committee also put to the vote any amendments to the Bill proposed by a Minister or Parliamentary Secretary, if those amendments appear on the Notice Paper for that day;

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pandal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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- (c) if any other business is before the House or Committee when a time specified in accordance with paragraph (a) is reached, that other business shall be interrupted and set down as an Order of the Day for that day's sitting without a question put and the item of business subject to the time allocation shall be called upon; and
- (d) a closure under Standing Order 158 may not be moved on any question which is the subject of time allotted under this order.

That was the sessional order that members of the previous Government voted to put in place in this Parliament. Those members who were here then will recall the timing of that motion. Usually at 4.30 or five o'clock in the afternoon, the Leader of the House would move, "That in accordance with the sessional order the following Bills be dealt with". We would sit here like dummies and watch those pieces of legislation pass through this House

Mr P.G. Pandal: We did not sit like dummies. We voted against them.

Mr L. GRAHAM: I will come to that in a minute. I am talking about the application of the order. That happened without any member of Parliament having the opportunity to cast his eye over the legislation or to speak on it. The member for Hillarys was then the cabinet secretary. This House regularly and routinely passed legislation without even a second reading speech.

Mr R.F. Johnson: That is not true.

Mr L. GRAHAM: Let us not lose sight of that. That is what the previous Government did to this Chamber. I never voted in favour of it. The member for South Perth, to his eternal credit, never voted for it.

Mr J.C. Kobelke: That's not quite true. He did once. It was perhaps by mistake. There was one inconsistency.

Mr P.G. Pandal: It was my mistake, and I voted with you about 80 times after that. You're the bloke who has changed his mind.

Mr L. GRAHAM: I was about to say that I have never knowingly voted for a sessional order, and I would be prepared to bet that the member for South Perth also has never knowingly voted for a sessional order.

That is what used to happen. The current Government is not doing that. I have not laid eyes on the legislation because I am not remotely interested in it other than I think it is a waste of money. The money is not contained in this Bill; it was in the budget. All the Opposition's rhetoric about the cost should be made during the budget debates of this and next year. This pissant piece of legislation would not fill an A4 piece of paper, and the adjoining schedule fills half a page. That is what we are talking about. That is what this piece of legislation is. I have no interest in it whatsoever. For some reason, the member for South Perth, like many other members, has a real, deep and significant interest in this rather small, innocuous piece of legislation. Its sole purpose is not to spend \$1.4 billion but to make the acts of a minister legal and lawful and amend some schemes supernumerary to that. Is the Government proposing to suspend debate on this by suspending the standing orders? I suspect it is not, because nothing in this motion says that it wants to curtail debate. The motion states -

That so much of the standing orders be suspended as is necessary to enable the third reading of the Railway (Jandakot to Perth) Bill 2002 to be moved immediately following consideration in detail.

I suspect the standing orders referred to are those on page 97, which require, in broad terms, that once the House gets to the end of the consideration in detail stage, it set a date for the third reading. That is what is being waived. I know the Leader of the House quite well, and I suspect that if the member for Hillarys wants to sit here all night, all tomorrow and all weekend to deal with this, the Leader of the House would be prepared to let him. I might be wrong but I suspect he is -

Mr R.F. Johnson: I know you will not be here.

Mr L. GRAHAM: I guarantee that I will not be here. If I knew what the member for South Perth's theatre tickets were -

Mr P.G. Pandal interjected.

Mr L. GRAHAM: No. The Government is seeking to put a piece of legislation through this place. That is what Governments do. The role of this Parliament is to debate legislation. This Parliament is where we bring the disagreements. It is not where we bring the things on which we agree. They go through on the nod. I would be bitterly disappointed in the Government if it gagged and curtailed any reasonable debate.

Mr P.G. Pandal: It has been doing that all week.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Mr L. GRAHAM: If there are more performances of the type of the member for Hillarys, in which he took his time and filibustered, and leant over to someone and asked him to keep talking because the Opposition was not quite ready to finish, the House can and should deal with them.

Mr R.F. Johnson: The Government did that for eight years in opposition.

Several members interjected.

The SPEAKER: Members!

Mr L. GRAHAM: The House can and should deal with that type of performance. Those members who have an interest in this legislation should be allowed examine it, and I suspect and hope they will. They should be entitled to express their views.

**MR P.D. OMODEI** (Warren-Blackwood) [5.05 pm]: The question is whether we should suspend standing orders to debate this Bill. I would have liked the opportunity to speak on the motion to send the Bill to a parliamentary joint select committee. Much is at stake here. A lot of taxpayers' money is at stake. Many projects around country Western Australia will be curtailed as a result of this railway. The Bill needed to go to a select committee.

Why has the House been sitting on Thursday nights when the convention has been to retire at five o'clock on Thursdays? Country members spend all of Wednesday evening in the Parliament - we did that last night - although the House does not sit. Why could we not have sat last night to get the legislation through? I cannot understand the haste to pass the legislation. We could go through to the end of the third reading and pass this legislation tonight; however, the Legislative Council will have risen by that time. It will not receive the Bill until Tuesday of next week. I understand that it is the practice of the Legislative Council to leave a Bill on the Table for a week, which would take us into the two-week break. I am at a loss to understand why the Government is pushing this legislation as hard as it is. Why not have a decent debate and allow every member to have his say? We are all elected to represent the people around Western Australia and to put their points of view. My view is that this project is well and truly ahead of its time. I want to be able to say that. I dare say that during the consideration in detail stage and the debate on the short title, and later in the third reading stage, I will be able to make those points very clear.

I am at a loss to understand why we must suspend standing orders to get the legislation through this place tonight when we could have sat last night and the Wednesday night before that. That would have allowed all the people who had plans and family and electorate commitments around Western Australia for tonight to keep them.

Mr P.G. Pendal: I think you should repeat those couple of sentences to impress them on the country members on the other side.

*Point of Order*

Mr J.C. KOBELKE: Mr Speaker, I ask you to consider the way in which the standing orders regarding motions to suspend standing orders have been applied in the nearly 14 years I have been here. Under a range of Speakers, it has been a requirement that a member speak only to the suspension of the standing order. Past practice has allowed some leeway to the mover of the motion. Once the first person has spoken and countenanced some of the surrounding matters related to the suspension, the standing orders have been applied quite strictly. Members must speak only to the issue of suspension. The member for Warren-Blackwood said in his introductory remarks that he wished to use the opportunity to raise matters that he was denied the opportunity to raise in another debate. That has nothing whatsoever to do with the matter before the House.

The SPEAKER: The member started in a way that led me to believe he would not comply with the rules. However, he then moved into an argument about the suspension of standing orders. I urge the member to stay strictly within those guidelines. No leeway will be given.

*Debate Resumed*

Mr P.D. OMODEI: I have been speaking for two minutes. The Leader of the House can hardly accuse me of filibustering. I believe that we should not be suspending standing orders at all, which is why I am on my feet at the moment. There is a valid argument for the rights of country members and the conventions of this place to be maintained. I will sit down in a moment, but I will take every opportunity that I can at the consideration in detail stage and at the third reading to have my say and to put very clearly the points that I intended to raise in the first place. The Leader of the House has still not explained to the House why we are sitting these inordinate hours, why he is gagging the debate and why he is suspending standing orders when this legislation will not be introduced into the Legislative Council for another three weeks.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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**MR T.K. WALDRON** (Wagin) [5.11 pm]: I also oppose the motion to suspension of standing orders motion. I cannot understand why the Leader of the House will not allow the normal process to be followed with such an important Bill. I do not agree with the member for Pilbara. Because of the money involved, surely this Bill is important to everyone in the State. The Bill should therefore follow the normal process. All the Liberal Party and the National Party are asking is that the normal process be followed. I believe that the suspension of standing orders should occur in only very special circumstances. I do not believe that this is such a circumstance.

I would like the minister to explain why there is such a rush for the Bill to pass through the House. I admire this place as a democratic institution. However, during the course of this week I do not believe that this place has been able to operate as a democratic institution. As I understand it, we are elected to represent our constituents. Members have not been able to do that, and that is not right. Every member should have the opportunity to represent constituents.

As a new member who was elected only 18 months ago, I want to know whether the minister intends to gag debate at the consideration in detail stage. Will the minister give an undertaking that it will not happen?

Mr J.C. Kobelke: We have set aside more than adequate time. If people engage in time wasting, we will stop the time wasting. We would like to allow members to debate matters of substance, which is not happening now.

Mr T.K. WALDRON: I do not think that I am wasting time at all. If the debate were gagged, it would be very disappointing because this is a major Bill. Politicians probably do not have the greatest of reputations. I was recently tackled in a service station about politicians and their reputations. It is pretty hard to defend them when we do these sorts of things. I am a country member with a family, and I have commitments tomorrow. It is ridiculous that we should have to stay here tonight because the Government is trying to rush a Bill through.

Ms A.J. MacTiernan: You spent the day filibustering when you could have spent the day discussing the Bill. You decided not to discuss the Bill.

Mr T.K. WALDRON: Why could we not have sat longer last night?

Ms A.J. MacTiernan: You did not want to sit last night because I was not here.

Mr T.K. WALDRON: I was here. The National Party will oppose this motion. It is ridiculous. We are going against the procedures of this Parliament, and it should not happen.

**MR A.D. MARSHALL** (Dawesville) [5.16 pm]: I oppose the suspension of standing orders. This is an important piece of legislation. When important events come along, elite athletes train for them. They do not enter events when they are tired. The Government has made a commitment that on Thursday nights the Legislative Assembly will rise at 5.00 pm to allow members to go home, after having possibly missed their families for three days. This Parliament is supposed to support families. Members have commitments in their electorates. They make commitments and appointments on the basis that the Leader of the House will run the business of the House on time, and that on Thursdays the House will rise at 5.00 pm. Members would be letting down the Government and their electorates by not being able to do their jobs properly.

If the House sits until 1.00 am, which I envisage will happen tonight, members will be very tired and not able to do their jobs properly on Friday, all because of the lack of control of the business of the House. Country members have been mentioned. Some of them will miss flight connections to their electorates. What about the people who will be driving home at 1.00 am? The minister dealing with road safety will tell members that an article in the newspaper last week indicated that 35 per cent of fatalities on the roads are caused by shift workers driving home. Tonight we will become shift workers. The minister lives in the metropolitan area and may not have considered that, but I venture to say that sooner or later a member will have a fatality driving home. I want the minister to think about that. Some of us work very hard in this place. When we drive home and we are tired, we are in danger of having an accident that would be caused simply as a result of the lack of control of the business of this House.

The Bill that we are to debate is a major Bill. We have not given it sufficient attention, because at times when the major part of the debate occurred, the minister in charge of the Bill was not here. When we wanted to debate it, the shadow minister was not here at times. Because of all this shemozzle and lack of planning during the week, we will sit to all hours tonight. It will be a danger to our health. It will not allow us to fulfil our proper workload and our family commitments. I ask the Leader of the House to consider that.

**Extract from Hansard**  
[ASSEMBLY - Thursday, 19 September 2002]  
p1324b-1386a

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pandal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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As a previous speaker asked, why did we not keep going last night? We finished at 7.00 pm. No-one minds sitting late on Tuesdays and Wednesdays. Why not start earlier on Wednesdays? I know that committees sit on Wednesday mornings, but what is more important - the House with major legislation or a committee? When we are supposed to finish at 5.00 pm on Thursday and we do not finish until 1.00 am, the sitting hours pose a danger to our health. I caution country members who are driving home to drive carefully. I urge the Leader of the House to reconsider this proposal.

Question put and a division taken with the following result -

Ayes (30)

Mr P.W. Andrews	Mr L. Graham	Mr J.A. McGinty	Mr E.S. Ripper
Mr J.J.M. Bowler	Mrs D.J. Guise	Mr M. McGowan	Mrs M.H. Roberts
Mr C.M. Brown	Mr S.R. Hill	Ms S.M. McHale	Mr D.A. Templeman
Mr A.J. Carpenter	Mr J.N. Hyde	Mr A.D. McRae	Mr P.B. Watson
Mr A.J. Dean	Mr J.C. Kobelke	Mr N.R. Marlborough	Mr M.P. Whitely
Mr J.B. D'Orazio	Mr R.C. Kucera	Mr M.P. Murray	Ms M.M. Quirk ( <i>Teller</i> )
Dr J.M. Edwards	Mr F.M. Logan	Mr A.P. O'Gorman	
Dr G.I. Gallop	Ms A.J. MacTiernan	Mr J.R. Quigley	

Noes (17)

Mr M.J. Birney	Ms K. Hodson-Thomas	Mr P.D. Omodei	Dr J.M. Woollard
Mr M.F. Board	Mr M.G. House	Mr P.G. Pandal	Mr A.D. Marshall ( <i>Teller</i> )
Dr E. Constable	Mr R.F. Johnson	Mr D.F. Barron-Sullivan	
Mrs C.L. Edwardes	Mr W.J. McNee	Mr T.K. Waldron	
Mr B.J. Grylls	Mr B.K. Masters	Ms S.E. Walker	

Question thus passed.

*Consideration in Detail*

**Clause 1: Short title -**

Ms K. HODSON-THOMAS: I will speak against the short title of the Bill. As I made clear in the second reading debate, I support the notion of delivering a railway to Mandurah and the notion that the Kenwick route was the right route, for a number of reasons. I am also concerned that there has not been sufficient opportunity for the people who live between Jandakot and Perth to be consulted and to have input on the route between Jandakot and Perth. That is of critical importance. This is the first opportunity for us to properly scrutinise all aspects of the Bill and this project. I oppose the change of route. I am concerned that it does not provide an integrated public transport network for the communities between Jandakot and Perth. The former Government had put in place an approach that was carefully considered and involved long-term planning. We now have a railway that will be two years late and have a \$300 million cost blow-out.

The ACTING SPEAKER (Mr P.W. Andrews): I think the member for Carine would know what I am about to say. The member for Carine needs to draw the debate closer to the short title of the Bill.

Ms K. HODSON-THOMAS: I may come up with an alternative title for this Bill shortly.

Mrs C.L. Edwardes: The Leader of the House has just said that if we want to have constructive debate on clauses 1 and 2 instead of throwing the whole of the debate into clause 3, that is okay with him. We can come up with an amendment to change the short title of the Bill. That is no problem. However, we have not done that. The Bill has four clauses. Clauses 3 and 4 are the critical clauses. If we want to spread some of the debate over into clause 1, the Leader of the House has just said that he is comfortable with that.

Ms K. HODSON-THOMAS: Mr Acting Speaker, I am mindful of what you have said to me and that we are dealing with the short title of the Railway (Jandakot to Perth) Bill 2002. My concern is about whether this Bill addresses the needs of the wider community or only those of the communities between Jandakot and Perth. As I have outlined, I do not believe it does.

Mr M.F. Board: Is Jandakot not in Perth?

Ms K. HODSON-THOMAS: The member for Murdoch has made a valid point. Of course Jandakot is in Perth. It is one of Perth's metropolitan suburbs. Perhaps the short title of the Bill should be the Railway (Jandakot to

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Central Business District) Bill. However, I am not foreshadowing moving an amendment to change the title. I do not believe that would be constructive. I wish to raise many concerns during consideration in detail. Other members also wish to raise their concerns. I intend to be as constructive as I can. I certainly did not filibuster during any of the debate today.

Mrs C.L. Edwardes: None of us ever does!

Ms K. HODSON-THOMAS: The member is right.

A government member interjected.

Ms K. HODSON-THOMAS: I have been on my feet for only four and a half minutes. I hardly think that is filibustering.

The ACTING SPEAKER: The members to my right will not interject.

Ms K. HODSON-THOMAS: Perhaps the short title should read: This Act may be cited as the Railway (Jandakot to Central Business District) Act 2002.

I want to provide other people with an opportunity to have their say during this debate, and I look forward to making a contribution on a number of other clauses.

Mr M.F. BOARD: In addressing the short title of the Bill, I am reminded that for those in a very large part of my constituency in the seat of Murdoch, this would be their first introduction to the fact that the proposed rail line will go from Jandakot to Perth. If, for any reason, they have not been avid readers of *The West Australian* or somehow missed the occasional bit of propaganda that the Government put out, they would not know that the rail line will run from Jandakot to Perth and that it will not continue, as stated in the previous announcements by the former Government, running from Jandakot via Kenwick and into the city.

The short title of the Bill is confusing because the word “Perth” is used in the title to refer to the inner city - the central business district - and it appears that Jandakot is not a part of Perth. The word “Perth” is used in a way that might confuse people about the full intention behind the rail link. It would have been of greater benefit had the Government been more accurate in the way it named the Bill as to the route of the rail line.

Literally hundreds of letters have come into my office asking about the Government’s intention. There has been little consultation with the wider community and people in large parts of the southern corridor are still unaware of the Government’s intentions. Therefore, I put on the record that my constituency, in the main, is very much opposed to not only the current route that the Government is pursuing, but also the fact that it has been left out of the consultation process.

The ACTING SPEAKER: The member must redirect his speech to clause 1.

Mr M.F. BOARD: With regard to clause 1, this is the first opportunity that we have had to put on the record the lack of consultation by the Government. The short title of the Bill is the first acknowledgment to the people in my electorate that there has been a change in direction of the route. It appears that the Government is not prepared to spend any resources to let the wider community know about this change in route.

The ACTING SPEAKER: Once again, the member must redirect his speech to deal with clause 1.

Mr M.F. BOARD: Let us hope that through the media we will get the opportunity to make the community aware of the true title of this Bill because the people in my electorate have been left out of the consultation process and have not been made aware of the changes to the route.

Clause put and a division taken with the following result -

**Extract from Hansard**  
[ASSEMBLY - Thursday, 19 September 2002]  
p1324b-1386a

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Ayes (27)

Mr J.J.M. Bowler	Mrs D.J. Guise	Mr J.A. McGinty	Mr E.S. Ripper
Mr C.M. Brown	Mr S.R. Hill	Mr M. McGowan	Mrs M.H. Roberts
Mr A.J. Carpenter	Mr J.N. Hyde	Mr A.D. McRae	Mr D.A. Templeman
Mr A.J. Dean	Mr J.C. Kobelke	Mr N.R. Marlborough	Mr P.B. Watson
Mr J.B. D'Orazio	Mr R.C. Kucera	Mr M.P. Murray	Mr M.P. Whitely
Dr J.M. Edwards	Mr F.M. Logan	Mr A.P. O'Gorman	Ms M.M. Quirk ( <i>Teller</i> )
Dr G.I. Gallop	Ms A.J. MacTiernan	Mr J.R. Quigley	

Noes (15)

Mr M.J. Birney	Mr B.J. Grylls	Mr P.D. Omodei	Ms S.E. Walker
Mr M.F. Board	Ms K. Hodson-Thomas	Mr P.G. Pendal	Dr J.M. Woollard
Dr E. Constable	Mr R.F. Johnson	Mr D.F. Barron-Sullivan	Mr W.J. McNee ( <i>Teller</i> )
Mrs C.L. Edwardes	Mr B.K. Masters	Mr T.K. Waldron	

**Clause thus passed.**

*Point of Order*

Mr B.K. MASTERS: I understood that when a division is taken, it is essential that members of Parliament sit on one side of the House or the other. I tried to attract the attention of the Minister for Planning and Infrastructure because she was sitting at the committee table, but she did not hear me. Has her vote been recorded with the ayes, the noes or neither?

The ACTING SPEAKER: The Minister for Planning and Infrastructure is sitting on the right so her vote counts.

*Debate Resumed*

**Clause 2: Commencement -**

Mrs C.L. EDWARDES: Once the legislation is passed in both Houses of Parliament, what else should be done administratively? Will any regulations be required before assent to the Bill is obtained? How long after it passes through both Houses of Parliament will the legislation be assented to?

Ms A.J. MacTIERNAN: It will follow the usual procedure. It will pass through the Legislative Council, be presented for assent and come into operation on the day of assent. We expect that to be completed by 19 November this year.

Mrs C.L. EDWARDES: Is the minister saying that nothing else needs to be done in order for the Bill to be implemented once it has passed through both Houses of Parliament? Is no other administrative action, other than the ordinary executive council process, required before this legislation is assented to?

Ms A.J. MacTIERNAN: Absolutely. What did the member have in mind?

Mrs C.L. Edwardes: Often there is.

Mr P.G. PENDAL: The minister referred to processes being completed by 19 November. What is the reason for that date?

Ms A.J. MacTIERNAN: We have a comprehensive timetable to work to. As we have said on the public record time and again, we must have the works in front of the convention centre completed by mid 2004 in time for the convention centre to be opened. In order to develop the tender documents, have tenders made public, review submissions, make decisions and proceed with construction, that process must be under way by the end of this year.

Mr P.D. OMODEI: This legislation will not arrive in the Legislative Council until Tuesday next week. Given that the convention of the upper House requires that the Bill lay on the table for at least a week, it will not be ready for debate in the Council until 15 October. The Opposition understands that the Council will then sit for two weeks, as will the Assembly. That will bring us to the end of November. Consequently, there will be only six sitting days to pass it through the Council. How can the minister guarantee that the legislation will pass through the Council in that time frame, bearing in mind that the Council has always been an independent House? Although the minister may prefer the legislation to be gazetted by 19 November, has she taken into account the usual conventions of the Council? If that time line is not kept, what impact will it have on the project?

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Ms A.J. MacTIERNAN: Of course I cannot guarantee that the Legislative Council will deliberate on the Bill in an orderly and expeditious manner. Given its record over the past 12 months, we can say that we will be presented with some difficulties in that regard. However, we will not allow the obstructionist practices engaged in by the Opposition in the upper House to prevent us from moving forward. When in government, the Opposition completely failed the people of the south west suburbs and did not proceed with construction of the rail line. However, they are now seeking to use whatever means are available to put roadblocks in our way. We will not be stopped by those roadblocks. This Bill will be transmitted to the Legislative Council. We appreciate that we have strong support from the Greens (WA). One of their election commitments was to fight to get the rail down the centre of the freeway. I cannot guarantee it will be dealt with. However, we will be vigorously debating this in the Legislative Council. Perhaps we can ask the member whether the position he has taken on this Bill represents Liberal Party policy or whether he is off on a frolic of his own in opposing the rail per se and the delivery of a rail project.

The ACTING SPEAKER (Mr Andrews): I remind members and the minister that clause 2 addresses the time the Act will come into operation.

Mr P.D. OMODEI: The minister raised an issue on which I should have a chance to explain my position. I am not opposed to a rail line to Mandurah. I am opposed to this time frame. I think the project is ahead of its time. Many other priorities in Western Australia should be taken into account. The minister mentioned the obstructionist approach of members in the Legislative Council. I understand that the Government is in control of the upper House and could set the priority. I presume that the Bill will be given No 1 priority in the Legislative Council. Given, as the minister said, that the Greens support the legislation, how will the Opposition be obstructionist? Or will it use the normal procedures of the Parliament to thoroughly debate the issue? It is difficult to reconcile the minister's comments when the Labor Party and the Greens have control of the Legislative Council.

Mr P.G. PENDAL: If the minister is not going to answer the member for Warren-Blackwood I will ask her a question.

Ms A.J. MacTiernan: It was not a question; it was an opinion.

Mr P.G. PENDAL: The minister indicated her desire to see the Bill clear the Parliament by 19 November because the Government has a comprehensive list of dates that it must meet beyond that point. What is the comprehensive list of dates? Due to the magnitude of the project, I would like her to take us into her confidence.

Ms A.J. MacTIERNAN: Some of the key dates are as follows: although we cannot guarantee it - we do not seek to pre-empt the Legislative Council - we hope to have assent by 19 November. We hope the Act will then commence on 17 December. We have scheduled for environmental clearances to be obtained by 28 February 2003 and first expressions of interest to be sought around 13 January 2003.

Mr P.G. PENDAL: If my imperfect shorthand helps me out, the minister said - I understand she cannot pre-empt what another place will do - that the Bill would have gone through the other place and been given royal assent by 19 November. She then talked about 17 December as the commencement date. We are dealing with the commencement clause, which reads -

#### **Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

It must be one date or the other. Is royal assent being given on 19 November? If it is, surely that is the commencement date. If that is the case, what is the date of 17 December for?

Ms A.J. MacTIERNAN: I am advised that section 20 of the Interpretation Act provides that commencement of legislation takes effect 28 days after assent.

Mr P.G. PENDAL: I am interested to know how the minister gets that advice because, notwithstanding the Interpretation Act, this Bill states that the Act comes into operation on the day on which it receives the royal assent. The minister has told us that she expects that to be on 19 November. I want to know why there is a disparity, notwithstanding the Interpretation Act. Her words were that she expects royal assent on 19 November. Surely that is the commencement date, because that relates to the clause with which we are now dealing.

Ms A.J. MacTIERNAN: I can only refer to the advice we have. I will seek further advice now and perhaps I can be given a copy of the Interpretation Act. The advice we have from parliamentary counsel is that the commencement of the Bill, which may indeed be different from the date of royal assent, is 28 days after the

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assent has been obtained. That is the advice I have. If the member is unhappy with that advice, we can take up the matter later. I do not know whether we can get a copy of the Interpretation Act immediately to see whether we can deal with it.

Mr P.G. PENDAL: It is not a question of whether I am happy. We are being asked to pass a clause that is at variance with clause 2. The minister has said something that varies from the words in front of us. Clause 2 states -

#### **Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

Therefore, commencement and royal assent are one and the same thing. I am not all that interested in what parliamentary counsel has to say. Parliamentary counsel does not make the law; Parliament does. The minister told us a few minutes ago that she hopes that the royal assent - and no more than that - will be given on 19 November. She is now telling us that commencement may go ahead on 17 December. I am saying that that is critically at variance with clause 2. Clause 2 states that the Bill comes into operation on the day on which it receives the royal assent.

Ms A.J. MacTIERNAN: I have now had an opportunity to read the Interpretation Act, and the member may well have a point. The legislation states -

Every Act to which the Royal Assent has been given before 1 July 1984 shall be deemed to have come into operation on the day on which that Act received the Royal Assent, unless the contrary intention appears in the Act.

We will seek further advice on it but I agree with the member that it looks as though the clause in the way it is expressed could constitute a contrary intention. In that case, the Bill would commence immediately on royal assent. I hope that is indeed the case, because it would give us another month in which we could advance this important project.

Mr P.G. PENDAL: That is an excellent explanation but it does not overcome the problem. I do not know what the modern parlance is, but we should be reporting progress and seeking leave to sit again to deal with that matter, which must be attended to before we go any further. I have forgotten what the parliamentary term is for jumping over a clause. It might be that we seek to postpone the clause because it is clearly not what the Government has in mind. I do not mind if we do that. After all, the Government is saying that it wants the Bill passed with reasonable dispatch. We cannot be expected to pass the Bill when there is that critical difference. Therefore, I move -

That consideration of clause 2 be postponed.

Ms A.J. MacTIERNAN: The Government will not agree to the motion. As I said, the member may have correctly interpreted this Bill. Indeed, my advice, now that another lawyer is involved, is that it does have a contrary intention. The Bill will, therefore, commence on the day that it receives royal assent. The Perth rail team that had developed the plan was being overly cautious and had set a commencement date 28 days after royal assent. That, of course, is not necessary and it means that we could expect the Bill to commence on 19 November, as the legislation provides.

Mr P.G. PENDAL: I am pleased to have that clarification. We are dealing with clause 2 in a three-clause Bill and have found that disparity. Does that not raise some alarm bells with members? Only three or four, maybe five, minutes ago the minister told us that assent was to be given on 19 November. These are not just pretty, cute points of debate. There is a lot of constitutional law attached to it. Assent was intended to be on 19 November and commencement was to be, in the minister's words, on 17 December. I presume we are now being told - so that I can recycle it for my own benefit - that the commencement date will be the date on which it receives the royal assent - 19 November. Therefore, that is the commencement date and the minister was wrong to have said that it was 17 December. If she was wrong about a relatively straightforward matter like that, it leaves a rather large question mark over other matters about which she might have been wrong. However, I ask her to confirm now that commencement in clause 2 will come about on the day on which it is to receive royal assent, and the date on which she hopes that will occur is 19 November, not 17 December.

Ms A.J. MacTIERNAN: Yes. I was reading from a schedule that had been developed by the Perth urban rail development team. That team comprises technical people who obviously had presumed, as often is the case given the Interpretation Act, that there was a four-week separation between the royal assent and the commencement of legislation. In this instance that is not the case. In this instance, as permitted by the

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Interpretation Act, we have brought forward the commencement of the Bill so that it is in alignment with the date of royal assent. There is no gain to the people of Western Australia by delaying the commencement of this Bill for another four weeks after it receives royal assent. The important aspect is that it will be debated in both Houses of Parliament. It will then go to the Executive Council and then to the Governor. It will then receive royal assent and on that day it will come into operation.

*Sitting suspended from 6.00 to 7.00 pm*

The DEPUTY SPEAKER: There is a motion before the Chair. However, I have been advised that some information was sought and gained. Further to that information, there is a possibility of withdrawing the motion should the member wish to do so, otherwise the motion stands.

Ms K. HODSON-THOMAS: I understand that the member for South Perth moved that motion. He is not here. He sought some clarification from the minister about the commencement date and the date of assent. The minister gave a full explanation of that matter and said that the assent and commencement would take place on 19 November 2002 and not 17 December 2002 as she had indicated earlier.

Ms A.J. MacTiernan: They are estimated dates. It is estimated that the Act will come into operation on the day of royal assent as opposed to the default setting in the Interpretation Act, which is 28 days after, because the Bill specifically provides that this Act comes into operation on the day on which it receives the royal assent. The default setting does not apply.

Ms K. HODSON-THOMAS: It is therefore necessary to withdraw the motion. I am not sure I can do that, as the member for South Perth moved it.

The DEPUTY SPEAKER: I am checking the standing orders, because I thought it might have been a possibility. Standing Order No 119 states -

A motion is in possession of the Assembly once it has been moved and cannot then be withdrawn unless leave is given without a dissentient voice.

The member for South Perth has returned to the Chamber.

Ms K. HODSON-THOMAS: Given that the member is now present, and we are dealing with his motion to defer clause 2, he may wish to withdraw the motion himself.

Mr P.G. PENDAL: My recollection is that I moved that debate on clause 2 be postponed. However, I said that if there were an explanation, I would be happy to withdraw the motion. Now that I am in the Chamber, I am happy to hear that explanation.

Ms A.J. MacTIERNAN: The explanation is quite simple. The commencement date is to be the date that the Act receives royal assent. The default setting that is set out in the Interpretation Act will not apply. The timetable was drawn up with the view that the default setting might apply. The default setting will not apply. The date on which royal assent is given is the date on which the Act will commence operation.

Mr P.G. PENDAL: My point in raising the issue was that, notwithstanding what was said earlier about the provisions of the Interpretation Act, the commencement clause in a very small Bill comprising three clauses indicates that the Act will come into operation on the day on which it receives royal assent. We were given information that the date of royal assent was a different date from the commencement date. If we are now being told that the commencement date is also the date of royal assent, I am happy with that. It was not an attempt to point score. I was simply trying to make the point that the Parliament arbitrates on those issues, not the Crown Solicitor. In those circumstances, and given the assurance I have been given by the minister, I am happy to withdraw my motion.

**Motion, by leave, withdrawn.**

**Clause put and passed.**

**Clause 3: Authority to construct Jandakot to Perth railway -**

Ms K. HODSON-THOMAS: In relation to some of the time schedules indicated by the minister, royal assent will come into play on 17 December 2002. The minister indicated that there would be some environmental clearances on 28 February 2003. I note that there are some forward works in the supplementary master plan - it is indicated as package F - to be constructed along the city foreshore. Can the minister outline those forward works and indicate whether they will go ahead prior to the environmental clearances being given? Can the minister also indicate the cost of those works? I understand that this is a commitment made by the Government

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to ensure that those works are carried out along the foreshore prior to the construction of the convention centre. An agreement has been reached between the Government and the convention centre to ensure that happens.

Ms A.J. MacTIERNAN: Some work will be undertaken, perhaps as early as late this year, on the construction of some temporary roads and ground improvement, similar to work that was undertaken for the convention centre. However, it is anticipated that these works will receive individual and separate environmental clearances from the Department of Environmental Protection.

Ms K. HODSON-THOMAS: The minister said that they would receive separate environmental clearances. Can she expand on that? The supplementary master plan refers to package F, and states that it will commence in January 2003, yet the minister has just indicated that some road works may go ahead as early as the end of this year. Can the minister expand on that in a little more detail?

Ms A.J. MacTIERNAN: Because these works are of very low impact in an already disturbed area of the foreshore, we will be seeking a clearance from the Department of Environmental Protection to allow these works to be separately dealt with, and to proceed prior to the rest.

Ms K. HODSON-THOMAS: When will the minister seek those environmental clearances, if the work is to commence as early as the end of this year?

Ms A.J. MacTIERNAN: Discussions have already commenced with the DEP. Once the legislation is passed, the Government will seek some formal sign-off from the DEP. We obviously will not commence any work until we have the approval and authority from the DEP. The view that is taken is that this is not unlike other projects, where the preliminary works of a very low environmental impact are signed off in advance of the full-scale formal approvals.

Ms K. Hodson-Thomas: I understand that those preliminary works are in accordance with the supplementary master plan and will take somewhere in the vicinity of six months to occur. It actually states that for package F, Perth central. I understand they will take place between January and June 2003.

Ms A.J. MacTIERNAN: Package F is a much larger scope of work, which will not start until the assessment by the DEP has been done. I am talking about some very preliminary works - as I said, the two items are some temporary roads and ground improvement works.

Ms K. Hodson-Thomas: What temporary roads are they?

Ms A.J. MacTIERNAN: They are temporary roads that will be put on the foreshore to enable the traffic flow to continue. There will obviously be disruption to normal roads, and we want to minimise the disruption, so we will be putting in some temporary roads to provide for a proper traffic flow during that period.

Ms K. Hodson-Thomas: How long does the minister anticipate that will take?

Ms A.J. MacTIERNAN: The work will be ongoing, but we anticipate that it will need to start three to four months in advance of the construction proper in order to give us time to get those roads in place.

Ms K. Hodson-Thomas: So package F, to which I alluded, is the bigger package -

The DEPUTY SPEAKER: Members, there is far too much chatter in the Chamber. It is becoming very difficult to hear both the member who has the call and the minister. I would like members to be cognisant of the job that Hansard must do.

Ms K. HODSON-THOMAS: I was just alluding to package F, and the minister was outlining that the works in that package were much more substantial. The minister indicated that it would not commence until such time as the environmental clearances took place. I understand, from reading the supplementary master plan, that it was intended they would commence in January 2003. Given that the environmental clearances will not take place until 28 February 2003, I seek an assurance from the minister that that will be the case.

Ms A.J. MacTIERNAN: I assure the member for Carine that we will not commence work without proper environmental approval. Package F includes all of the civil, structural and drainage works from the Perth yard, which is at the Northbridge end, to the Narrows Bridge; it includes tunnelling but does not include the track work. Prior to the full environmental approval, we will commence construction on the temporary roads and the ground improvement; not the tunnelling or cut and cover per se.

Mrs C.L. EDWARDES: I thank the minister for her response to queries about the development and environmental planning applications she referred to in the second reading debate. I know she was short of time then because she had to catch a plane on the Tuesday evening. Will the minister amplify the answer she gave?

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The minister indicated that development applications are required for station sites. Which station sites do they include; which Bush Forever sites did the minister refer to; and which railway works that are not in the railway reserve will be subject to development applications?

Ms A.J. MacTIERNAN: We will seek environmental clearances for all of the stations from Mandurah to the expanded central station. Those stations are all listed in the document, so it is not necessary for me to repeat every one. Some Bush Forever sites are in the town of Kwinana, which is in the Leda area, and in the city of Rockingham in the areas of Woodbridge and Hillman. These approvals would have been required under the configuration of the railway line that had been planned by the previous Government. Those sites are not relevant to this legislation. I will confine my comments to this Bill, not the Bill that was passed two years ago.

Mrs C.L. Edwardes: What about the railway works that are not in the railway reserve?

Ms A.J. MacTIERNAN: At this stage, the railway alignment in the freeway and the work through the city centre will require development approval.

Dr J.M. WOOLLARD: Will the minister tell me tonight, or table information on, the estimated number of passengers and the estimated income from those passengers from the time the line is opened to the end of the payback period on the loan on a year-by-year basis?

Ms A.J. MacTIERNAN: I ask that the member put that question on notice. I do not have that information available as it is not specifically relevant to this Bill, which is about the realignment of the line north of Jandakot.

Mrs C.L. EDWARDES: I support the member for Alfred Cove. We are debating this legislation because the Parliament must agree before any railway can be constructed. In order to pass this legislation, I would have thought the Government needed to introduce an appropriation Bill because of the financing implications. Therefore, any financial aspect of the construction and maintenance of the railway is very much a part of this legislation.

Dr J.M. WOOLLARD: I was disappointed with the minister's response because I think this is the time to question the minister rather than question time, when the minister dances around the questions. If the minister is going to provide the facts and figures, this is the time to do it. My constituents are asking me for those facts and figures and as the Government hopes to pass this Bill tonight, I would like to be able to provide them.

Ms A.J. MacTIERNAN: The cost of the project as a whole is \$1.4 billion, that includes the extension to the north. Conservatively calculated, 28 500 patrons are expected to board the trains each day in the southern portion of that rail.

Dr J.M. WOOLLARD: I am asking those questions so that I can look at the costs in the equation. The question was: from the time the line is opened until the end of payback period of the loan, and taking into account the interest on the loan, what is the estimated number of passengers and the estimated income from those passengers on a year-by-year basis?

Ms A.J. MacTIERNAN: The estimate for the operational costs is \$47 million a year. That is the difference between the cost of running the rail and what is received in the fare box. We anticipate that for that period the taxpayers will be required to pay \$47 million a year by way of operational subsidy.

Dr J.M. WOOLLARD: Earlier today the minister stated it would be \$47 million per annum. From the time that the line opens until the end of the payback period for the loan and the interest, what is the estimated number of passengers each year and the estimated income from those passengers each year?

Ms A.J. MacTIERNAN: Just as occurred with the original master plan, the figures were calculated on the basis of the year in which the rail would be up and running. That was the strategy that was adopted with the northern suburbs rail and by the previous Government. The calculations are based on the patronage levels that are expected from the time the rail is operational. We have projected 28 500 passengers for 2006-07. We believe that to be a very conservative figure.

Dr J.M. WOOLLARD: From the time the line opens until the end of the payback period for both the loan and the interest on the loan, what is the estimated number of passengers each year and the estimated income from those passengers each year?

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Ms A.J. MacTIERNAN: The projections are based on 28 500 passengers boarding the system a day. No projections have been made beyond that date. We obviously expect considerable growth, as occurred with the northern suburbs line.

Dr J.M. WOOLLARD: I thank the minister for that information, but I return to my question. From the time the line is opened until the end of the payback period for both the loan and the interest on the loan, what are the estimates for passenger numbers and income generated from those passengers on a year by year basis?

Ms A.J. MacTIERNAN: I can provide the member with some projected revenue collections for the first five years of operation of the rail line. Members should bear in mind that some extensions will occur. Those extensions are not relevant to this Bill, but some will commence in 2004-05. The projected revenue collection is just over \$1 million for 2004-05; \$2 million for 2005-06; \$10.5 million for 2006-07; \$18.9 million for 2007-08; and \$20.8 million for 2008-09. The member can extrapolate those projected figures. The Government anticipates that an operational subsidy in the order of \$47 million a year will be incurred. There will obviously be debt servicing costs as well, because the Government will be borrowing all but \$300 million of the cost of the project.

Dr J.M. WOOLLARD: I was hoping for more than an extrapolation. The question I put to the minister was: from the time the line is opened until the end of the payback period for both the loan and the interest on the loan - the minister may wish to state how many years that will be - what are the estimates for passenger numbers and income generated from those passengers on a year by year basis?

Ms A.J. MacTIERNAN: It is anticipated that the borrowings will be in the order of \$1.1 billion over a 30-year period. Of course, I cannot tell the member what the interest payments will be because the interest payments will fluctuate according to the interest rates at the time. We cannot project what 30 years of interest rates will be. I have given the member the total amount of borrowings, which is \$1.1 billion. That loan will be taken out over 30 years. I have given the member the figures for the anticipated revenue. Although these figures do not relate specifically to this rail project, we anticipate that the daily patronage on the rail system in 2006 will be 170 000 people; by 2011 it will be 200 000. Rail patronage is currently 101 000 people. There will therefore be very considerable growth. We do not have more detailed projections than those; in fact, any more would be quite meaningless.

Dr J.M. WOOLLARD: The minister said that the figures and the anticipated revenue have been conservatively calculated. From the time that the railway line is opened to the end of the payback period, with regard to the loan and the interest on the loan, what is the estimated number of passengers year by year and what is the estimated income from those passengers year by year?

Ms A.J. MacTIERNAN: I have given the answer I intend to give to that question.

Mr M.G. HOUSE: In an answer the minister gave a couple of minutes ago, she indicated that there would be 28 500 passengers a day. Is that for seven days a week or five days a week?

Ms A.J. MacTiernan: It is for 5.6 days.

Mr M.G. HOUSE: How many of those 28 500 passengers who will travel 5.6 days a week currently travel on buses for 5.6 days a week?

Ms A.J. MacTIERNAN: This old furphy is interesting. This is exactly the argument that was used to oppose the Joondalup line. It was argued that the train would simply rebadge bus passengers. Of course, we found that although certainly bus patrons caught the train -

Mrs C.L.S. Edwardes: That was because the bus stopped at the train station and did not go any further.

Ms A.J. MacTIERNAN: That is right. The rail system has the capacity to massively increase the attractiveness of public transport. Indeed, projections for the northern suburbs line were exceeded in the first year by 10 per cent. Passenger figures have continued to increase. The member for Kingsley has been agitating for a new railway station because the northern suburbs line is so successful. The same would have applied to the Kenwick deviation. People who presently use buses would have converted to trains on the Kenwick deviation. Whenever a new system like this is built, some transference undoubtedly occurs. The projected massive growth could not be catered for with buses. We would not be able to deliver the attractive system that we can deliver with rail.

In the early days, a number of patrons will be patrons who were bus patrons. As I say, it happened on the northern suburbs line and it would have happened on the Kenwick deviation. We are confident that rail is the

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right long-term solution based on the figures and the growth on rail compared with a levelling, and even for many years a decrease, in bus patronage notwithstanding substantial increases in passenger kilometres.

Ms K. HODSON-THOMAS: I understand the projected 28 500 patrons include the commuters who will also use the Thornlie line. For members who do not understand how many will catch the rail from Mandurah to the city, will the minister explain how many people are expected to travel from Mandurah to the city by rail?

Ms A.J. MacTIERNAN: The projections are 24 950 a day one-way boardings. Obviously people will catch the train home as well.

Ms K. HODSON-THOMAS: The minister said that the conversion of bus to rail will considerably enhance commuters' attraction to the system. I think the member for Stirling was trying to indicate the number of people who use the busways. Members on this side are very concerned about the funding that has been spent on the busways. That is why we want an indication from the minister of the level of patronage on those busways. I think I referred in my speech during the second reading debate to an equation. I believe that the Kenwick route is X, the direct route is Z and if we added the busway component that would equal Y. Therefore, X plus Y equals Z. How many commuters would have been using the busways by the time the rail was completed?

What information was used to compile the transport model? I understand surveys were conducted and that the Department of Main Roads supplied some information. Who provided the information? Is census data included? I understand from reading the supplementary master plan that it was anticipated that there would be a greater population growth in some of the southern suburbs. I believe that the figure is now less than was anticipated. Can the minister provide some detail?

Ms A.J. MacTIERNAN: Of the 24 950 daily boardings on the direct route, it is anticipated that about 5 000 commuters from Murdoch and Leach Highway will transfer to rail.

Ms K. Hodson-Thomas: What about patrons who come via Canning Bridge?

Ms A.J. MacTIERNAN: Of course, there will be no requirement for people who travel through the Canning Bridge area to convert to rail, because the present bus services will continue, as we have stated previously. However, we anticipate that some of the people from Canning Bridge who currently use buses will choose to convert to rail because of the great benefit of being able to go by rail right to the city rather than have to stop at the bus port, as they do currently. It is projected that some 4 600 patrons a day will travel on buses between Canning Bridge and Perth.

Mr T.K. WALDRON: I am a bit confused about how the buses will fit in with the rail and how they will operate on the freeway. I understand there are dedicated bus lanes on Canning Bridge and the Narrows Bridge, but what will happen where there are no dedicated lanes; in other words, what effect will the rail line have on the traffic on the freeway in the future?

Ms A.J. MacTIERNAN: We have done a great number of studies on this matter. Those studies have indicated that the centre lanes on either side of what will be the railway will not be constrained and buses will have no difficulty and suffer no time penalty in merging with the general traffic.

Mr M.F. Board: You are joking! Tell that to the people who are sitting in traffic for an hour and a half to get into the city now!

Ms A.J. MacTIERNAN: The duplication of the Narrows Bridge was a great success, was it not? It just goes to show what happens when a Government deals with the symptoms and not the causes of a problem.

Mr M.F. Board: What are you going to do with the ambulances? When will they get a go? Where are the emergency vehicles going to go?

Ms A.J. MacTIERNAN: We will deal comprehensively with the problem. We will provide a public transport system that people will want to use. We will deal with the problem of how to get people out of their cars. The member for Murdoch, who was ranting, would be aware that ambulances will have access to the emergency lanes, as they do now.

I have a copy of the plans for the member for Wagin and I will lay them on the Table for members to see.

[See paper No 245.]

Ms K. HODSON-THOMAS: I raised earlier the issue of the number of commuters who would use the direct route.

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The DEPUTY SPEAKER: Members, I ask for some courtesy to be shown to the Hansard staff, apart from anyone else, who are having quite a difficult time. Interjecting across the Chamber is unparliamentary and I ask that it cease so that we can hear the member who has the call.

Ms K. HODSON-THOMAS: I raised with the minister the issue of the number of patrons who would use the direct route. The minister has indicated that 5 000 commuters will use the busways from Murdoch to the city. Taking that 5 000 from 24 900 leaves 19 900. I believe the Kenwick route would have serviced in the vicinity of 17 000 commuters, although I do not have that figure with me. However, I point out to the minister that we are spending a great deal of money on an extra 2 000 commuters. Will the minister outline the information that was put into the modelling of the rail, the way in which the determination of the modelling was made and whether the surveys undertaken were utilised? From a reading of the supplementary master plan, I understand some surveys were conducted through the TravelSmart program, and I ask the minister to outline them for me.

Ms A.J. MacTIERNAN: We can see the fallacy and the logic emerging quite early here. With any rail line that we propose there will be a massive transfer of people from buses onto rail and that, therefore, discounts the figures, but when the conservatives build a rail, somehow that will never happen - possibly because it would never build a rail. The member for Carine sought quite disingenuously the rail figures and the number of bus patrons who will convert to rail. We agreed and gave her those figures, which she then compared with the total number of people who would have used the previous Government's route. I pointed out to her that exactly the same pattern would have emerged under the previous Government's plan: some people who currently use buses would have ceased to use buses and gone onto the train system. The people who would have used the deviation between Jandakot and Kenwick would have displayed the same pattern that we have seen on the northern suburbs rail. The member's calculations on the figures simply do not stack up. Secondly, included in the sum of money we are spending is the cost of the development of the Thornlie line. The member must calculate our entire package and not just a bit of it. The rail modelling was a very comprehensive process and was similar to that adopted for the northern suburbs line; it was also used by the previous Government for the original south west master plan and the western suburbs master plan. Apparently all of these matters are now in contention. These are the sorts of matters that were factored in to the comprehensive master plan: an analysis of the major employment nodes; the metropolitan road network; the complete Main Roads travel data for all trips; residential settlement numbers throughout the metropolitan area; and the latest census data of work-to-home trip requirements. The total number of required trips is generated from all this information and then a computer calculation is made on whether the trips will be by rail or road. We believe we have used more up-to-date information than was used with the previous master plan.

Mr M.F. BOARD: We are now hitting the important hub of the argument. Will the minister indicate what study has been done or what she has in her possession to indicate the current patronage of people who live south of the river and who catch a bus directly from their residential area, via a fast bus route to either a busport or their destination? People now have one mode of public transport, whereas under this proposal many of the people who live south of the river will be required to get a bus to a rail depot, then wait and get a train, and then get off in the city to get another bus to their destination. They will be using three modes of public transport rather than one. Does the minister have the figures for those changes; and, if so, how have they been incorporated into the fudged rail figures? A lot of people will avoid using the bus-rail-bus option when they currently use the one bus option. What has the minister done in that regard?

Ms A.J. MacTIERNAN: Perhaps the member for Peel, the member for Belmont and the Leader of the House were here in 1989 when those on the other side - with one exception and the smartest of the lot; the member for Kingsley - argued this chapter and verse. The member for Kingsley was the only one who recognised this was a load of old cobbles. There is a certain *Groundhog Day* feel to all of this. We have read the *Hansards* and seen where these members said that people would never use Whitfords or Warwick stations. Indeed, there is such demand at Whitfords and Warwick stations now that a new station must be built. What absolute nonsense! Members should look at the patronage figures; if they do, they will see that over the past 10 years bus patronage has dropped, with the small exception of the circle route, which has been very successful. Bus patronage has now plateaued, notwithstanding very substantial increases in passenger kilometres. On the other hand, rail patronage has continued to increase. It increased dramatically during the term of the previous Government, even though not one extra centimetre of rail was laid. That is because these trains are faster, provide a more comfortable ride and give people an entree to a wide range of public transport options. All these arguments could be used against rail generally. Fundamentally, we are of the view that opposition members had no intention of providing a rail system to the people of Mandurah.

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Mr M.F. BOARD: The minister is absolutely misleading the Parliament and is fudging the figures totally. She knows that in 1989 there was no dedicated fast bus lane into the city. There was no integrated bus system leading directly to the city along the freeway, as there now is in the southern corridor. The minister also knows that the success of the southern bus corridor is based on an integrated bus system and a fast bus lane, for which she is substituting another mode of public transport because it suits her political purpose. The minister should come into this Parliament and talk about the reality. The reality is that very few current members were members of this place in 1989. The issues that have been raised today are very different from those raised in 1989. Thirteen years on, a large amount of infrastructure has been put in place and hundreds of millions of dollars of taxpayers' funds have been spent to give the people who live south of the river fast access to the city.

The minister will remove that system for this Casey Jones approach to rail only, even though there already is a successful transport system to the southern suburbs. Why does the minister not explain the reality to those who will lose their fast access system, which will be replaced by a longer access system in a bus-rail-bus system rather than a system with one mode of transport?

Several members interjected.

The ACTING SPEAKER (Mr P.W. Andrews): The member for Murdoch has the call.

Mr M.F. BOARD: Why does the minister not tell this House that although some people in Western Australia, particularly the people in Mandurah and Rockingham, may gain eight to 12 minutes in travelling time, the majority of people who live south of the river will take a lot longer to get from their homes to their destinations? Why does the minister not be honest about that?

Ms A.J. MacTIERNAN: Is this not extraordinary? The complaint has been that we are not building enough stations. At one point the Opposition said that the people south of the river do not want this railway, then it criticises the Government for not building a station in South Perth, because all the people in South Perth, who are really close, want to catch the train as well. This is just diatribe.

Mr M.F. Board interjected.

The ACTING SPEAKER (Mr Andrews): The member for Murdoch will come to order!

Ms A.J. MacTIERNAN: I will not keep going through this, but this is exactly what was argued about the northern suburbs railway.

Mr M.F. Board interjected.

The ACTING SPEAKER: I advise the member for Murdoch that members of the House have the opportunity to speak. The member asked questions, and other people around the Chamber are interjecting, but there comes a point when massive interjections interrupt the flow of those questions being answered.

Ms A.J. MacTIERNAN: The same arguments were used to oppose the northern suburbs railway. There was a dedicated park and ride station at Warwick before the northern suburbs transit system was developed. It had dedicated lanes going in and out of the system, and dedicated bus lanes in and out of the city. It had parking for some 800 cars. There was, indeed, a very well developed bus system in place on the Mitchell Freeway at the time the northern suburbs transport system was put in place. Notwithstanding that, there was a massive conversion from bus to train, and the system demonstrated that it was able to attract far more patrons. I am happy to answer specific questions that I know the member for Carine wants answered. I will not answer absurd anti-rail diatribes.

Mr T.K. WALDRON: I want to get back to the buses again. I asked the question before, and I thank the minister for these maps. I am concerned about those buses on the Freeway. I understand it is intended that there be 74 peak-hour buses on the freeway. What effect will those buses have? There are safety issues and traffic issues. Can someone explain that to me, please?

Mr N.R. MARLBOROUGH: While the member is waiting for an answer, I will make a couple of comments, particularly about the southern rail system. I was trying to follow the logic of the member for Murdoch, which I thought the minister picked up on fairly adequately. It went something like this. He said that the present system affects his part of the southern suburbs. Forget anything south of Murdoch! He said that there is a present system with buses on a dedicated lane that affects his part of the system. He then asked whether the Government intends replacing that with a rail system, how quickly will people in his electorate have to get on a bus to get to the station?

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Honestly, it is a very good point to make. How far south of the central business district is the member for Murdoch's electorate?

Mr M.F. Board: About nine kilometres.

Mr N.R. MARLBOROUGH: Because we already have an existing freeway train system that services the northern suburbs, it would be logical for the railway to be built nine kilometres north of the city. It would be logical to examine the system that is already in place there and consider how it would be affected. However, because that logic does not suit the member's position, he says, "No, this has an existing dedicated public transport system on a dedicated route that is well used; therefore, why would it need to be replaced?"

Mr M.F. Board: Exactly.

Mr N.R. MARLBOROUGH: "Exactly", he says. Now we are starting to get to the truth of the Liberal Party's position on the southern railway line. We now find that it tried to deceive the public of Western Australia during the last election, which it lost. It said it would build a rail system in the southern suburbs. However, the train would have been diverted so that people who lived in Rockingham and Mandurah would have had to travel through Kenwick to get to Perth. As I have said previously, that would be like driving from Geraldton to Perth via Northam. The only difference between our route and the former Government's proposed route is that we decided not to take the railway line through Kenwick. By his own admission, when the member for Murdoch interjected, he said that he does not want the present system to be removed. That means the rail system would never have been built.

Several members interjected.

Mr N.R. MARLBOROUGH: It absolutely means that. That is the member's logic. The divisions that exist in the Liberal Party's caucus room now cannot be hidden from the people of Western Australia. The Opposition has a different leader between morning and afternoon teas. It is so bad in the Opposition's Caucus that they cannot talk to their own images in the mirror; they cannot trust their own reflections.

The ACTING SPEAKER (Mr P.W. Andrews): Any moment now, I will caution a few members of the other side of the House for not talking to the clause and I suggest that the member refer to the clause.

Mr N.R. MARLBOROUGH: With the greatest respect to you, Mr Acting Speaker, I thought I was talking to the clause. Behind the rhetoric and mumbo jumbo from the member for Murdoch is the fact that the Liberal Party did not intend to build a railway line. The member for Murdoch said that the present mode of transport should be retained. We know what the previous Government's agenda was. The Opposition is wasting the time of this Government, which wants to build the first centimetre of railway to be built in the metropolitan area in the past 12 years. The Opposition wants to rave about why it should not be built. The member for Murdoch said that a dedicated bus route, which was put in place in 1989, should be left in place. We now know the Opposition's agenda. It is an anti-rail Opposition. It cannot be painted any other way. The member for Murdoch has made it clear that he prefers buses. We are bringing back donkeys and carts next week; I am sure the member will find a use for them too!

Several members interjected.

Ms K. HODSON-THOMAS: Members know that I do not have a very loud voice unless I scream, and I do not want to do that. I put on record that the Opposition supports a railway that goes to Mandurah, Rockingham and to the member for Peel's electorate.

Several members interjected.

The ACTING SPEAKER: Order, members!

Ms K. HODSON-THOMAS: However, we are dealing with the Railway (Jandakot to Perth) Bill.

Mr N.R. Marlborough: You are like a blind person in a back alley who is looking for a black cat; you are going nowhere, you have no vision at all.

Ms K. HODSON-THOMAS: I do not consider myself to be a blind person looking for a black cat.

Mr Marlborough interjected.

The ACTING SPEAKER (Mr P.W. Andrews): I name the member for Peel for the first time. Order! I will stand here until everyone is quiet. It is the schoolteacher in me coming out. If members relax, we will get through this.

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Ms K. HODSON-THOMAS: I understand that at a meeting of the Institute of Engineers at which the Perth consultants addressed the tunnelling under William Street, they advised a number of the people present that the tunnel-boring system proposed for the whole of the William Street section would be stopped by the ground anchors that were installed by the builders of some of the major buildings to support the basement walls. I understand that those ground anchors are made of high tensile wire or rods and are fixed into holes from inside the basement walls of buildings on both sides of William Street out past the centre of William Street. They support the walls during construction and add to the support of the high walls after they are constructed. I understand the speaker admitted that they could not bore through these anchors and had not solved the problem of cutting them ahead of the boring machine, and it is not known whether the walls will be safe when the anchors are cut. If no solution is found to this problem, the cost of tunnelling will blow out and even the proposal to bore might have to be abandoned. Has the Government allowed for this and other contingencies that are bound to occur in the bad ground of the foreshore? Will the contractor be expected to give a fixed price for the work or will the work be done on an at-cost or similar basis? If the contract is cost-plus, how will the ultimate cost be assessed, given the variables?

Ms A.J. MacTIERNAN: It is a sensible and valid question. I appreciate the work that the member for Carine has done because she is asking questions that are pertinent. It is the case that a rather unfortunate practice has grown up in Perth whereby the anchors that are required during the construction phase are allowed to stay in the ground. In any other city in Australia those anchors would be required to be removed. However, they are there and they are an impediment. The member for Carine is quite correct in that.

Our senior engineering people have looked at this problem and we believe that the way in which we can best deal with this is to tunnel under those anchors. We have calculated the depth of those anchors and the tunnelling will take place underneath them. They are up to 15 metres to the top of the tunnel.

Mr T.K. WALDRON: The minister referred to buses. I understand it is intended to run 74 peak-hour buses on the freeway.

Ms A.J. MacTiernan: How did you calculate that?

Mr T.K. WALDRON: That is the figure I have been told. If it is wrong, the minister can tell me.

How many buses will use the freeway in peak hour? Like other people, I have a genuine concern about how the buses that will use the freeway will affect the traffic.

Ms A.J. MacTiernan: How did you get your figure?

Mr T.K. WALDRON: I want the minister to tell me. If the figure is wrong, I am happy to say it is wrong. I heard it was 74. I might be wrong; the minister should tell me.

Mr M.P. Whitely: Was it the member for Vasse who told you?

Mr T.K. WALDRON: No, it was not the member for Vasse.

Ms A.J. MacTIERNAN: I have no idea from where the member got his figure of 74 buses.

Mr T.K. Waldron: I am not worried about the figure. You tell me what the figure is. I am concerned about how the buses will go with the traffic.

Ms A.J. MacTIERNAN: We have shown the member the diagram and where the buses will be protected when going in and out of the Canning Bridge area and into the Perth area.

Mr T.K. Waldron: It is the area in between that concerns me.

Ms A.J. MacTIERNAN: We have just done some calculations, although we can get the member more precise figures later. We think that with 4 600 patrons a day, the number of buses on the freeway each peak hour is more likely to be 30. If the member can tell us from where he got his figure of 74 buses, we will be happy to look at that. On our calculations, we believe it will be somewhere in the order of 30 buses each peak hour.

Mr T.K. Waldron: Do you believe there will be any traffic problems as a result of those buses?

Ms A.J. MacTIERNAN: I am advised that Main Roads has conducted detailed studies, and it believes that provided we arrange for protected access in those two nodes, there will not be any difficulties for people catching buses or delays in the time taken to travel between the Canning and Narrows Bridges.

Mr T.K. Waldron: It is the other people travelling I am concerned about.

Mr A.D. MARSHALL: I am not sure how this fits in with the debate. I have been sitting here since seven o'clock, and it is now 8.20 pm. This major project in Western Australia is of grave concern to me. Every time a

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question has been asked of the minister, I watch the adviser, Mr Martinovich, do a ventriloquist's act. Every time a question is asked of this minister, she must be advised of the answer. She does not know her portfolio.

Several members interjected.

Mr A.D. MARSHALL: I do not like the bullying of the member for Peel. The member for Peel is a union bully. I would like him to take on a man rather than challenge a woman. He is a big-headed bully.

*Points of Order*

Mr A.D. McRAE: The member for Dawesville just attacked a member of the public service who is in the Chamber as an adviser. That is wholly inappropriate and he should desist and withdraw.

Mr D.F. BARRON-SULLIVAN: The member was clearly not attacking a public servant. He was simply referring to the advice that that public servant has been consistently giving to the minister, thereby indicating her paucity of knowledge about the detail of this project.

The ACTING SPEAKER (Mr P.W. Andrews): There is no point of order.

*Debate Resumed*

Mr P.G. PENDAL: The minister would be well aware of my view about the way in which the railway will go through my electorate. She would also be aware of my view about the decision to not have a station in South Perth. I am interested in the minister's rationale for not immediately putting a station at South Perth. I am aware that the report contains a proposal for that to be done at a later stage. What is the basis upon which the Government made the decision to not install a station - as distinct from the Canning Bridge interchange - in South Perth?

Ms A.J. MacTIERNAN: The Government's position is outlined in the report; it is a question of opportunity cost. There certainly is an argument for a station to be built in South Perth. I ultimately would like there to be a South Perth station. However, when we considered the cost of developing the station and the level of public transport that the people of South Perth already enjoy, it simply could not be justified. Many outer suburbs have very limited public transport services. The Government acknowledges that there is a great unmet demand in public transport. South Perth is one of the best-served areas for public transport in the metropolitan area. On that basis, the Government could not justify, at this time, the cost of building a station there, which is between \$9 million and \$10 million. The cost would be that high because \$4 million of work to the freeway would be required. The Government has raised the possibility of lowering the Fremantle line in Northbridge. That is something it will do if sufficient value capture can be gained to provide total coverage of the cost of that project. There is some evidence that we will be able to do that. If there were any way for the Government to build a station in South Perth at this time - if there were some way to develop over the railway station, so that the cost of building the station was recovered -

Mr P.G. Pendal: What railway station are you talking about now?

Ms A.J. MacTIERNAN: South Perth.

Mr P.G. Pendal: We do not have one.

Ms A.J. MacTIERNAN: No; that is what I am saying. The Government has not made a commitment to lower the Fremantle railway line unless it can, by way of value capture and redevelopment of the land over the top, cover the cost of doing so. We will not proceed with that, but we are working very hard to determine whether it can be done. The Government could bring the construction of a South Perth station forward if it could come up with a value-capture proposal to develop that station that had the support of the South Perth community. I am happy to talk to the member for South Perth at a later stage about that. It was simply a question of opportunity cost. I would certainly like a station to be built at South Perth. I have no doubt that, in the fullness of time, a station will be built. However, the Government must provide some equity in the delivery of public transport. The South Perth station will become important as a destination station, particularly for people visiting the Perth Zoo. We will also see over time - probably in the next 10 to 20 years - an increased level of commercial activity in South Perth, perhaps similar to what has occurred on the north shore in Sydney. That might lead to South Perth becoming a great destination station. I make an offer to the member for South Perth: if he would like to work with the Government in some way to consider a value-capture opportunity to build something over a railway station, à la Hong Kong, the Government could perhaps consider bringing forward that work. At this stage, it cannot be justified.

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Mr P.G. PENDAL: I thank the minister for that comment. It is the first conciliatory remark the minister has made in 15 months, albeit at a pretty minor level. I wonder how much collateral damage the minister has caused over the past 15 months by failing to recognise some of the serious concerns that have been raised in South Perth. We might have made a modicum of progress. I believe that South Perth does not need a station -

Ms A.J. MacTiernan: You are out of touch with your electorate.

Mr P.G. PENDAL: I am not. I keep getting elected, if the minister remembers. I do not get elected with a major party banner. Even if I were out of touch with my electorate, I would still take the same view.

South Perth City Council took a view on the inclusion of a third rail in that part of the Perth-Mandurah rail link. It is one of its views that I share, although I do not share all its views. This is perhaps a rhetorical question because I know the answer, but why did the Government reject the third rail option through South Perth, Como, Salter Point and Manning? If that third rail option was rejected on the basis of cost, how much more would the project have cost with its inclusion? A third rail would mean that there would be no overhead visual impact. While the minister is answering that, I am interested to get on the record some of the costs of the modification to the Mount Henry and Narrows Bridges. I will follow this through with one or two other questions depending on her answer, but why was it that the Government went down the track or path - no pun intended - of something as outmoded, visually outdated and discredited as overhead wires and why have the minister and the Government rejected the option of the so-called third rail?

Ms A.J. MacTIERNAN: We need to bear in mind that trains run on the whole rail system. We took the concerns of the member for South Perth seriously. We seriously considered the third rail option. For those members who might not be familiar with the term "third rail", it applies basically to accessing the power under the rail carriage rather than above it. We dismissed it for a number of reasons. First, it would have required extensive modification to the railcars. I draw the member's attention to page 95 of the supplementary master plan, which describes the different power supplies. We could not adopt it as a general system in Perth because of the very open nature of Perth's rail system with lots of level crossings and pedestrian crossings. It was therefore not generally suited to the system.

Mr P.G. Pendal: Why was that a problem in South Perth? It does not have pedestrian crossings.

Ms A.J. MacTIERNAN: I am pointing out that we could not adopt it as a system generally.

Mr P.G. Pendal: I understand that.

Ms A.J. MacTIERNAN: We would need to have modified railcars, mixed technologies and overhead wires, and then convert the section between Mount Henry Bridge and the Narrows Bridge to the third rail system. We anticipated that the modifications to the rolling stock alone would cost in excess of \$20 million.

Mr P.G. Pendal: Is that \$20 million in the overall cost of the railway?

Ms A.J. MacTIERNAN: That is just part one. There would also be a reduction in the performance of the railcars. We believe there would be additional operational costs from having a dual system like that, and a higher maintenance cost for the trains. Another factor is the additional costs for the provision of the third rail, which was calculated to be in the order of \$50 million. In addition, the Office of Energy advised that it would require a six-foot high fence to be placed on top of the concrete wall that exists at the moment. It was our judgment that the \$50 million cost plus the unsightly introduction of a six-foot high fence above the concrete pylons or barriers would not add to the aesthetic aspect of the people in South Perth.

Mr M.F. Board: Use glass!

Ms A.J. MacTIERNAN: Okay! We looked at a number of options. One option was to use the electricity poles to act as conduits for the power, but that was ruled out on technical grounds.

Mr P.G. Pendal: On what technical grounds was that ruled out, given that that might have been a major breakthrough for the people of South Perth?

Ms A.J. MacTIERNAN: We were very keen to do that. One of the things we are doing -

Mr P.G. Pendal: I would rather you tell me why that was ruled out, because that is very important.

Ms A.J. MacTIERNAN: In order to provide lighting from a single conduit down the centre of the freeway, there would need to be massive towers down the centre of the freeway. The judgment was made that because of the technical and aesthetic impact that option would not be worthwhile.

Mr B.K. MASTERS: I am happy for the minister to continue so that she can answer the question.

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Ms A.J. MacTIERNAN: If the member were to go along the northern suburbs rail line he would see that in places there is simply a single pylon down the centre that is distributing power on both sides. We intend to use that system as much as possible so as to remove the need for dual pylons in that area. We are working very hard on how we can minimise the number and size of the wires. The latest development is that we are looking at reducing the number of wires on the northern suburbs railway from seven to four, which would be two wires on top of each track. We are happy to work with the member for South Perth to see what we can do to minimise the impact. We have not been cavalier about the member's concerns. We have taken them very seriously and I have personally -

Mr P.G. Pandal: I have seen no evidence of that. In my opinion, you have done nothing but sledge me. However, now that you are making those conciliatory remarks, I can tell you that this is the first time I have heard you say those things in 15 months.

Ms A.J. MacTIERNAN: This is certainly not the first time I have said that. I have said on many occasions that we will do whatever we can to reduce the impact of this railway along the foreshore and over the Narrows Bridge. We do not want this railway to create antagonism and conflict in any part of the community. We want this rail link to be celebrated. We will seek to place the power towers so that the disruption to people who live adjacent to the foreshore is minimised as much as possible. We are quite happy to work closely with the member for South Perth to do that. However, we must be realistic. We cannot afford to sink the rail line along the freeway. We have explored the possible use of third rail technology very seriously. I have sent it back a number of times for the PURD team to thoroughly examine because a number of people have put that option forward. It was considerably attractive to us. However, given the extra expense and the blight that would be created by a fence over and above the concrete barriers, we could not justify it and we would create something that would be far worse for the people of South Perth. We are happy to give the member an extensive briefing on what we have been able to do to date to minimise disruption. We can examine the possibility of lining up the poles to minimise disruption to people who have homes on that foreshore. If the member for South Perth wants to work with us on that, I am happy to do that.

Mr P.G. PENDAL: I thank the minister for her explanation, but I think she has been blinded by science. I cannot follow why the third rail prospect would create such a difficulty in Western Australia in 2002 when it has been part of the London underground for decades. The minister and other people have said that we do not want a six-foot high cyclone fence around the railway to guard people against electrocution from the third rail. I cannot follow that logic because the third rail, and therefore the power source to the railway, is intended to be in the middle of the freeway. Why, therefore, do we need to protect people from electrocuting themselves?

Mr B.K. Masters: They would get killed by cars.

Mr P.G. PENDAL: That is right.

Mr N.R. Marlborough: What about 2.00 am?

Mr P.G. PENDAL: I do not care whether it is two o'clock in the morning or during the day. The member for Vasse has answered the question; he was spot on. They would be killed by a car before they reached the third rail. The six-foot cyclone fence to which the minister referred would not need to be on the eastern side of the freeway to protect people from running across the freeway and getting themselves electrocuted on the third rail, which is in the middle of the freeway, for the very reason the member for Vasse indicated by interjection. If the third rail is in the middle of the rail lines, no person would access that and get themselves electrocuted unless they wanted to cross four lanes of traffic. If that were to happen, they might have invited their own fate.

I cannot understand why the third rail operates in London and other parts of the world but it cannot be introduced in Perth. Some arguments have been put that it cannot be done here because in London it is underground, which goes back to my original argument about why the line will not be built underground through South Perth and Como. However, I set that aside and raise that question because, for the life of me, I cannot understand who we are protecting and against what we are protecting them with the six-foot fence talked about by the minister. That is the first question. The second question relates to the second reading debate when one or two members scoffed - I think when the member for Alfred Cove was speaking - at the concerns about salt froth coming off the river onto an overhead power line. I recall that the member for Joondalup said that that did not happen in the northern suburbs. No, it does not happen, and that is because the northern suburbs do not have a big river system. I raise this issue, not because I am a non-professional in these matters, but for the same reason that the member for Alfred Cove raised it. I was contacted by Bruce James, who was the General Manager of the former State Energy Commission of Western Australia. He wrote to the Premier, and interestingly, never received a reply.

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However, I will read the kernel of his letter. I invite a member to indicate that he or she is interested in hearing part of this letter.

Mr A.D. McRAE: I would very much like to hear the member for South Perth quoting the letter.

Mr P.G. PENDAL: I am overwhelmed that peace has broken out. I do appreciate the member for Riverton's assistance.

Bruce James wrote to the Premier back in July. He raised the question that I am about to raise. Had he received a response he might have thought things had changed since he left the State Energy Commission and perhaps he had lost touch with engineering and electrical technology. However, his letter was met with a stony silence. His one-page letter to the Premier, which he copied to me, said, among other things -

My concern that I want to pass on to you -

That is, to the Premier -

is that if there had been a 25,000 volt transmission line supplying power to a railway system in the middle of the Freeway using an aerial configuration similar to the system that goes along the Mitchell Freeway, there was every chance that the insulators would be shorted out if the froth was to land on them.

This is not a question of frivolity on his part. He is an engineer who had vast experience with the State Energy Commission. He went on to say -

This would then cause the electric power to switch off until the storm had abated and the insulators had been cleaned or freed of the salt pollution.

Your planners would need to be made aware of this potential problem and take the necessary steps to overcome it. It may even pay to put the line underground in this area.

Ms A.J. MacTiernan: Where does Mr James live?

Mr P.G. PENDAL: Mr James lives in Strome Road, Applecross. He is not what the minister would call a punter. He is not one of the people whom the minister would dismiss as a high flier from South Perth. He does not live anywhere near South Perth. He is raising an energy issue. Why? It is because this is the only part of the proposed railway that runs through or abuts a major salt water infusion. The fact that he never got a response was a concern to him.

I attended a public meeting in Mt Pleasant some weeks ago that was organised by the member for Alfred Cove. A number of people attended that meeting, including Mr James, who had earlier written to me. Mr James ended his letter with the observation that the railway line might need to be underground in the parts of the metropolitan area that were subject to that sort of problem. Why do we take up these issues? Bruce James would never have come anywhere near me, or any other member, if he had received a response to his letter.

The minister is making a couple of conciliatory approaches, but it is almost too late. The horse has bolted. No politics were involved in his letter. In July Mr James wrote a letter to the Premier as a former senior and respected figure in the State Electricity Commission of Western Australia. The letter was simply ignored. They are the two matters I wish the minister to go on record about. Firstly, are Mr James' concerns as an energy engineer valid; and why did he not receive some sort of a response? Secondly, I am interested to hear from the minister about this puzzlement that she and maybe her advisers appear to have about the use of the third rail and the concentration camp-style fence that she believes is needed to protect the people of South Perth from that third rail system. Depending on the minister's response, I will follow with another couple of questions.

Ms A.J. MacTIERNAN: It is not my decision that this fence is needed. Regardless of what my personal opinion may be, in these matters we are required by law to be guided by the Office of Energy. That office has determined that this fence is required.

I am absolutely astounded by some of the member's comments. For 100 years a railway line has been running from Fremantle, over the river - in fact it is more graphic there than it is in South Perth - and within a couple of hundred metres of the Indian Ocean. Suddenly we cannot have a rail system with overhead powerlines anywhere near the ocean or the river. This is absolute nonsense.

Mr B.K. Masters: There is a bit of difference between 200 or 300 metres from the ocean and 30 metres from the edge of the Swan River.

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Ms A.J. MacTIERNAN: The Fremantle rail bridge goes over the river at Fremantle. Powerlines with overhead transformers run along the South Perth foreshore. These issues are addressed with proper maintenance regimes. There is no impediment to constructing powerlines with overhead transformers along the coast. If there were, we would not have any development along the coast; we would not have any roads, lights or houses along the coast. This is absolute fanciful nonsense.

Mr P.G. Pendal: Mr James has written a letter -

Ms A.J. MacTIERNAN: The member can pass that on to Mr James. Mr James may well have written a letter. I ask the member for South Perth, does this add up?

Mr P.G. Pendal: According to him. He was an engineer with the State Electricity Commission.

Ms A.J. MacTIERNAN: The member for South Perth should apply some of his own intellectual capacity to this.

Mr P.G. Pendal: You told me today I had none of that.

Ms A.J. MacTIERNAN: Electricity poles with overhead transformers on them run all along the South Perth foreshore. How is it that we do not have this problem that Mr James is talking about, and how is it that we have successfully run a railway close to the Indian Ocean - an area far more prone to storm, wind and spray than the South Perth foreshore - for over 100 years? The list of rail projects with overhead power goes on.

I am surprised at the member for South Perth. Sometimes he makes very good points and at other times his points defy belief. We have already explained the difference between Perth rail and the London underground. The London underground is, by definition, underground. Yet our rail system is an above-ground rail system. It is a very open system. There are some 30 level crossings and numerous pedestrian crossings in that system. That is the reason we have not generally gone to the third rail option in the Perth network. If we were to adopt the third rail system, we would have to have the third rail system just for that area, which is basically north of Mount Henry Bridge. The member's beloved Chatsworth to Parramatta line is not a third rail system either. I could waste a lot of the time of the House describing the voltages and the difference between the overhead system and the third rail system. Basically, the overhead system operates on a 25 000-volt system on alternating current while the third rail system operates on a 750-volt direct current. Our rolling stock would have to be fitted to take vastly different power loadings and power styles.

Mr A.D. McRAE: Some members would know that I first came to Western Australia -

Several members interjected.

Mr A.D. McRAE: Indeed, not on a train, but as an electrician. I am very interested in the issue of shifting between the alternating current and the direct current power supplies.

Mr P.G. Pendal interjected.

Mr A.D. McRAE: I have survived major shocks. One nearly killed me, but I lived to speak another day. I am definitely a DC sort of person. I understand the importance of the shift between the different current modes.

Mr M.F. Board: Can you put on the record what a DC person is?

Mr A.D. McRAE: Direct current. For those who do not have the technical knowledge, I advise that AC is alternating current. I am definitely a direct current person.

Mr J.N. Hyde: I have a point of order on relevance!

Mr A.D. McRAE: The minister was talking about shifting between alternating and direct currents and the difficulty members might have with that issue. Not only is shifting between different types of currents very difficult, but also members might not understand the difficulty in shifting between voltages. If those two quite different technological sources of energy are combined -

Mr P.G. Pendal: Are you getting a higher allowance for this speech, because you certainly made more sense than the minister did? I reckon we should transfer him to the central table.

Mr A.D. McRAE: I am quite happy where I am. The real purpose of my speech is to encourage the minister to finish her explanation so that members can again focus on the issue. It was about the technical difficulty of transferring between AC and DC sources.

Ms A.J. MacTIERNAN: I thank the member. As he quite rightly pointed out, the technical requirements for an overhead line and an underground line are vastly different. They are set out in detail. I have given a synopsis of

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them. For those members who want to pursue it further, it is on page 95. It would require a vast modification to the railcars.

Mrs C.L. EDWARDES: Given the fact that members do not get the chance to get the call very often, I will ask three questions. I return to the minister's response to the second reading debate, during which we were talking about development applications. The minister said that in accordance with current law, railways in road reserves will require development applications to be submitted to respective local government authorities to be forwarded to the Western Australian Planning Commission within five days. Some debate has taken place in this House about amendment 1060/33A. Am I correct in reading the minister's statement that, although it is required by law at the moment, once minor amendment 1060/33A enables rail on road reserves without a development application, the minister does not propose to seek development applications through the respective councils? That is the first question.

The second question deals with the heritage buildings in the city of Perth. The minister indicated that 10 buildings would be affected by construction - two are listed with the City of Perth, six are listed with the City of Perth heritage database, two have no heritage value - and that an architectural assessment had been done. Was the architectural assessment done of the two that had no heritage value, or was it done on the whole lot?

Ms A.J. MacTiernan: It was done on all of them.

Mrs C.L. EDWARDES: The minister has said that it has been done. Could the Opposition receive a copy of that architectural assessment? Is that available?

Mr J.N. Hyde: That is the heritage assessment.

Mrs C.L. EDWARDES: The minister referred to it as an architectural assessment; I do not know what the difference is.

Mr J.N. Hyde: It applies to heritage buildings.

Mrs C.L. EDWARDES: Yes, it is on the heritage buildings.

Ms A.J. MacTiernan: What is the member's third question?

Mrs C.L. EDWARDES: The third question concerns the wonderful diagram that the minister had in her hand. She indicated that she would be pleased to provide members with a copy.

Ms A.J. MacTiernan: I tabled that earlier, and I think it has disappeared. I do not know where it has gone.

Mrs C.L. EDWARDES: Thank you very much.

Ms A.J. MacTIERNAN: At this stage, the Government will be lodging development applications for that work, depending on the nature of the submissions received. I cannot at this stage say for sure that that minor amendment will go through. We are proposing to lodge development applications for all of the work that is currently required.

Mrs C.L. Edwardes: Even the rail on road?

Ms A.J. MacTIERNAN: That is under active consideration at this point in time.

Mrs C.L. Edwardes: Can I just be clear on that? At the moment you are required to do so. Is it the case that once the minor amendment goes through, which is expected before this legislation gets assent, you do not propose to seek development approval?

Ms A.J. MacTIERNAN: Once that minor amendment process is completed, that is true, but there needs to be a period of public comment, as we have indicated. Part of the Government's minor amendment procedure, as opposed to that of the previous Government, is to allow public hearings, and the Government will not pre-empt what the result of that minor amendment will be.

Mrs C.L. Edwardes: You mentioned that the other day too. Do you intend to hold public hearings after the submissions?

Ms A.J. MacTIERNAN: People can be offered the opportunity to do that. That is part of the policy we have adopted on the minor amendment process. We have said that, quite clearly, the legislation contemplates a minor amendment process, notwithstanding the views of some members to the contrary. It was used on many occasions by the previous Government. We believe that there is a role for the minor amendment process, but we have indicated that we want a degree of openness with that process. We are not in any way pre-empting the

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outcome of that amendment, and on that basis, at this stage, we are proceeding on the assumption of the law as it now is.

Mrs C.L. Edwardes: And the heritage assessment?

Ms A.J. MacTIERNAN: All of those buildings have been the subject of an assessment by Ian Hocking, who is well regarded as a heritage specialist. Those reports have now been submitted to the Heritage Council for consideration, and they relate to all of the buildings. The third issue is that the member now has the maps.

Dr J.M. WOOLLARD: I have been given cost estimates of the project by someone who is on the railway committee and he has been examining this matter with me. His projection -

Ms A.J. MacTiernan: What has he been on?

Dr J.M. WOOLLARD: This is a cost projection for the railway.

Ms A.J. MacTiernan: Who was it given to you by?

Dr J.M. WOOLLARD: It was given to me by someone on a local railway committee. The latest cost estimate for the project is \$1.4 billion and it will take five years to complete. However, with a cost escalation, the final cost might be \$1.7 billion. The interest on \$1.7 billion at a rate of seven per cent, reducing the cost over 30 years, is \$59.5 million. Over 30 years, the interest repayments of the loan are estimated to be \$56.7 million. The operating costs minus the income it will generate per annum - he said 50 so I have made it 47 - is estimated to be approximately \$163 million, which means that these losses would equate to \$447 000 a day for 30 years. Is this estimate way off the mark or will the project cost in the region of \$447 000 a day for 30 years?

Ms A.J. MacTIERNAN: The first figure that the member quoted is inaccurate. At 2006 figures, the cost of the project is \$1.4 billion. The addition of another escalation increasing the cost to \$1.7 billion has no basis. We have never sought to hide the fact that public transport costs taxpayers money. The State pays \$393 million per annum for public transport, of which approximately \$90 million per annum is spent on rural public transport. As we have said, we anticipate that this project will add another \$47 million per annum to that cost. The cost of running a public transport system can be extrapolated by adding the interest on the \$47 million over 30 years to arrive at a large figure. However, that is the cost of providing transport. I am not sure what the member's point is. The previous Government made a commitment to build a railway line and these costs would have been incurred no matter which Government built the railway line.

Mr J.N. Hyde: You could then subtract the environmental advantages and the car advantages.

Ms A.J. MacTIERNAN: Of course. We have said that if we do not build this railway, in the next 10 years we will have to develop at least another three or four freeway lanes and Perth's air quality problems will be exacerbated. We could conduct a cost-benefit analysis of the health costs for that. I find it inconceivable that a member who has been elected on the banner of being green - supposedly in reference to her conservation ethics - has the audacity to attack a public transport program because it will cost money. We are unashamed in our acknowledgment that this project will cost \$1.4 billion. We are unashamed that it will cost \$47 million a year to run; that is the cost of making the city work. That is the cost of providing a proper public transport system to the south west corridor, which over the next five years will be the fastest growing area in the Perth metropolitan area. We will not apologise for it, and we will do it. There is a community demand for a modern, efficient and clean city. If the member for Alfred Cove wants to tell her electors that she is opposed to public transport and she does not believe the Government should be providing public transport because the costs are too great, she can do that.

Mr B.J. GRYLLS: The National Party is also unashamed in its opposition to the cost blow-out of this project.

Ms A.J. MacTiernan: Which cost blow-out is that?

Mr B.J. GRYLLS: The cost blow-out that has added \$500 million to the original \$1.1 billion.

Ms A.J. MacTiernan interjected.

Mr B.J. GRYLLS: I ask the minister to let me finish. This cost blow-out will affect regional infrastructure projects. Rural infrastructure projects are currently on hold, and look likely to be unfunded into the future because of this rail project. The minister has already alluded to the \$47 million a year subsidy by the State. The minister also said that the Government has been unable to calculate interest payments on the \$1.1 billion loan over the period because of the interest rate fluctuations that may occur. I would like the minister to address that. From my calculations, every 0.1 per cent of interest rate rise will cost the State \$1 million.

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Mr J.N. Hyde: What about a decrease?

Mr B.J. GRYLLS: Yes, a decrease in interest rates will be a saving to the State. I am sure that any responsible Government would have looked at the implications of interest rate rises. I would like the Government and the minister to address this issue. If interest rates continue to rise and go above 10 per cent, there will be major cost implications to the State. I am sure that would have been addressed in the planning of this project.

Ms A.J. MacTIERNAN: I want to respond to the allegation of this cost blow-out. This just shows how desperate the National Party is. The members have lost their calibre leader and have been forced to resort to a series of pathetic untruths. I will go through this with the member for Merredin once again. For a start, the figures that were being used by the previous Government, on its own admission - even the Leader of the Opposition has acknowledged this on several occasions in this Parliament -

Mrs C.L. Edwardes: It is still a 20 per cent increase based on the CPI.

Ms A.J. MacTIERNAN: There is no 20 per cent increase. I will go through this one more time. This is the last time I will go through it. The projected cost of the Kenwick deviation plan was \$1.147 billion. The cost of the buslane stage 2 was \$70 million. When we put those together the total is \$1.2 billion. They are 1998-99 figures. As the member for Merredin acknowledged, these figures have to be escalated over time. Instead of operating off 1998-99 figures, we escalated those figure to 2006.

Ms K. Hodson-Thomas: I understood that that \$70 million was part of the \$1.147 billion?

Ms A.J. MacTIERNAN: Absolutely not. The previous Government's project did not include stage 2 of the busway. That was a separate project. We put those two projects together and arrived at the figure of \$1.2 billion. We needed to escalate that figure, and we did so to 2006. However, in doing that escalation, we took out what we had already spent. We did not escalate the entire figure. For example, the railcar contract, which had already been prepared, was taken out. The escalation was only on those moneys that are left to be spent. That added \$168 million.

Given that the National Party has a former Minister for Transport in its ranks, it is extraordinary that it is racing around and claiming that the cost estimates in its master plan included the maintenance cost under the railcar contract. That is absolutely untrue. The cost was for only the capital component of the railcars. It did not cost the maintenance. The National Party is now trying to say that we must add the maintenance cost to the cost of our project. That is nonsense. The maintenance project is, as it was in the previous Government's plan, part of the operational cost rather than the capital cost of the project.

Mr B.J. Grylls interjected.

Ms A.J. MacTIERNAN: The member is absolutely wrong. We have examined those figures. We have acknowledged that there will be an increase in cost in real terms in the order of some \$34 million. That is why, for budget management purposes, we put back the extension to Mandurah by one year. We have been very open about that. We did that also because we needed to add another \$15.5 million to the cost of the project as a result of the more complex works in the centre of the city. The only cost increase in this project has been some \$33 million to \$34 million. The member should look at how those costs are constructed. The master plan documentation refers to 1998 figures. We have escalated those figures to 2006 prices, which I think was a very responsible move.

Dr J.M. WOOLLARD: I thank the minister for her previous response because it confirms for my constituents that the costs we worked out were fairly accurate. I know the minister has been away and very busy, but I think she possibly dozed off for a while this afternoon because -

*Point of Order*

Mr J.C. KOBELKE: That statement was not only untrue but also a reflection on the minister. I ask that the member be requested to withdraw that reflection.

The ACTING SPEAKER (Mr A.D. McRae): The member for Alfred Cove went very close to impugning the reputation of the minister by suggesting that she was asleep during a debate. I accept that that is not quite what she said, but I ask her to be careful to not transgress the standing orders regarding impugning a member's reputation. There is no point of order.

*Debate Resumed*

Dr J.M. WOOLLARD: Thank you, Mr Acting Speaker. I would never have implied that. Earlier today I supported a motion to look at various rail options. That was why the member for South Perth wanted to send

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this Bill to a joint select committee; he wanted to make sure that we had the best transport option for people in the southern metropolitan area. The minister seems to think that I am anti-rail. I am not anti-rail; I am anti-outdated rail. I would like to think that we will be putting in place a rail system that will be relevant for the next 50 or 100 years.

From the time that the line is opened until the end of the payback period, which I believe the minister has stated will be 30 years hence, what are the estimated running costs of the line, year by year, for labour, electricity and track, station and rolling stock maintenance charges?

Ms A.J. MacTIERNAN: It will be \$47 million a year in 2006 figures.

Mr P.G. PENDAL: I refer to part of the supplementary master plan that was released some time ago and to the issue I raised earlier about the lack of a station in South Perth. I preface my remarks by saying that I have no difficulty with the idea of being bypassed in that way. Given that the Government master plan includes the possibility of a station at South Perth, in a provisional sense, I now want to pose some questions to the minister. The Government is going to the expense of building a station under Canning Bridge. Why has the Government chosen that site over and above another site in South Perth, given that in table 3.3.3.1 of the supplementary master plan, the passenger boarding data indicates that Canning Bridge will attract the lowest number of commuters in the whole of the southern suburbs? I remind the minister that the estimated daily boardings at Canning Bridge are 970 from a total of approximately 24 950. During the morning peak period, there will be 140 boardings at that station. It is almost like putting a loop out to Wyalkatchem; there would be just as many people there during the peak hour. The figure for Leach Highway is 3 100; Murdoch is 4 900 - it seems reasonable that those sites would get a station - Thomsons Lake is 5 500; Thomas Road -

Mr J.N. Hyde: What year are those projections for?

Mr P.G. PENDAL: They are the projections for 2006. They are in the government report. With roughly 25 000 boardings a day, why choose the part of South Perth that will attract the least number of people? My second question covers a broader metropolitan issue. I wonder whether members opposite know the extent to which this rail line will impact on Mandurah. The rationale for taking this \$1.5 billion Perth to Mandurah rail line through South Perth is that it will cut 12 minutes off the travelling time. I wonder how many members would be surprised to learn that the number of boardings at Mandurah in a day will be something like 3 500. The figure for the morning period, which is included in the total I just gave, is about 2 500.

Mr J.N. Hyde: That is only year one.

Mr P.G. PENDAL: I ask the member for Perth to wait. The Government will spend \$1.5 billion on the Perth to Mandurah project to cater for 12 per cent of the market.

Mr J.N. Hyde interjected.

Mr P.G. PENDAL: I would not mind if the member for Perth were quiet. I am asking the organ grinder and not the monkey. I want the minister to answer the question. My second question was, why is the minister still justifying the project on the basis of 12 per cent of the passengers being picked up at the other end of the line.

My third question is quite unrelated to that, but during the debate on clause 1, the minister said that environmental clearances were likely to be had by February of next year. What is the nature of the major environmental clearances that must be met between now and February; for example, do any of them affect the City of South Perth, and, if they do not, what are the other major environmental issues?

Mr E.S. RIPPER: I want to pick up on the question of the so-called cost blow-out on the Perth urban rail project. I am very annoyed at the constant opposition assertions that there has been a cost blow-out when all that the Government has done is to responsibly report what the modern costs of the railway will be. One of the first pieces of advice I received from the Treasury when we came into government was that there was a problem with the finances of the rail project. The problem was that the cost had not been escalated and we were operating on 1998 figures. The Treasury, on practically the first day I was Treasurer, drew to my attention the fact that there was a problem with the costs estimates that we had inherited from the previous Government; that they were based on 1998 figures and that a Government could not possibly buy a railway in 2002, 2003, 2004 or 2005 on the basis of figures that had been developed in 1998. The coalition is having it both ways: it left us with a dodgy set of figures, and when we responsibly update the figures so that the public and the Parliament can get a proper idea of the real cost of the project, the Opposition accuses us of a blow-out. The problem is not that we have been the cause of a blow-out; the problem is that the previous Government went to the people with a misleading set of estimates, which had to be responsibly adjusted by any incoming Government. It is another example of the Barnett budget blow-out.

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Mr P.G. PENDAL: If the Minister for Planning and Infrastructure is not competent to handle the Government's financial dealings in this project, we should not bring in the Treasurer.

Mr E.S. Ripper: I am supporting her, that is why. I am angry at the way in which the Government's and her position has been misrepresented. As Treasurer I know the truth, and I will present it to the House.

Mr P.G. PENDAL: I am angry about the fact that the Treasurer wanders in here, having not taken part in any of the debate, and then seeks to come to the aid of a minister, who certainly does need the aid that the Treasurer can give.

Ms A.J. MacTiernan: All hat and no cattle!

Mr P.G. PENDAL: The minister should not forget my warning. We do not want her sounding like a fishwife.

Mr J.N. Hyde: Get back to the policy.

Mr P.G. PENDAL: I agree with the member for Perth. I will repeat my three questions that I started before the rescue operation by the Treasurer began.

Ms A.J. MacTiernan: You are a disgusting misogynist, you really are.

Mr P.G. PENDAL: Now the minister really does sound like a fishwife.

Ms A.J. MacTiernan: That really hurt! I do not care what you say, because you have no credibility.

Mr P.G. PENDAL: I will repeat my questions for the benefit of the minister and her colleague behind. Why will a station be built at Canning Bridge and not in South Perth, Como, Manning, Salter Point or Mt Henry, when on the Government's own admission, a station at Canning Bridge will attract the least number of patrons by the year 2006, the princely number of 970? That represents 3.8 per cent of the entire route from Perth to Mandurah. My subquestion is, if the minister is proposing to go to the trouble of putting in a station that will attract no-one - which is what that figure represents - why does she not negotiate seriously about putting in a station that may pick up some passengers?

Mr R.C. Kucera: What an amazing turnaround! He now supports the railway line through South Perth! What an absolutely pompous hypocrite!

Mr P.G. PENDAL: The minister should please just stick to the health system, because God only knows he is making a big enough mess of that!

The second question is: does the minister realise that the figures that have been produced on the Perth-Fremantle railway indicate that only 12 to 14 per cent of the entire passenger commuter numbers are picked up at Mandurah? This seems to be an extraordinary expense for such a small return by way of commuters.

My third question is about the issue that the minister raised in the debate on clause 1; namely, the environmental studies that were due to be returned to the Government by February of next year. Do any of those environmental studies refer to South Perth, Como, Manning, Salter Point or Mt Henry? If they do, what is the nature and status of those reports; and, if they do not, what is the nature and status of the environmental studies that have been done for the rail line from Perth to Mandurah? It is not difficult. Three issues are involved, and I would like some comment from the minister on each one.

Ms A.J. MacTIERNAN: Before I start I want to reflect on the misogynous nature of the member for South Perth. I find him one of the most deeply offensive members in this House. The member for South Perth, a bitter and disappointed man, having been cast over for ministerial appointment, wants at every opportunity to make the most vile and personal comments. As I have said to him previously, he is all hat and no cattle. He has no substance whatsoever. He is a crusty old conservative misogynist, and he will be treated as such.

The first point is that the previous Government created a bus transfer station that is not being well used. At a cost of \$4 million we are converting that white elephant, which simply does not work, into a bus-rail interchange. We believe that over time quite a lot of use will develop for this station, because the Canning Bridge station will be the closest station to Curtin University of Technology. We are now looking at ways in which we can configure routes between Curtin University and Canning Bridge station to ensure that we provide good access to Curtin University by train across the metropolitan area.

With regard to the 12 to 14 per cent rail patronage from Mandurah, we made a commitment to provide Mandurah with a rail link. We have said in this House from time to time and have tabled documents that show that over the next five years, the major area of growth in the metropolitan area will be the corridor between Thomsons Lake and Mandurah. We are expecting an enormous volume of growth in that area. Those figures

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represent the figures at the start date. The area has an enormous capacity for growth. Of course, like all environmental reviews, the review will cover a range of issues such as flora, fauna, noise, vibration, water quality, air quality, European heritage, Aboriginal heritage and visual pollution. As I have said before, applications will be made specifically to the Swan River Trust for both the Narrows Bridge and the Mount Henry Bridge.

Mr M.F. BOARD: I draw the minister's attention to the engineering solutions for what could be better described as duplication of the Mount Henry Bridge. Have definitive engineering solutions been prepared for the widening of Mount Henry Bridge? Has an environmental assessment been done of those engineering solutions? What is the exact costing of those solutions?

Ms A.J. MacTIERNAN: The member can read in the supplementary master plan at figure 42 a visual description of the work to be done. It has been costed at \$40 million. Similar works would have been required to accommodate the busway. We will have to make the new structures marginally wider than those proposed for the busway. They will also be strengthened. The \$40 million cost is set out in the supplementary master plan. That is now subject to the public environmental review.

Ms K. HODSON-THOMAS: I understand that the track that will be used between the Northbridge end of the city tunnel and the north of upper Mount Henry Bridge will be a continuous concrete slab structure, which has not been used elsewhere. Will the minister explain why that form of structure has been chosen, particularly as it has not been used elsewhere. I imagine that part of the reason for its proposed use is to appease people who live on the South Perth-Como foreshore, given that it is not elevated. I also understand from reading the supplementary master plan that emergency vehicles will be able to drive over the track. Will the wheel configuration of emergency vehicles need to be changed? How will that operate? I am not a railway engineer and I am having trouble understanding how an emergency vehicle could possibly run over that track? Will the minister explain where else that track is used and whether it is more expensive to use it? Are the climatic conditions the same?

Ms A.J. MacTiernan: It will provide an even surface because it is a continuous slab rather than sleepers.

Ms K. HODSON-THOMAS: Sleepers that go across the track?

Ms A.J. MacTiernan: No, a continuous slab. There will be a continuous slab, rather than gaps, so that emergency vehicles can straddle it and travel with one wheel on each side of the rail. That is how emergency vehicles will access it.

Ms K. HODSON-THOMAS: What is the distance between those two tracks?

Ms A.J. MacTiernan: There is a diagram which shows what a slab track looks like.

Ms K. HODSON-THOMAS: I understand that it is a rail with no sleepers. I am thinking about the undercarriage of the vehicle.

Ms A.J. MacTiernan: It is 1 067 millimetres. There is enough distance between the two rails to successfully straddle a motorised, rubber-tyred vehicle on the outside of the single track. The idea is to have one wheel on one side of the track and the other wheel in the middle of the two tracks.

Ms K. HODSON-THOMAS: So they will be able to utilise it without any problems?

Ms A.J. MacTiernan: Yes.

Mr D.F. Barron-Sullivan: Where else in the world does that happen? Is that common practice?

Ms A.J. MacTiernan: The advantage of this track is that it is high quality and low maintenance. It is routinely used around the world in tunnel construction. It is used in the much-loved Parramatta-Chatswood rail system in New South Wales and in the Chunnel between England and France.

Ms K. HODSON-THOMAS: I am going to run out of time.

Mr P.G. PENDAL: I would like to hear further from the member for Carine.

Ms K. HODSON-THOMAS: I thank the member for South Perth. I understand that the track is mainly used in tunnels, not in open environments. In that respect will there be any adverse reaction to climatic conditions?

Ms A.J. MacTiernan: No; in fact, the opposite. The capital infrastructure will be a higher cost but the maintenance will be a lower cost. It is being used increasingly on above-ground tracks in, for example, Japan and China. Although it costs more to install, it reduces maintenance costs substantially.

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Ms K. HODSON-THOMAS: Why is it being installed only between the Northbridge tunnel and the Mount Henry Bridge? Why not continue it if in the first instance it is expensive but the maintenance costs are cheaper?

Ms A.J. MacTiernan: Just as it is used in other areas, such as Japan and China, it is used in areas where space is constrained and maintenance costs are higher. It makes more sense to spend more money on rolling out the basic infrastructure in tunnels and confined spaces, such as we have here, because we will have to engage in less maintenance. It makes more sense therefore to use it in constrained areas.

Ms K. HODSON-THOMAS: While I am on my feet, I will ask the minister another question about the stations. I understand from Mr Martinovich that the design of the stations will be very different from those in the northern suburbs. He said that the designs in the northern suburbs have not been effective in getting people to the stations and across the pedestrian walkways in bad weather and windy conditions. Will the minister advise how the stations are designed? The supplementary master plan contains no diagrams of how those stations will look.

Ms A.J. MacTIERNAN: I am surprised at the number of people who use the old lines of the railway system and who feel disgruntled because they do not have super-duper stations like the Joondalup line. I have not been a great fan of the stations on the Joondalup line; I have found them rather uninviting and windswept. We will be ensuring that the experience of public transport users when they are on our stations is a pleasant one. We want to ensure that they are kept warm in winter and they are sheltered from the sun and rain. This is a very important factor in developing the psyche of public transport users. If we are to convert people from car to public transport, we must make it a quality experience. If people have to leave their cars and make a difficult transition over to a station where it is blustery and unpleasant, this factors negatively into their perceptions and willingness to use public transport. We see amenities on the stations as an important tool in encouraging people to become public transport users; their whole impression and experience of using public transport should be a pleasant and positive one.

Ms K. Hodson-Thomas: Is it the intention that overpasses will be enclosed, or will they remain open, as they are in the northern suburbs?

Ms A.J. MacTIERNAN: The intention is to have overpasses enclosed.

Ms K. Hodson-Thomas: As a member for the northern suburbs, I advise that you will ultimately have other people seeking those types of overpasses.

Mrs C.L. Edwardes: The Greenwood station may have all these super-duper things.

Ms A.J. MacTIERNAN: This is always an issue. One line is updated and then people on the other lines believe they have been left behind. There is a strong feeling that stations on the Armadale and Midland lines have been bypassed for attention and need upgrading. Of course they do, and that is why we are using our building better stations program as the kernel for urban renewal projects in those areas. There will always be this issue as each new line is built, with state-of-the-art technology and better concepts for building designs, and over time we will introduce a program to retrofit the earlier stations. These things must be assessed in light of the overall transport needs of the metropolitan area.

Ms K. HODSON-THOMAS: I wish to raise another issue about William Street - the member for Kingsley raised this matter in her contribution to the second reading debate - and it concerns the area that could be developed if this Government were able to sink the Fremantle line. I understand that the City of Perth has established a committee chaired by Bert Tudori, and councillors Davidson, MacGill, McEvoy and Stroud. Obviously it is seeking an endeavour to sink the Fremantle line. I understand from speaking to Professor Martyn Webb this evening - I have had only a brief discussion with him - that the committee has recommended that the City of Perth ask the minister whether it would be possible to do what was done with the Fremantle line at the southern end of the foreshore. In other words, the line along the foreshore was sunk, and the committee wants to do the same for the Fremantle line. Professor Martyn Webb has done a very nice drawing for me. As I understand it, if the portal end of the tunnel does not come out at Lake Street and instead comes out at Roe Street, it will be very difficult to ever sink the Fremantle line.

Ms A.J. MacTiernan: Where are you saying it will come out?

Ms K. HODSON-THOMAS: At the minimum, it should come out at Lake Street.

Ms A.J. MacTiernan: It will; I have already said that.

Ms K. HODSON-THOMAS: The committee is seeking the minister's approval for it to source funding to sink the Fremantle line. Perhaps the minister can indicate whether she is willing to take that on board.

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Ms A.J. MacTiernan: Take what on board?

Ms K. HODSON-THOMAS: The fact that the committee wants to look at funding options. I understand that the minister has set up a committee to look at options for funding in the city when there are insufficient funds -

Ms A.J. MacTiernan: The City of Perth committee can do what it likes. In my view it was set up as a spoiling action. However, it is entitled to do whatever it likes. I have no jurisdiction over it.

Ms K. HODSON-THOMAS: I want the assurance from the minister that the portal end will come out at Lake Street, not at Roe Street.

Ms A.J. MacTiernan: Absolutely not. It is in the master plan, and I have always said that.

Ms K. HODSON-THOMAS: Professor Martyn Webb is here and he can hear that first-hand.

Ms A.J. MacTiernan: There are none so deaf as those who do not wish to hear.

Ms K. HODSON-THOMAS: I thank the minister.

Mrs C.L. EDWARDES: I will follow up on that point. I was going to raise the issue when we dealt with schedule 1, which relates to the termination point. Page 38 of the supplementary master plan states -

In deciding the issues through Northbridge it is possible to lower the Fremantle line at any time after trains begin operating through the city from the Northern Suburbs to the south-west. A crucial decision in constructing the route through Perth is whether to build the portal at Lake Street (which is funded) or to extend the undergrounding by 220 metres to a portal just west of Milligan Street.

The critical issue is the next point of the master plan, which states -

Fixing the portal location is most crucial. If, for example, it is fixed at Lake Street, -

That location is funded at the moment -

it would be extremely difficult to extend undergrounding to Milligan Street later.

Can the minister clarify that point? As I understand it, at the moment the western portal will be at Lake Street. To underground the Fremantle line at a later point, which has been recommended in the master plan, means that the western portal must be constructed at Milligan Street. If that happens, not only will there be an opportunity to underground the line at some point in the future, making it more cost-effective, but also there will be a real potential to develop the area at the front.

Figure 19 refers to the temporary relocation of the Fremantle line. Can the minister also explain that?

Ms A.J. MacTIERNAN: The Fremantle line must be temporarily moved for the connection to the Joondalup and Mandurah lines. They will form a continuous line, so in order to reduce disruption on the Fremantle line, it must be moved further north to enable those two lines to be linked.

Mrs C.L. Edwardes: So will it then be moved back?

Ms A.J. MacTIERNAN: Yes, it will come back. I am fascinated by the sink-the-railway campaign that has emerged. Where were all these people when the Kenwick route was being proposed?

Mrs C.L. Edwardes: It does not matter if it happens in 10 years time or in 20 years time. That issue can be decided at a point of time in the future. The minister has made it very clear that the Government does not have the money now, so will not do it now. The Opposition is saying that the Government should not do anything here and now that will limit or restrict future options. The Government's own master plan says that it would be extremely difficult to extend undergrounding to Milligan Street later, if the portal location is fixed at Lake Street.

Ms A.J. MacTIERNAN: The Government agrees with that.

Mrs C.L. Edwardes: So why are you fixing the portal location at Lake Street?

Ms A.J. MacTIERNAN: We are fixing the portal location at Lake Street because there is funding for that. We have a committee of expert people, not a group of crusty old conservatives and professional stirrers.

Mrs C.L. Edwardes interjected.

Ms A.J. MacTIERNAN: The member for Kingsley should hear some of the rubbish that Mr Tudori is racing around saying - we should not be doing this because we are a WA Inc Government, and all other sorts of madness. On the one hand, he wants us to do it, and then when we say we will do it he says we should not do it,

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and he insists that he, Mr Tudori, would be a much better placed person to run the deals with the private sector. I will leave people to reflect on the wisdom of that. It is quite self-evident that the Government will proceed with a portal at Lake Street. That is the standard position. The Government has set up committee in cooperation with the City of Perth, on which the Lord Mayor and Councillor Lisa Scaffidi are sitting, as well as members of the Property Council and planners from around the town. If that committee can identify the value-adding processes that would allow the Government to take this further, it will take it further. The sinking of the Fremantle line at Lake Street would cost \$22 million, and to go all the way to Milligan Street would cost \$39 million. If those funds cannot be located, the Government will not be moving the portal to Milligan Street.

Mrs C.L. Edwardes: In which case you will be making it extremely difficult, in the words of the master plan, to extend the undergrounding to Milligan Street later.

Ms A.J. MacTIERNAN: That is acknowledged.

Mrs C.L. Edwardes: That is ridiculous.

Ms A.J. MacTIERNAN: It is not ridiculous.

Mrs C.L. Edwardes: You have an opportunity now to have some vision.

Ms A.J. MacTIERNAN: We have vision. We will be creating a first-class rail system. It is extraordinary. First the Opposition comes in here and outrageously inflates the figures, and says there is a blow-out, and then it says we must spend another \$39 million. This is absolute drivel. We are doing it right. We are not going via the Kenwick deviation. We are building a modern, direct link into the city, that has the support of the target populations, rather than taking the train through a casual meander. We are getting it right, but there is a limit to how much can be spent on this project. Parts of the project will have to be deferred until the future, and there are some other options. The Melville City Council came to see the Government, wanting the railway to be sunk from the Mount Henry Bridge north, and saying it would cost only \$4 billion.

Mrs C.L. EDWARDES: I will allow the minister to finish her comments. However, I bring to her attention page 38 of her supplementary master plan, which states -

Alternatively, for the expenditure of an additional \$9 Million to \$10 Million -  
not \$39 million -

the portal for the SWMR could be located at Milligan Street from the outset. This would leave a shortfall in the order of \$30 Million to lower the Fremantle line, which could be done at any time after trains begin operating through the tunnel.

All we are talking about is an extra \$9 million or \$10 million, not \$39 million - get it right! The Premier has acknowledged that this is the biggest infrastructure project this Government will undertake. For the expenditure of an additional \$9 million or \$10 million, the portal could be located at Milligan Street, which would enable the sinking of the Fremantle line to occur at any time in the future. By keeping the portal at Lake Street, the minister is putting the sinking of the Fremantle line at risk. The minister's own plan states -

Fixing the portal location is most crucial. If, for example, it is fixed at Lake Street, it would be extremely difficult to extend undergrounding to Milligan Street later.

Ms A.J. MacTIERNAN: It would not make it impossible, impractical or unlikely.

Mrs C.L. Edwardes: It would make it extremely difficult.

Ms A.J. MacTIERNAN: The member for Kingsley must listen. We could have decided to locate the portal at Roe Street, but we decided to locate it at Lake Street. Regardless of what happens now, it would be possible to sink the railway between William and Lake Streets in the future. Whatever we do, we will be able to sink that line later.

Mrs C.L. Edwardes: Sink what line where?

Ms A.J. MacTIERNAN: The Fremantle line could be sunk between Lake and William Streets to provide the connectivity -

Mrs C.L. Edwardes: You are missing a huge opportunity to link Northbridge to Milligan Street.

Ms A.J. MacTIERNAN: We are providing the potential for a linkage of William Street to Lake Street. It could go from Lake Street to Milligan Street. Various people, including Mr Tudori and his committee, are saying the railway should go from Milligan Street to the freeway.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Mrs C.L. Edwardes: Use your own master plan; do not worry about what anyone else says.

Ms A.J. MacTIERNAN: We have been clear about this matter. We have located the portal back to Lake Street to ensure that, whatever happens in the future, we can provide a connection between the central business district and Northbridge and a connection between Perth and Lake Street. It is true that by spending more money we could ensure that whatever happens we could have that connection go all the way through to Milligan Street. We could pay even more -

Mrs C.L. Edwardes: To locate the portal at Milligan Street would cost only \$9 million or \$10 million more, not \$39 million as you have said.

Ms A.J. MacTIERNAN: The figure of \$39 million was to sink the rail project.

Mrs C.L. Edwardes: I am saying that you should shift the portal; then anybody in the future could sink the railway line.

Ms A.J. MacTIERNAN: I have made it clear that we have moved the location of the portal back to Lake Street so that, whatever happens to the value capture, it will be economically possible without any prejudice in the future to provide that connection between Lake and King Streets and to provide a connection between the central business district and Northbridge.

Mrs C.L. Edwardes: Are you talking about Milligan Street?

Ms A.J. MacTIERNAN: I am talking about Lake and King Streets. The member for Kingsley thinks that we should go further. Although she has been constantly complaining about cost blow-outs, she believes that we should go even further. That is a matter of judgment, and we have decided to locate the portal at Lake Street as the default setting. For \$10 million we could do a range of things. We could build a station at South Perth, we could put it towards building a connection to Nicholson Road or we could put it towards the William Street bridge. Each of us could dream up a plethora of add-ons. On one hand, the member for Kingsley argues about cost blow-outs and, on the other hand, she wants to build add-ons to a project that would never have been conceivable under the failed and flawed concept that the former Government put forward.

Ms K. Hodson-Thomas: Why not take up the suggestion I made earlier about establishing a State Government-City of Perth committee?

Ms A.J. MacTIERNAN: We have done that. We have a joint committee of the State Government and the City of Perth. That committee is exploring the value-capture option. If we are able to identify sufficient value-capture opportunities, we will sink the line to Lake Street or take it all the way to Milligan Street. We are working very hard in order to achieve that. However, there is a limit to what we can do.

Our proposal has for the first time provided a very real practical opportunity for this rail link to be completely sunk to ensure that we have that connectivity. The worst case scenario is that we move the portal to Lake Street, which will enable, at a future date, the line between King and Lake Streets to be sunk to provide very good connections.

Ms K. HODSON-THOMAS: I wanted to touch again on the consultation that is taking place about William Street and whether the committee the minister just referred to has engaged in consultation with the owners of those 10 properties along William Street. Will they also be dealing with the lessees of, particularly, the old Myer building on issues such as the asbestos?

Ms A.J. MacTiernan: The project team spoke to the head lessee of the old Myer site and to the managing agent.

Ms K. HODSON-THOMAS: When did that take place?

Ms A.J. MacTiernan: The committee met with them for the first time last week, but the project team has been in discussion with various of the groups since June.

Ms K. HODSON-THOMAS: That is an appalling level of consultation with those owners.

Ms A.J. MacTiernan: We only made the decision in June. How could we start speaking to them before we made the decision?

Ms K. HODSON-THOMAS: The Government has known for a long time that it wanted the William Street route; that was quite evident.

Ms A.J. MacTiernan: I thought the member for Carine was talking specifically about the final master plan. Prior to that we had numerous forums with all property owners, all leaseholders and all retailers.

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Ms K. HODSON-THOMAS: Were they invited to these meetings?

Ms A.J. MacTiernan: Absolutely.

Ms K. HODSON-THOMAS: It is my understanding that is not the case.

Ms A.J. MacTiernan: They were all personally invited.

Ms K. HODSON-THOMAS: It is my understanding they were not invited to some of those stakeholders' meetings at all.

Ms A.J. MacTiernan: That is not true. We hand-delivered information on those forums that were held in the early stages. Since the master plan was decided, we started consultations with the owners, the head lessees and the managing agents. The project team has a comprehensive communications plan to deal with that.

Ms K. HODSON-THOMAS: Will the minister outline that comprehensive plan?

Ms A.J. MacTIERNAN: The committee has got up and running only in the past couple of weeks. The project team has been engaging in the consultation in the interim. A plan to contact all affected people in the City of Perth - not just the lessees of those buildings - has been developed. That plan will be presented to the committee for its approval in the next week or two. I am sure that after it has considered that plan, it would be appropriate for us to answer the question in more detail.

Dr J.M. WOOLLARD: How many potential jobs in Western Australia have been lost because the Government awarded the \$437 million railcar contract to Queensland?

Ms A.J. MacTIERNAN: As members probably know, the terms of the tender were drawn up by the previous Government. The tender documents included a weighting for local content but, as required by national competition policy, those local content provisions did not allow us to discriminate against eastern States firms. When we made the assessments and looked at the Western Australian content, we believed that we would get a good deal out of this arrangement. A procurement plan has been developed. A committee that includes representatives from the trade unions has been established to ensure that every effort is made to include Western Australian companies in as much work as possible in the production of these railcars.

Mrs C.L. EDWARDES: I refer to the portal at Lake Street and the comment in the supplementary master plan that it would be extremely difficult to extend the tunnel to Milligan Street at a later stage. What is meant by that? Is it an engineering or financial difficulty?

Ms A.J. MacTIERNAN: Put simply, there would be limited space in which to move the tracks while a tunnel was being constructed. That is the basic operational engineering problem we would face. The member for Kingsley can demand that we go further than we have been prepared to go. At the end of the day -

Mrs C.L. Edwardes: Can you explain that technical difficulty?

Ms A.J. MacTIERNAN: If we were to build a tunnel to sink the line, we would have to move the -

Mrs C.L. Edwardes: Move the line to keep it operational during construction.

Ms A.J. MacTIERNAN: That is right. Some very sharp curves would be needed to do that. Obviously geometry is an important operational consideration with rail. There is a limit to the amount of cornering that a rail system can involve. It is very hard to do that when one track is already underground. There will simply not be the space, although it would obviously not be impossible. However, the confined spaces in which to operate while trying to put in a second tunnel, and to connect that back underground, would make it extremely difficult. That is the engineering advice the Government has been given. We recognise that and have not sought to resile from that. The Government has simply made a judgment about values and the potential for connectivity to be preserved by moving the portal back from Roe Street to Lake Street. As I said, people can continue to say that it should go to Milligan Street. Once it is there, they could say that it should go to the freeway. The Government has made an assessment of what it believes is the value of the connectivity to the overall cost of the project. If value-capture opportunities can be identified for Milligan Street - a very able committee is in charge of that process - we will do it. If we cannot, so be it. I hope that the line between King and Lake Streets can be sunk at some future stage.

Mrs C.L. EDWARDES: I want to explore that issue a little further. Given the difficulties the minister has outlined, if the portal is not to be located at Milligan Street at this time, although it might be possible to do that in the future, it is probably unlikely that the Government will do that.

Ms A.J. MacTiernan: We are likely to do it between King and Lake Streets.

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Mrs C.L. EDWARDES: No. I refer to page 38 of the supplementary master plan, which states that the Fremantle line can be sunk at any time after the trains begin operating. It continues -

A crucial decision in constructing the route through Perth is whether to build the portal at Lake Street (which is funded) or to extend the undergrounding by 220 metres to a portal just west of Milligan Street.

The report states that this issue is crucial, because if the portal were fixed at Lake Street, it would be extremely difficult to later extend the undergrounding to Milligan Street. I asked what was the extreme difficulty in doing that. The minister has highlighted the difficulties of limited space to move and sharp curves. It comes down to the fact that if the decision is made now not to extend the portal to Milligan Street, while it is possible to do it in the future - anything is possible - given the technical difficulties that have been outlined, it is highly unlikely that that will occur. Is the minister saying, as this document indicates, that the Government will probably never sink the Fremantle line past Lake Street if the portal is not now moved to Milligan Street?

Ms A.J. MacTIERNAN: It is certainly not something that the Government intends to do. We had to make an assessment. We have factored into the project the extra cost of moving the portal to Lake Street. That has come at a cost. That has been done. That opens up, forever, the potential to sink the Fremantle line and get connectivity between -

Mrs C.L. Edwardes: Only to Lake Street.

Ms A.J. MacTIERNAN: It is only to Lake Street.

Mrs C.L. Edwardes: It has real potential.

Ms A.J. MacTIERNAN: I am not missing the point.

Mrs C.L. Edwardes: It has real potential.

Ms A.J. MacTIERNAN: There could be, as I have said. I am not going to go into this argument, because I made it very clear that one could dream up all sorts of add-ons that the Government could do. This Government has already massively improved the plan for the rail system over and above the one proposed by the previous Government. Of course, we could say that if money were unlimited, we could do more, we could do more, we could do more. We have made a judgment and we are prepared to put in extra dollars to ensure that there will be an increased capacity for connectivity. However, the Government is prepared to go only so far, unless it can release moneys by way of value capture. If that can be done, we will go further. At this point, the Government is making a judgment. This rail system is not just for the city of Perth. However, it will provide immeasurable benefits to the city of Perth. The Government has added extra expenditure to have the rail line sunk along the foreshore. That has improved the project. We could go on and on and demand added expenditure while at the same time complaining about increasing costs. It is just ridiculous. We have something that will give us the potential to create connections between Northbridge and the city. We are working very hard to achieve those, but we will not continue to add more and more cost to the project while many other transport needs remain unmet.

Dr J.M. WOOLLARD: I thank the minister for her earlier response. How many jobs have been lost in Western Australia as a result of awarding the \$437 million contract for railcars to a Queensland company?

Ms A.J. MacTIERNAN: The first report of EDI Rail-Bombardier Transportation Australia Pty Ltd specific to local content is due to be supplied at the next monthly progress report. These reports are supplied quarterly. A concession was granted to EDIBT to supply this report along with the next progress report that will be supplied in early September. The local content working party, which includes representatives of EDIBT, the Department of Industry and Technology and the industry supply office, met in July. These meetings occur every two months. This debate is not about the contract for the railcars. I do not have all my materials here on the briefings on the railcars. I will only respond to questions that are relevant to this Bill. I have set out in this House on previous occasions in a lot more detail the local content issues relating to the railcars. This Bill does not relate to the acquisition of the railcars, and consequently I do not have all those briefing notes with me.

Ms K. HODSON-THOMAS: In response to the member for Kingsley, the minister raised the issue of the curvature and geometry of the rail. As the railway will go up the foreshore, into William Street and around to the Esplanade station, the proponents of the new convention centre have expressed some concerns about noise. What has been done to ensure that the noise of the railway will not severely impact on the convention centre?

Ms A.J. MacTIERNAN: We have had frequent discussions with the proponents of the convention centre. We have been talking to them about a baseline study that is currently being undertaken to gauge existing noise and

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vibration. We will be ensuring that we comply with international standards for noise and vibration to buildings. As the member will be aware, underground rail exists in Melbourne, Sydney, London, New York, Moscow - all around the world. There is nothing inherently difficult about it.

Ms K. Hodson-Thomas: I understand that. I was talking about the bend. I understand that quite a lot of noise will result from the curvature. If I am wrong, you can correct me.

Ms A.J. MacTIERNAN: The advice is that the impact will be experienced in the station itself, not the adjoining building. A range of technologies are being applied. The things that can be done to reduce noise include putting special pads under the rails, matching the rail profiles to the wheel profiles to reduce drag and skidding, putting lubrication between the rails and the wheels, and providing noise absorption to the sides of tunnels.

Ms K. Hodson-Thomas: Can the minister expand on the study into the vibration figure?

Ms A.J. MacTIERNAN: The primary measure to reduce vibration is the use of absorption pads under the rail track. My advisers have just reminded me that a theatre has been built on top of the railway line at Joondalup.

Ms K. HODSON-THOMAS: The supplementary master plan states that where rail tracks pass closely to either side of bridge piers, crash walls will be required. Will they be the same concrete-style crash walls that we have along the freeway?

Ms A.J. MacTiernan: Yes.

Ms K. HODSON-THOMAS: Will there be any alteration to any of the existing concrete barriers along the busway between the Narrows and Canning Bridge?

Ms A.J. MacTiernan: It is our intention to work within the confines of the existing barriers. We believe there will be minimal alteration to them.

Ms K. HODSON-THOMAS: Has an economic impact assessment been carried out on the likely downturn to the retail sector in the city, particularly during the construction phase; and does the minister have any information that she can provide to members?

Ms A.J. MacTIERNAN: There will obviously be some short-term impacts, but these will be minimal because we have chosen the more expensive bore-tunnelling option. There will be some change to pedestrian traffic flows, which means that in some areas there will be a diminution in retail activity. However, the economic studies that have been done have indicated that overall there will be a net gain to the retail outlets in the city as a result of the rail development because at the moment we have a particular traffic flow with one station ending at a particular point. We will be changing some of those pedestrian pathways.

Ms K. Hodson-Thomas: That is going north-south, not east-west.

Ms A.J. MacTIERNAN: There will be a range of changes, because some people will be getting off at the Esplanade. The city will evolve over time around these new flow-throughs.

Ms K. Hodson-Thomas: What about during the construction stage?

Ms A.J. MacTIERNAN: Given that bore tunnelling will be used, we expect it to have minimal impact. Obviously while the properties between Wellington and Murray Streets are being demolished, there will be a substantial downturn in the economic activities of the occupants of those buildings.

Ms K. Hodson-Thomas: That will affect an important end of the central business district from the Murray Street Mall.

Ms A.J. MacTIERNAN: That will be part of the impact. We cannot build major infrastructure like that without that impact.

Ms K. Hodson-Thomas: How long is construction expected to take?

Ms A.J. MacTIERNAN: About 18 months

Mrs C.L. Edwardes: Does that include the asbestos removal?

Ms A.J. MacTIERNAN: Of course. The buildings cannot be demolished without removing the asbestos.

Ms K. Hodson-Thomas: Will it take 18 months all up?

Ms A.J. MacTIERNAN: Yes. The asbestos is already a problem. It will not be created by the construction of this rail. In fact, it will ensure that we deal with the problem rather than continue to ignore it.

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Mrs C.L. EDWARDES: It was not mentioned anywhere so we wondered whether the extent of the asbestos was known when the sites on which demolitions would occur was chosen and whether it will affect the time frame of the project.

Ms A.J. MacTIERNAN: The owners made us aware of the situation prior to the final decision. It was part of the discussions before we received the final report. As we know, asbestos is common to many buildings in Perth. There is nothing at all unusual about buildings in Perth containing asbestos.

Ms K. HODSON-THOMAS: I understand from the supplementary master plan that the alignment of the rail tracks will follow closely the horizontal and vertical geometry of the existing freeway and the busway and that it might be necessary to adjust some of the railway levels to obtain required clearances under the existing bridges or structures. Will that be major or minor works?

Ms A.J. MacTiernan: I am advised that it will be minor works.

Ms K. HODSON-THOMAS: The existing busway from the Narrows Bridge to Judd Street will require adjustment over a short distance to meet the new rail track. What will be those adjustments?

Ms A.J. MacTiernan: They are in the plans that we tabled tonight.

Ms K. HODSON-THOMAS: I am not very good at reading them. I cannot even see the lines. I probably need to wear glasses.

Ms A.J. MacTiernan: I would like the parliamentary officer to bring us the plan. It is hard to describe the plan to you; we would need to go through it with you. Would you like to have a separate briefing on this aspect?

Ms K. HODSON-THOMAS: That would be fine.

Ms A.J. MacTiernan: As I said, we sought to answer the question by bringing the documents into the Parliament.

Ms K. HODSON-THOMAS: I probably will not have time to ask a number of other questions, but I want to refer to some South Perth realignment works and the minister might give me that information at the separate briefing. I understand that the existing freeway footbridge between Melville Parade and the foreshore will require replacement. Is that correct or is it only the utility services there that need replacement?

Ms A.J. MacTiernan: Which footbridge are you talking about?

Ms K. HODSON-THOMAS: On page 95 of the supplementary master plan there is reference to the freeway between Melville Parade and the foreshore.

Ms A.J. MacTiernan: It is clear on that page that it is only if we build a station.

Ms K. HODSON-THOMAS: I want to ask a number of questions about the Mount Henry Bridge, the two new bridge structures and the realignment of the Cranford Avenue on-ramp and off-ramp. I understand they will require some major modifications and replacement of noise bunds. Will the minister provide further details of how long the work on the Mount Henry Bridge is anticipated to take and whether that work will take place between 8.00 pm and 6.00 am?

Ms A.J. MacTIERNAN: The design and construct of the Mount Henry Bridge is expected to take 601 days. We had a discussion about the details of that design, so I will not go into all of it. I do not know whether the member was out of the Chamber at the time we had that discussion. The design will start on 12 September 2003 and the construction is expected to be completed by 30 December 2005. As we pointed out earlier, the bridge will be strengthened and widened with a centre deck within a 10.2 metre wide median with continuous barriers on either side. There will be modifications to the Cranford Avenue on-ramp and off-ramp, and the roadworks heading in a southerly direction will also be modified.

Ms K. HODSON-THOMAS: Will the minister outline the proposal for the Narrows Bridge, the middle bridge and the strengthening work required on the western bridge? When will the design work commence and what will be the program?

Ms A.J. MacTiernan: On the same day; it will be in the same contract. The proposal will be for a new rail bridge to be built between the two existing bridges in a way that minimises environmental impact. The western bridge will be strengthened so that northbound trains can run within the existing northbound busway. The southbound busway on the old bridge will be retained.

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Ms K. HODSON-THOMAS: The minister did not answer my earlier question about whether much of the construction work might be done between the hours of 8.00 pm and 6.00 am. Is that likely to happen? The minister has just said that the design period will commence from 12 September 2003 and the construction period will take about 601 days until 30 December 2005. We are talking about two major construction proposals, one at the Narrows and one at Mount Henry Bridge, which will have huge impacts on and disruption to motorists. At what time of the day will those works be undertaken?

Ms A.J. MacTIERNAN: A disruption plan is currently being developed and, when that is available, we will provide the member with that information.

Dr J.M. WOOLLARD: Earlier today I asked whether the Government would consider inserting a clause into this Bill allowing the Auditor General to review the overt and the covert costs of this railway. I have been very impressed by reports covering financial costs, environmental costs, planning costs and social costs that have come to the Legislative Assembly from the Auditor General. Will the minister agree to the insertion of a clause allowing the Auditor General at a later date to assess the full costs of this railway?

Ms A.J. MacTIERNAN: The Auditor General has detailed powers under existing legislation. The Auditor General is more than capable of discharging this functions without any additional legislation being passed.

Dr J.M. WOOLLARD: I have been informed by the Auditor General's office that a clause would need to be inserted in the Bill to permit the Auditor General to do something like this. I seek your guidance in this matter, Mr Speaker, because the minister is stating something contrary to the advice I have been provided with.

The SPEAKER: Is the member asking a question of me?

Dr J.M. WOOLLARD: I am asking for your guidance, Mr Speaker.

The SPEAKER: If the member wishes, she can apply to amend the legislation to insert a clause; I guess that is my answer.

Mr M.F. BOARD: In the minister's answer to the question about the construction time frame for Mount Henry Bridge, she said six hundred and something days. Does she anticipate any interruption to boating, skiing or rowing activities on the Canning River as a result of the construction work on Mount Henry Bridge?

Ms A.J. MacTIERNAN: As the member is aware, his Government duplicated the Narrows Bridge. Obviously, there was some disruption from time to time. Barges operated underneath the bridgework. We anticipate that it will be the same in this case. There will not be any particular or lengthy disruption any more than there was when the Narrows Bridge was duplicated.

Mr M.F. BOARD: In view of that answer, has the minister anticipated Aquinas College requiring access to Canning Bridge? The minister is talking about a two-year period.

Ms A.J. MacTiernan: That is design and construct; it will not take anywhere near that long to construct.

Mr M.F. BOARD: That is not what the minister said in her original answer.

Ms A.J. MacTiernan: I said design and construct.

Mr M.F. BOARD: That area is a major ski and recreational area, and those people need that bridge access for the turnaround area. If the minister knows the area well - I am sure she does - she would know that nearly all the boat traffic in the skiing area at Deep Water Point at Canning Bridge utilises the access and exit area under Mount Henry Bridge. This is a legitimate question. Will that access be interrupted over a summer season as a result of this construction? If that is the case, the boating industry needs to be aware of it.

Ms A.J. MacTIERNAN: As with any major construction, this will be subject to detailed management plans, which will be developed in consultation with all stakeholders. This debate is going into an absurd level of detail.

*Question to be Put*

Mr J.C. KOBELKE: I move -

That the question be now put.

Question put and a division taken with the following result -

**Extract from Hansard**  
[ASSEMBLY - Thursday, 19 September 2002]  
p1324b-1386a

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Ayes (26)

Mr P.W. Andrews	Mr S.R. Hill	Mr M. McGowan	Mr E.S. Ripper
Mr J.J.M. Bowler	Mr J.N. Hyde	Ms S.M. McHale	Mr D.A. Templeman
Mr C.M. Brown	Mr J.C. Kobelke	Mr A.D. McRae	Mr P.B. Watson
Mr A.J. Carpenter	Mr R.C. Kucera	Mr N.R. Marlborough	Mr M.P. Whitely
Mr J.B. D'Orazio	Mr F.M. Logan	Mr M.P. Murray	Ms M.M. Quirk ( <i>Teller</i> )
Dr J.M. Edwards	Ms A.J. MacTiernan	Mr A.P. O'Gorman	
Mrs D.J. Guise	Mr J.A. McGinty	Mr J.R. Quigley	

Noes (15)

Mr M.J. Birney	Ms K. Hodson-Thomas	Mr P.D. Omodei	Ms S.E. Walker
Mr M.F. Board	Mr R.F. Johnson	Mr P.G. Pendal	Dr J.M. Woollard
Mrs C.L. Edwardes	Mr W.J. McNee	Mr D.F. Barron-Sullivan	Mr A.D. Marshall ( <i>Teller</i> )
Mr B.J. Grylls	Mr B.K. Masters	Mr T.K. Waldron	

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Independent Pair

Dr E. Constable

Question thus passed.

*Debate Resumed*

Clause put and a division taken with the following result -

Ayes (26)

Mr P.W. Andrews	Mr S.R. Hill	Mr M. McGowan	Mr E.S. Ripper
Mr J.J.M. Bowler	Mr J.N. Hyde	Ms S.M. McHale	Mr D.A. Templeman
Mr C.M. Brown	Mr J.C. Kobelke	Mr A.D. McRae	Mr P.B. Watson
Mr A.J. Carpenter	Mr R.C. Kucera	Mr N.R. Marlborough	Mr M.P. Whitely
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Mr B.J. Grylls	Mr B.K. Masters	Mr T.K. Waldron	

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Independent Pair

Dr E. Constable

**Clause thus passed.**

**Schedule 1 -**

Mrs C.L. EDWARDES: I refer the minister to the termination point. I raised this matter during the second reading debate and the minister gave a brief response. The City of Perth understood that the termination point needed to be sufficiently repositioned to the west to allow the underground connection of the proposed William Street tunnel and the existing Roe Street tunnel on the Joondalup line. Far be it from me to fully understand the engineering details of that. However, I understand that the lowest point of the tunnel will be at Roe Street if the connection is underground. The City of Perth received advice that the coordinate points needed to be shifted a number of metres. It did not know the full details of the concrete thickness below and above the tunnel and the depth of the level of sand and whether the coordinates need to be shifted six or 10 metres; regardless, I understand that it was not very much. During the second reading debate I referred the minister to section 96(1) of the Public Works Act, which states -

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Every railway shall be made only under the authority of a special Act which shall state as nearly as may be the line of the railway and the 2 termini thereof; but it shall be lawful to deviate from such line at a distance of 1.6 kilometres on either side thereof, or such other distance as may be provided in any special Act.

This is such a special Act. If the termination coordinates are incorrect by however many metres, will the minister confirm whether section 96(1) of the Public Works Act allows her to change the coordinates to ensure that the end point is correct.

Ms A.J. MacTIERNAN: I understand that someone visited the Perth urban rail development office and indicated that he had some concern about the coordinates for the tunnel. He thought that the coordinates referred to a point slightly west of Milligan Street whereas the terminal point of the coordinates apply to a position that is almost due south of Fitzgerald Street. The people who have provided unofficial advice to the City of Perth seem to have been confused about how those coordinates are read. There is no problem with the coordinates. We are not sure where the idea came from that the terminal point is just west of Milligan Street.

Mrs C.L. EDWARDES: The minister is not talking about the western portal, she is talking about the end lines.

Ms A.J. MacTiernan: I am talking about Fitzgerald Street.

Mrs C.L. EDWARDES: That explains the portal issue.

Ms A.J. MacTiernan: It is not really relevant to the portal because there are track works.

Mrs C.L. EDWARDES: It was explained to me that the portals might need to be shifted. In any event, if the coordinates were incorrect, section 96(1) of the Public Works Act would allow a correction of up to 1.6 kilometres on either side. That is a large area. Will the minister confirm that if the coordinates are incorrect, section 96(1) will allow that to be corrected and the work to be carried out?

Ms A.J. MacTIERNAN: The coordinates are not incorrect. If they were, the provisions of the Public Works Act make it clear that it is lawful to deviate from a line up to a distance of 1.6 kilometres on either side before having to come back to the Parliament.

Mrs C.L. EDWARDES: Line 11 on page 3 of the Bill reads -

... then underground in a generally easterly direction to a southerly projection of William Street, Perth  
-

The schedule then uses the words "under that street". Elsewhere in schedule 1 when the rail line goes underneath the street it is referred to as "underground". What is the difference between "under that street" and "underground"?

Ms A.J. MacTIERNAN: When the rail line gets to the part north of Murray Street, it will not be under William Street; it will deviate to the side.

Mrs C.L. EDWARDES: There is a difference in the terminology and I wonder if there is a reason. I understand that the rail line will deviate across from William Street and then to Murray Street, but it will go under the building, whereas this says "under that street". Why does it not say "underground"?

Ms A.J. MacTIERNAN: When it goes under William Street it goes under the street; that is why it says "under that street".

Mrs C.L. Edwardes: Instead of saying underground?

Ms A.J. MacTIERNAN: It is presumed that when it says the line is going "under that street", it will go underground. It would be hard to envisage going under the street without being underground. Will the member explain how it would go under the street without going underground?

Mrs C.L. Edwardes: I was intrigued with the change of wording.

Ms A.J. MacTIERNAN: When it talks about being "under that street" it is underground. Where there is a street alignment, for simplicity sake, it is "under that street".

Ms K. HODSON-THOMAS: I was out of the Chamber just before the vote on clause 3 was taken, and I had one question left. I will draw a long bow and see whether it is answered. The question is in relation to Canning Bridge, which is relevant to Schedule 1 - Line of Jandakot to Perth Railway. The minister referred to the design works for the Mount Henry and Narrows Bridges. Could she answer, by way of interjection to steamroll the process, whether those works will be undertaken at the same time -

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The DEPUTY SPEAKER: Members, the Hansard reporter is having difficulty hearing this. I ask you to cease discussions in the Chamber. If you want to have a conversation, please leave.

Ms K. HODSON-THOMAS: Will the work on the Canning Bridge be in the same construction phase as that on the Mount Henry and Narrows Bridges?

Ms A.J. MacTiernan: It is not in the same package.

Ms K. HODSON-THOMAS: So it will not be undertaken between -

Ms A.J. MacTiernan: No, that will be in package D. It is considered to be one of the station packages. That will take place in mid 2005 to mid 2006.

**Schedule put and passed.**

*Suspension of Standing Orders*

Mrs C.L. EDWARDES: I move -

That so much of the standing orders be suspended as is necessary -

- (1) by this motion to refer the Railway (Jandakot to Perth) Bill 2002 to the Auditor General for an independent report to the Parliament under the provisions of section 95 of the Financial Administration and Audit Act 1985 on the financial, planning, environmental and social implications of the construction of the railway from Jandakot to Perth; and
- (2) to suspend further consideration of the Bill until the report has been received and considered by this House.

In moving this motion I have taken into account the extent of the debate that has taken place and the answers to the questions we asked during the second reading debate and the consideration of detail stage. I acknowledge that the minister has replied to some questions about the financial and environmental implications; however, many answers still have not been received. The member for Alfred Cove has on a number of occasions said that the Auditor General could provide an independent assessment, particularly of the financial and planning aspects of the project. The Government has tried to make this an urgent Bill at different stages. The Bill needs to receive assent by 17 November, and that appears to be the urgency that is being used to justify the lack of scrutiny of this legislation by this Parliament. We are talking about public money and a public process. This Government has previously espoused the concept of strong community consultation. There is a big difference between the report the minister was required to table under section 18A of the Transport Co-ordination Act before the second reading speech could take place and the section 18A report that was tabled before the construction of the Joondalup line. The section 18A report for the Jandakot to Perth rail comprises two pages. The Director General of the Department for Planning and Infrastructure stated that he was required to report that the Perth urban rail development supplementary master plan had been presented to Cabinet, that parliamentary counsel had prepared the legislation, and that he was satisfied that the legislation was appropriate to permit the construction of the railway. Therefore, what we have been talking about in terms of strong community consultation and the social, environmental, planning and financial implications of this project were not dealt with. During debate tonight, the minister said that it would cost \$39 million to extend the western portal to Milligan Street. It will cost \$39 million to sink that part of the railway line. The supplementary master plan states that it would cost only \$9 million or \$10 million to extend that portal. We are talking about a potential loss to this State of the development of the area around the Perth central railway station, the Perth Entertainment Centre and the parking lot if the railway is not sunk right up to Milligan Street. The potential loss is enormous. As such, it is a very short-sighted decision. The Opposition does not support the direct route. However, if that route is to go ahead, the Government should at least do it right, because of the huge cost of the infrastructure. If there is a potential to value add for the benefit of Western Australians, that at least needs to be done. The western portal needs to be extended to Milligan Street.

The other issue is that this item is off budget. Therefore, the opportunity for us to continue to be able to question the costs and expenditure in this Parliament will be limited. We need the Auditor General to investigate the capital cost of this project, the potential losses and alternatives. We have never had an opportunity to discuss alternatives. During debate on the northern suburbs railway, the report tabled by virtue of section 18A was not two pages but 27 pages. That is quite a big difference. It summarised all the reports that had been undertaken. That included huge community consultation. I was a member of one of those community consultative committees at that time. I know the work that went into the selection of the route and stations, and in considering population levels. A lot of work even went into the type of rail that was to be considered, and how

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the development was to occur. Enormous work was undertaken and there was enormous support for that rail line from the people of Western Australia, particularly those in the northern suburbs. We have not seen any demonstration of support for this change to the direct route. That is of major concern.

This Government chose the route on 16 July last year and has continued to go down that path, come hell or high water. It has no intention of considering an alternative. I suggest that we need to suspend standing orders to be able to refer this Bill to the Auditor General. I do not understand why the Government does not want the Auditor General to investigate and report on the financial, environmental, planning and social implications of the construction of this railway. How could the Government ignore that independent advice? We need the Auditor General to scrutinise the process to ensure that taxpayers' money is not wasted. The busway has just been completed. It was opened earlier this year. All of a sudden, that \$35 million expenditure is about to go to waste. The Auditor General should be able to take that into account, and report back to the people. The Auditor General serves the public interest. That is what we are here for. He reports to Parliament. He considers efficiency and equity issues and the effectiveness of those decisions as well. If this Government were really committed to this project and wanted to make sure that there was public confidence in this huge piece of infrastructure, it would support this motion to suspend standing orders to enable this Bill to go to the Auditor General for an independent and proper assessment of the financial, planning, environmental and social implications of the construction of this railway.

*Question to be Put*

Mr J.C. KOBELKE: I move -

That the question be now put.

Question put and a division taken with the following result -

Ayes (25)

Mr P.W. Andrews	Mr J.N. Hyde	Ms S.M. McHale	Mr D.A. Templeman
Mr J.J.M. Bowler	Mr J.C. Kobelke	Mr A.D. McRae	Mr P.B. Watson
Mr C.M. Brown	Mr R.C. Kucera	Mr N.R. Marlborough	Mr M.P. Whitely
Mr A.J. Carpenter	Mr F.M. Logan	Mr M.P. Murray	Ms M.M. Quirk ( <i>Teller</i> )
Mr J.B. D'Orazio	Ms A.J. MacTiernan	Mr A.P. O'Gorman	
Dr J.M. Edwards	Mr J.A. McGinty	Mr J.R. Quigley	
Mr S.R. Hill	Mr M. McGowan	Mr E.S. Ripper	

Noes (15)

Mr M.J. Birney	Ms K. Hodson-Thomas	Mr P.D. Omodei	Ms S.E. Walker
Mr M.F. Board	Mr R.F. Johnson	Mr P.G. Pandal	Dr J.M. Woollard
Mrs C.L. Edwardes	Mr W.J. McNee	Mr D.F. Barron-Sullivan	Mr A.D. Marshall ( <i>Teller</i> )
Mr B.J. Grylls	Mr B.K. Masters	Mr T.K. Waldron	

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Independent Pair

Dr E. Constable

Question thus passed.

*Suspension of Standing Orders Resumed*

Question put and a division taken with the following result -

**Extract from Hansard**  
[ASSEMBLY - Thursday, 19 September 2002]  
p1324b-1386a

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pandal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Ayes (15)

Mr M.J. Birney	Ms K. Hodson-Thomas	Mr P.D. Omodei	Ms S.E. Walker
Mr M.F. Board	Mr R.F. Johnson	Mr P.G. Pandal	Dr J.M. Woollard
Mrs C.L. Edwardes	Mr W.J. McNee	Mr D.F. Barron-Sullivan	Mr A.D. Marshall ( <i>Teller</i> )
Mr B.J. Grylls	Mr B.K. Masters	Mr T.K. Waldron	

Noes (25)

Mr P.W. Andrews	Mr J.N. Hyde	Ms S.M. McHale	Mr D.A. Templeman
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Mr A.J. Carpenter	Mr F.M. Logan	Mr M.P. Murray	Ms M.M. Quirk ( <i>Teller</i> )
Mr J.B. D'Orazio	Ms A.J. MacTiernan	Mr A.P. O'Gorman	
Dr J.M. Edwards	Mr J.A. McGinty	Mr J.R. Quigley	
Mr S.R. Hill	Mr M. McGowan	Mr E.S. Ripper	

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Independent Pair

Dr E. Constable

Question thus negated.

*Debate (consideration in detail) Resumed*

**Title -**

Dr J.M. WOOLLARD: I would like to move -

That the Bill be reconsidered in detail for the purpose of considering the following amendment -

Page 2, after line 7 - To insert the following -

**4. Auditor General to report -**

The DEPUTY SPEAKER: Order! I advise the member that she cannot move this amendment until the consideration in detail has been concluded.

**Title put and passed.**

*Third Reading*

**MR J.C. KOBELKE** (Nollamara - Leader of the House) [11.24 pm]: On behalf of the Minister for Planning and Infrastructure, I move -

That the Bill be now read a third time.

*Point of Order*

Dr J.M. WOOLLARD: I believe it is the protocol of the House that at the conclusion of the consideration in detail stage, the Speaker or Deputy Speaker states that that concludes the consideration in detail stage. The Leader of the House did not give you the opportunity, Madam Deputy Speaker, to fulfil your role.

The DEPUTY SPEAKER: That is not covered by a standing order. Although it is sometimes protocol, no rule was breached because the statement was not made. There is therefore no point of order.

*Debate Resumed*

**DR J.M. WOOLLARD** (Alfred Cove) [11.25 pm]: I seek to move -

That the Bill be reconsidered in detail.

The DEPUTY SPEAKER: The member for Alfred Cove will find that the Leader of the House had the call prior to her point of order. However, the Leader of the House has sat down, so if the member for Alfred Cove wishes to address the third reading stage, she has the call.

Dr J.M. WOOLLARD: I would like to move -

That the Bill be reconsidered in detail for the purpose of considering the following amendment -

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Page 2, after line 7 - To insert the following -

**4. Auditor General to report -**

Within sixth months of the commencement of this Act, the Auditor General will present a report to the Parliament detailing the direct and indirect costs of the construction of the railway from Jandakot to Perth, taking into account the financial planning, environmental and social implications.

I understand that the Government could have been concerned about the previous motion.

The DEPUTY SPEAKER: Under Standing Order No 197, we have moved past the point at which the member for Alfred Cove can move for the reconsideration of the Bill because the Leader of the House has moved that the Bill be read a third time. The member is now talking to the third reading stage of the Bill.

Dr J.M. WOOLLARD: I oppose the third reading of this Bill.

*Point of Order*

Mr B.K. MASTERS: Page ix of the green pages in the standing orders, under the heading "Completion of the Consideration of the Bill in Detail Stage" reads -

*After the title of the Bill has been agreed to.*

**THE SPEAKER:**

"That concludes consideration in detail stage"

Madam Deputy Speaker, when you made your ruling to the member for Alfred Cove you said, if my memory serves me correctly, that your understanding was that no standing order covers the point of order the member for Alfred Cove raised. What sort of weighting should a member of Parliament place on those green pages, especially new members such as the member for Alfred Cove? If she was expecting you, Madam Deputy Speaker, or anyone else in the Chair to follow the guidelines outlined in those green pages, she was trying to do the right thing by waiting for you to say, "That concludes consideration in detail stage", at which stage I presume she would have jumped to her feet before the Leader of the House rose, attracted your attention and moved her amendment.

The DEPUTY SPEAKER: There is no point of order. The pages at the front of the standing orders book are purely a guide. I think every member was clear that we had concluded consideration in detail and moved on. I omitted to say the actual words but there is no point of order. The pages are purely for the guidance of the House.

*Debate Resumed*

Dr J.M. WOOLLARD: I was aware of the words mentioned by the member for Vasse in his reason for raising the point of order and was, in fact, waiting for you, Madam Deputy Speaker, to state those words. However, as you said, we have now moved on to the third reading of the Bill.

I will not be supporting the third reading of this Bill because I do not believe that all the answers have been given by the Government in relation to the Bill. The Government has repeatedly used the gag during the debate on one of the most significant Bills to come before the Parliament this year. I do not know of any other Bill that has such a cost to the community as this Bill has; that is, \$1.4 billion plus ongoing running costs of \$47 million a year. Many members had questions they wanted to ask of the Government when the gag was applied during earlier debate on the Bill. The last gag was applied when the member for Kingsley was trying to get for the community an assurance from the Government that it had done its homework on this Bill.

The community and members of this Parliament respect the work of the Auditor General and would regard a document from his office as an independent assessment and a true reflection of the cost of this railway, and not as a document with which one party could attack another party, or vice versa. When I say cost, I do not mean cost in the narrow sense of economic cost. I am talking about the economic, environmental, planning and social costs, as the Bill impinges on each of those areas.

This evening, the minister was asked about the finances of the rail proposal, to which she has not provided an adequate response. At the moment, I cannot go to my electorate and state that the Government has been up front on the cost of this railway because those questions were not answered. The Government owes it to the community to answer those questions. If the Government is unable to answer those questions now, this motion

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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will give the Auditor General and the Government six months to prepare a response to any question that has been inadequately answered during the second reading of the Bill and any question that the community might ask of the Auditor General.

Many people are unhappy with not only the financial cost to the community of this railway but also, as I mentioned previously, the environmental cost. That is why earlier today I supported the motion of the member for South Perth to refer the Bill to a joint committee because I believe that all members of this Parliament, if they are to be accountable to the community, must ensure that any decision made in the House is based on a proper assessment before planning occurs. The community feels that many Bills that reach the Table of this House have not been properly assessed. The proposals to run the railway line down the freeway, along the Kenwick route, via Fremantle or, as was suggested by the City of Melville, possibly through Nedlands and then tunnelling to Garden City and the freeway, were all options that the community should have had the opportunity to consider. The community should be able to confidently think that Parliament has seriously considered all these options before a decision is made. At the moment, it looks to the community as though the Liberals were going with the Kenwick link proposal, but Labor has thrown that out the window and instead will run the railway along the freeway. If the Government is comfortable with the railway line going down the freeway and has solid reasons for doing so, why not allow the matter to go to a joint select committee so that all the options can be considered? Members in this Parliament and the community as a whole would then know that this is not a knee-jerk reaction to the previous plan of the Liberal Party and that this Government has done its homework.

It is important that this Bill is referred to the Auditor General. Financial and planning questions have not been answered. I remind the Government of the section 33A matter that has gone to the Western Australian Planning Commission. Why is the commission still accepting submissions when this Government has no intention of considering those submissions? Today the debate has been gagged, gagged, gagged! The Government is pushing this legislation through. I am sorry that the officer from the Western Australia Planning Commission has left. The commission is not putting the message out to the community telling people to not bother sending in further submissions, as the Government has made its decision to proceed regardless. The usual process is not being followed because the Government does not want to know what the community is saying. The commission might well realise that members of the community are wasting their efforts sending in submissions.

*Points of Order*

Mr A.D. McRAE: To suggest that that is what a member of the public service should do impugns the professional reputation of a public servant. I ask that the member desist and/or withdraw.

Mr R.F. JOHNSON: It is clearly not a point of order. Members can say anything they like about anybody as long as it is not unparliamentary towards another member. The member for Riverton has occupied the Chair many times and he should read his standing orders more so that he knows what he is talking about. He is just trying to gag the member.

The DEPUTY SPEAKER: I did not hear the member's comment. I am sure that, if the member said anything unparliamentary, she will take the appropriate steps. I do not believe there is a point of order.

I remind members that debate on the third reading stage of the Bill is limited to matters raised during consideration in detail; debate is not as broad ranging as that during the second reading stage. I ask the member for Alfred Cove to take cognisance of that point.

Mr R.F. JOHNSON: I understand that in the third reading debate, members can also refer to issues that were raised during the second reading debate, but not new information. Madam Deputy Speaker, can you confirm that that is the case, because that has been the normal practice of the House?

The DEPUTY SPEAKER: For clarification, the third reading stage is confined to debate on issues arising from consideration in detail. It is not as broad ranging as, and is not related to, the second reading debate. During the third reading debate, members should address the Bill as it has emerged from consideration in detail.

*Debate Resumed*

Dr J.M. WOOLLARD: During consideration in detail, several financial issues and many planning and environmental issues were discussed. I accept your ruling, Madam Deputy Speaker, and I will not go into the social implications of this railway line. As you have guided me, Madam Deputy Speaker, I will stick to the issues that were discussed in consideration in detail.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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I reiterate: the questions about the financial issues that were put by members of the Opposition and the National Party and by the Independents were not fully answered by the minister. A big question mark is left for both this Parliament and the community about why those questions were not answered. That was why I asked in consideration in detail whether the Bill could be referred to the Auditor General. The community has a right to know what the full costs of this railway will be to the community and whether the Government did its homework before it made the decision to alter the route from the Kenwick link to the freeway route. Had the Bill been referred to the Auditor General, I would have liked him to review the statistics and the environmental considerations associated with this railway line.

Many people - I am just one of them - believe that constructing a railway line along the freeway will destroy or harm the foreshore. Members of the local community who drive to Perth alongside the foreshore, as well as the tourists who visit Perth, will now see overhead powerlines. Perth is considered a very beautiful city. We should do our very best to ensure that we do not damage the image that people from other States in Australia and from overseas have of Perth. The Government did not send this Bill to the Environmental Protection Authority for consideration of the environmental impact of the railway line before the Bill was tabled in this Parliament. For a Government that got across the line on an environmental issue, that is rather shocking.

The Auditor General should also have the opportunity to examine the planning implications. The minister has realigned the railway from a high-density population area to an area which, on one side of the railway, has only fishes and birds. There is also a marine park and a scout hall, but there is no community to use that transport service. A good planning decision would have been to look at where the people are who will use that railway line. Many of the communities south of Thomsons Lake have not yet developed, so the implications there are not the same as in the more northern part of the south metropolitan area, where the suburbs are many years old. This realignment does not take into consideration where the people are and who will use that transport.

Not only is it a bad planning decision, but also, at the completion of the development, the railway will cost the community \$47 million a year. If the railway line had gone through South Perth, or Melville, or taken another alignment, how many more passengers would use it? That is why, in the debate earlier today, I tried to elicit from the minister the number of passengers who will use the railway line, and what will be the cost of the fares. If we had the number of passengers, and the cost of the fares, we would be able to do a more thorough economic analysis of what this Bill is really costing the community.

The minister seems to think that anyone who has stood up on this side of the House and asked questions or opposed this railway line is anti-transport. People are not anti-transport; members on both sides of the House have said that they would like to see transport facilities improved. However, this railway that is to be built over the next four to seven years will be there for a very long time. It is a very high cost for the community, and the community has the right to know whether this Government is spending its money wisely. Many people do not think that the Government is spending their money wisely. That is why during the second reading debate I said that many people in the community would prefer the Government to stick to its core promises to improve health, education, law and order, to end the logging of old-growth forests and to protect high-value conservation areas.

Many people in the community are unhappy with this Bill. Some people are pleased that the railway will go to Mandurah. However, I wonder how many of those people would support this Bill if they knew that a possible realignment would mean that the railway would run through an area where possibly 10 000 to 30 000 people a day could use it on a regular basis. That realignment could reduce the cost of the railway from \$470 000 a day to only half that amount. Annually, the ongoing costs for this railway will be \$47 million. Had the railway been built in an area where more people could use it, the cost of running it might have been half of what it will cost. Even a reduction in the operating costs of \$20 million a year would make a big difference to the poor state of our health services. That is why I mentioned the workloads in the hospitals. The public hospital system is in crisis.

*Points of Order*

Ms A.J. MacTIERNAN: The member is straying from the relevance of the Bill.

The DEPUTY SPEAKER: The member for Alfred Cove should address her comments to the third reading stage of the Bill.

Dr J.M. WOOLLARD: I am reiterating some points that I raised during consideration in detail when I discussed the fact that if rather than spending \$47 million annually we spent only \$27 million annually, the extra \$20 million would be a great help to the health system. I recall saying that during the debate. I do not believe that I am straying from the relevancy of the Bill.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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The DEPUTY SPEAKER: I do not think that health has much relevance to the Bill; therefore, I believe the member is straying from the third reading stage. I ask the member to address her comments to the third reading stage.

*Debate Resumed*

Dr J.M. WOOLLARD: I wonder what the consequences of this Bill will be. During consideration in detail, the member for South Perth raised the possibility of salt froth shorting out the electric lines, which would cause a complete halt to traffic.

Several members interjected.

The DEPUTY SPEAKER: Order, members!

Dr J.M. WOOLLARD: If that happened only once, the passengers on the train at the time would reconsider catching it in the future when they had an important appointment to attend in Perth.

Several members interjected.

The DEPUTY SPEAKER: Order! Some people are finding their own conversations highly amusing, which is fun for them. However, I can tell members that when one is sitting in the Chair, and from Hansard's perspective, it is not fun. Please keep the interjections in the appropriate context. I ask the member for Alfred Cove to continue her remarks.

Dr J.M. WOOLLARD: As I was saying, if the overhead powerline had a short-circuit and the train came to a halt just once, and people on that train were held up for goodness knows how long and missed important business meetings or interviews, what would those people do the next time they had to go into Perth for an important meeting? That line has to break down only once and people would not feel safe taking that train. That is why the member for South Perth was trying to get a response from the minister, so that he could assure the -

Several government members interjected.

The DEPUTY SPEAKER: Members on my right will please desist. Their behaviour is unparliamentary. I know it is late, but some of us would like to go home.

Dr J.M. WOOLLARD: I am sure the member for South Perth wanted to go back to the senior energy consultant who brought the concern to him and say to that person that the Government had looked at the issues raised in his letter and had taken steps to ensure there would not be a problem. However, the minister did not give an adequate response to the member for South Perth, so the member is unable to reassure that person that the Government has put in place measures to ensure that this does not happen. I am concerned not only about missed appointments, people not feeling safe using rail transport and being unable to get into town urgently, but also that a breakdown in the rail system would put pressure on the Government - be it the current Government or the Liberal Party should it be successful at the next election - to build another freeway lane. That lane would be an emergency lane whereby cars or buses could pick up and take to town those people who have been affected when the train comes to a halt through a breakdown in the rail system. The concern then is that not only would our foreshore be blighted with an overhead powerline but also we face the possibility of losing more of our river foreshore for the Government to build another lane. Those two very real concerns arise when one thinks of the question that was put by that energy engineer to the member for South Perth. That is why I am disappointed that that question was not answered.

We will lose more of our river foreshore. I mentioned earlier that this is a concern to the community. Over the past few months, the Government has announced that it will sell off river foreshore land and heritage buildings such as Duncraig House at Heathcote and the Sunset Hospital site. The community is very concerned that the Government is not listening to it. Submissions on the amendment to section 33A of the Metropolitan Region Town Planning Scheme Act are meant to be provided to the Western Australian Planning Commission by 2 October. What good will those submissions do when this Government will have already put its stamp on this Bill and sent it to the upper House? I sincerely hope that when this Bill goes to the upper House, a member of the Greens (WA) or possibly the Liberal Party moves the amendment that I tried to move earlier for this Bill to be referred to the Auditor General within six months - not immediately - of the commencement of the Act. I believe that the community should be given the opportunity to know whether the Government is accountable, has done its homework on this Bill and is spending the community's money wisely.

I am not able to support the third reading of this Bill. I believe the Bill is based on bad economic decisions. Because we did not receive enough information during consideration in detail, I am unable to say that the decisions on which the Bill is based are wise economic decisions. Therefore, bad economic decisions are behind

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this Bill. We have not been given the numbers for the patronage of the railway. Therefore, I cannot support this third reading because the Bill is based on bad planning decisions. I also cannot support the third reading of this Bill because I believe it is based on bad environmental decisions. We know that the Bill has not been given to environmental groups for their input. They were not consulted or given the opportunity to feed back to the Government their opinions on this Bill. I have a fair amount of contact with various environmental groups. Those groups want transport within the Perth metropolitan area to be improved, but they do not want transport improved at the expense of environmental issues.

Several members interjected.

**MS K. HODSON-THOMAS** (Carine) [12.03 am]: I have learnt that in this place, patience is a virtue.

The Railway (Jandakot to Perth) Bill is enabling legislation to allow for a direct rail route to be constructed in the freeway reserve between Jandakot and Perth. That route will go into the central business district. I find it offensive that, at the consideration in detail stage, some members asserted that members of the Opposition do not support rail. I would like to put on record yet again that I support the delivery of a railway to Mandurah. I will continue to support it in this place and publicly. I have major concerns with the route and I endeavoured to run through a number of those at the consideration in detail stage. I do not know how many times I have said, both publicly and in this place, that I support the railway to Mandurah. I hope that the railway does eventually get to Mandurah. I am certain that it will not get there by 2007.

As I said from the outset, I have grave misgivings and concerns about the changed route. I certainly believe that the decision was made without there being sound evidence to support the change to the route, particularly in terms of patronage. I asked a number of questions during the consideration in detail on the number of commuters who use the busways. I understand that about 5 000 commuters use the busway between South Street and the central business district. I also understand that the supplementary master plan determined that the Kenwick route would carry only 17 980 passengers, as opposed to the direct route, which will carry 24 950 passengers. Even when the 5 000 commuters who use the busway are subtracted from that figure, it remains in the vicinity of 19 900. If the Kenwick line figure of 17 980 is then subtracted from that figure, we are left with a total of 1 970 extra commuters who would travel on the direct route. Prior to the supplementary master plan, the patronage forecast for the Kenwick route was in the vicinity of 19 000 plus commuters. It is not dissimilar. I tried to ascertain the detail that was provided for that modelling. Unfortunately, I did not gain as much information as I would have liked. However, I can appreciate that we had limited time in which to discuss the detail of the legislation. I know that it is only a three-clause Bill with one schedule. However, I remind members that we are talking about a major infrastructure project for this State. It will have enormous ramifications if it is not done correctly. In this respect, I would have preferred to have further information. I will seek a further briefing from the minister in this respect. I will make myself available for that. I am not convinced that the minister has the direct route right, given the patronage potential and forecast that she has claimed, or that because the journey from Mandurah to Perth will be 12 minutes faster, more people will utilise this service.

I also sought information on public consultation with William Street tenants and owners. I still believe that that consultation has not been in keeping with the minister's commitment. There is a real need to consult with these people in a far more open way. I do not believe that has been embarked upon. The minister gave an indication during the consideration in detail that some consultation took place with leaseholders as early as last Friday. Quite frankly, that is not good enough. Those people have no certainty about their livelihoods. We are talking about the demolition of a large building in the city and ongoing construction for 18 months in William Street. The people concerned rightfully deserve the opportunity to have their say and to be made aware of what detail is available to them.

I was also concerned at the minister's reference to some of the environmental clearances. I understand that the date the minister wishes for the assent is 19 November 2002, that environmental clearances will be sought by 28 February 2003 and that some time in January the tender process will commence. I was concerned that the minister talked about some works being carried out along the foreshore prior to those environmental clearances. Although I have those misgivings, the minister gave a very reasoned response to the question about the works that will be undertaken.

I have some major misgivings and concerns about the Narrows and Mount Henry Bridges, certainly about the disruption during the construction phase. The minister indicated to the House that construction would commence about 12 September 2003, that it would proceed for 601 days, I think, and that the completion date would be about 30 December 2005. She indicated that at this stage there is no disruption plan. The construction

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at the Narrows and Mount Henry Bridges will happen at the same time. I believe that it will cause an enormous amount of disruption along that stretch of the freeway, so much so that we will see logjams along the freeway for months and months. I wonder when the minister is intending to embark on the disruption plan.

I was out of the Chamber when the member for Murdoch raised the issue of the Mount Henry Bridge and the lack of recreational boating opportunities that will occur in that area, and the fact that no provision will be made for the head of the river race to go ahead. I was not in the Chamber, but that is my understanding from discussions with the member for Murdoch. If it is the case, it is absolutely appalling. I wonder what consultation has taken place with those people. I am not sure if the minister intends to respond to this. She is indicating that she will not. Perhaps the comments that the member for Murdoch made to me are quite correct. Is it right that the head of the river race and recreational boating opportunities will not occur around the Mount Henry Bridge during the construction phase?

Ms A.J. MacTiernan: That is nonsense.

Ms K. HODSON-THOMAS: I prefaced my remarks by saying that I was not in the Chamber when this matter was raised.

Ms A.J. MacTiernan: Of course there will be some disruption because of the barges, just as there was when your Government decided to treat the symptoms and not the cause and to duplicate the Narrows Bridge. Barges were going backwards and forwards then. Of course the waterways did not close down. Barges will be going backwards and forwards, but they will not be as disruptive as building an entire new bridge. As I have said, and as we are doing with all aspects of this project, we will sit down with the stakeholders and work out a management plan. The nonsense that is being spoken is extraordinary.

Ms K. HODSON-THOMAS: I am glad to hear that the minister will embark on that management plan, especially with the stakeholders. I hope it is better than the management plan that exists for the city end of the project. I have always had an interest in recreational boating, as everybody in this place knows.

Ms A.J. MacTiernan: Madam EPIRBS.

Ms K. HODSON-THOMAS: I thank the minister. As the former executive officer of the Boating Industry Association of Western Australia, I have had a long-term interest in recreational boating. I would not like to see the river completely shut down.

Ms A.J. MacTiernan: Just apply a little bit of thought to this. Did the Government that you were part of not duplicate the Narrows Bridge?

Ms K. HODSON-THOMAS: It did indeed. I prefaced my remarks by saying that I was not in the Chamber when the member for Murdoch raised the issue. I am pleased that the minister has at least been able to respond to me. I like hearing things first-hand rather than second-hand, because generally one then gets the right answer. I do not intend to speak for long in the third reading debate; I probably canvassed enough issues during consideration in detail, and certainly in the second reading debate. I have major concerns about the consequence of this legislation. I do not oppose a railway to Mandurah. However, I vehemently oppose the direct route. I would like to afford other members the opportunity to have their say before there is any likelihood of the debate being gagged again. I certainly would not like that to happen. I do not support the legislation and will not be supporting the third reading.

**MR T.K. WALDRON** (Wagin) [12.16 am]: I have no problem with a railway to Mandurah. The reason that the National Party opposes this Bill is the change of route, and the ever-increasing cost of building this railway, which will have a huge detrimental effect on other priority projects across the State. It is poor form that an important Bill such as this that involves an amount of money of this magnitude should be rushed through this Parliament, especially by the use of the gag. All members of this place have the right and need to speak on this Bill. The debate should have followed the normal process of this House. No reason has been given for why the Bill should be rushed.

Mr J.C. Kobelke: Do you realise when you say “rushed” that more time has been spent on debate on this Bill than on 90 per cent of the Bills that go through this House?

Mr T.K. WALDRON: My point was that the Bill should have been allowed to follow the normal process and then not so much time would have been wasted.

I reiterate that I have a problem with the number of buses that will now have to intermingle with the traffic on the freeway. That is a real downside. We are going backwards. I have a concern about the safety issues. I also

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have a concern about the lack of consultation with the businesses in the city that will be affected by the tunnelling. The National Party will oppose the third reading of the Bill.

**MRS C.L. EDWARDES** (Kingsley) [12.17 am]: I also oppose the third reading of the Bill. I reiterate that this minister lacks planning vision. The minister is the Minister for Planning and Infrastructure, which suggests that there will be some level of integration. The minister has brought together two major agencies - namely, the Department of Transport and Main Roads and the Department for Planning and Infrastructure. One would think by doing so there would be a level of integration. When I raised this issue with the minister, she almost scoffed at the idea. However, the planners in the City of Perth have said that the construction of this rail shows a total lack of integration between good planning principles and engineering. Everybody knows that if we are to embark on a major piece of infrastructure, we must bring in at a very early stage all the people who will be involved. When I was the Minister for the Environment, it was very clear that if there was to be a major development that would be seeking environmental approval, we had to bring everyone on board at a very early stage so that we had a total coordinated and integrated approach.

The lack of planning vision that I pointed to during consideration in detail is highlighted by the lack of opportunity for value adding in the link from the city through to Northbridge by sinking the Fremantle rail line. I think the Opposition has made it very clear that it does not support the direct route. It does not support the change to the direct route from Jandakot to Perth; albeit, as we have indicated frequently, we support a rail line to Mandurah. Given the size and significance of this infrastructure - the largest infrastructure likely to be undertaken by this Government - as the Premier said very clearly on 16 July, we must get it right. The minister fortunately agreed that the rail line should be sunk in front of the convention centre and under William Street, the stations could be shifted and connections with other routes would be catered for. Why not therefore go one step further and make sure that the State does not lose, at some cost to the State, a major opportunity for value adding?

It is proposed that the western portal be shifted from Lake Street, where it will end, to Milligan Street. The Government's Perth urban rail development supplementary master plan of August 2002 very clearly indicates that fixing the portal location is crucial. If, for example, it is fixed at Lake Street - where it is proposed now, and for which the Government has already earmarked the necessary funding - it will be extremely difficult to extend the rail underground to Milligan Street later. Essentially, that means it will be possible to lower the Fremantle line at any time after the trains begin operating through the city from the northern suburbs to the south west. It is not necessary to lower the railway line now. However, the supplementary master plan indicates the importance of considering the possibility of lowering the railway line in the future, even if it is up to 20 years later. As the Government's supplementary master plan clearly indicates, the location of the portal in that consideration is crucial. If it is extended from Lake Street underground by 220 metres to a portal just west of Milligan Street, a Government will be able to decide in the future to build the Fremantle line underground.

What would be the implications of not doing that? As the supplementary master plan points out, it would be extremely difficult to achieve that later because of the sharp corners the line would have to take. As the minister has always said, railways are about geometry, so we cannot have sharp corners. It would be difficult to shift the line due to lack of space. If that is the case, surely it is incumbent on any Government to make that decision and ensure a future opportunity will not be lost. That is an absolutely critical point for the Government to consider if it is serious about extending the CBD area to Northbridge, which I think everyone would support. Land in that area is under-utilised. When the tunnel was built through to East Perth, fantastic opportunities arose beyond just the use of the tunnel. Enormous opportunities would be provided if the railway were sunk and the CBD linked to Northbridge in the future. The area involved is not only the train station and the bus terminal but also the Entertainment Centre and the car park attached to it. I am told that development of the land linking the Perth area across to Northbridge would bring in - this is a conservative figure - about \$65 million to \$70 million. I am talking about 55 hectares of the car park, the Entertainment Centre - I do not know the size of that - and another area of 3.5 hectares.

Mr J.N. Hyde: The City of Perth sold the car park.

Mrs C.L. EDWARDES: I am surprised that the member for Perth is not working much harder on the minister to shift the portal. It will cost \$39 million to sink the rail but it does not need to be done now. That opportunity will be kept alive if the portal is shifted to Milligan Street. It would cost only \$9 million to \$10 million to go 220 metres west of the portal to keep alive the opportunity to sink the rail. Did the member for Perth hear the minister earlier when she said that it would be extremely difficult to do it later? There is a difficulty with sharp

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curves and the fact that there will be no room to shift the line. The opportunity to value add the land in the future will be lost through not moving this portal.

Mr J.N. Hyde: That is why the residents want Milligan and Lake Streets done now. That is the priority; not making a portal in the future. They want Milligan and Lake underground by 2004.

Mrs C.L. EDWARDES: It would be absolutely perfect if the Government could sink the rail now. Given the tight time frame that the Government and the minister have put on this proposal, if they do not shift the portal they will lose the opportunity to get a decision from the developers and the City of Perth to put up money.

Mr J.N. Hyde: We need you to join with us to put pressure on developers.

Mrs C.L. EDWARDES: I am putting pressure on the minister and the Government because it is not good enough that a short-term decision is being made that will prevent value adding in the future. The minister said she does not have \$39 million more and she will not do it. A committee has been established and it will be all well and good if it can do it. If it cannot, given the tight time frame that has been placed on this proposal, the Government will lose that opportunity. What will the member for Perth do then?

Mr J.N. Hyde: We have our half.

Mrs C.L. EDWARDES: What will the member for Perth do when a real opportunity of value adding is lost in that area?

Mr J.N. Hyde: Let us remember that there was no opportunity for Northbridge under the Kenwick route.

Mrs C.L. EDWARDES: The Government has changed the Kenwick route to William Street.

Mr J.N. Hyde: Yes, without your support.

Mrs C.L. EDWARDES: The Government will sink it down William Street and create links in through the railway. Our route was different; it came right up the line. We would not have prevented that potential opportunity in the future, but this Government is preventing it. The critical aspect is the Government's decision. Members should look at the master plan; they need not believe what I say. The Government's master plan shows it very clearly. Its route cannot be compared with our route, which would have come straight up the line. There would not have been an issue of a portal and all the rest of it. I am talking about a lost opportunity of value adding and getting greater use of that area. If the Government is to go down this path, I ask the minister, on behalf of all Western Australians, to add \$9 million to \$10 million to the cost of the project. What is the project's cost?

Mr R.F. Johnson: \$1.42 billion.

Mrs C.L. EDWARDES: It is \$1.4 billion. The minister is quibbling over \$9 million to \$10 million and will lose a potential opportunity, which will be a cost to the State of Western Australia. It does not make sense.

Another issue I wish to raise concerns the demolition of the buildings. The member for Carine said that sufficient consultation has not taken place. Obviously, officers from the minister's department and the agency have spoken to the owners of the Myer building. However, they have not spoken to all owners. We know this because the manager of the leases has told us that he has continually tried to talk with the minister's office to get details. There have been faxes and telephone calls but no details. Discussions such as this may have occurred: "When are we going to get a briefing?" and the minister's office has replied, "Well, we will see about that", and they met last Friday. The decision to change the position of the train station was made last Friday. A lot of work has been done after that meeting on Friday, but who is losing out in the meantime? The lessees and the sublessees are, because they know that their businesses are running out of time. At some time the Government will want their businesses and their building, so they cannot do anything about stocking up for Christmas; and what do they tell the staff? Will the staff have jobs at Christmas time? Do the lessees and sublessees look for alternative premises? There are already some vacancies in that area of the central business district. Patronage is being lost in that area. As vacancies arise, nobody will lease those premises and restock and refit them for retail purposes because they do not know how long this project will take. If the minister could tell them that they have eight months or 12 months, then the lessors, lessees and sublessees could plan; they could also make plans for the staff. How would you feel, Mr Acting Speaker (Mr P.W. Andrews), if you read on the front page of the newspaper that the new train station would be located on your work site? Employees must be pretty impressed about that. I can imagine an employee asking her boss what is going on, whether she will have a job at Christmas time, and whether she will be able to buy her children Christmas presents. The boss would be able to say only that he did not know, but would try to get some information from the Government.

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Mr R.F. Johnson: This could ruin the children's Christmas.

Mr M.F. Board: There will be no train sets for Christmas.

Mrs C.L. EDWARDES: Those children will not get any train sets for Christmas. This is a very serious issue and it has arisen because of a total lack of communication. People can have conversations, but conversations are not enough when it comes to people's lives and their livelihoods. It is not good enough. At one stage the minister indicated that communication was the job of one of the committees. The minister has said that this legislation needs to go through both Houses of Parliament and be assented to by 19 November. Whether that happens is another matter. The committee has not met, so when will it start on its list of priorities? In my speech during the second reading stage, I asked the minister to provide us with a list of the priorities the committee needs to address first; however, she has not done so. One of the first issues is the demolition of that building. Tonight I asked the minister about the asbestos and whether its removal was taken into account before the supplementary master plan was finalised. The minister assured this House that the costings and the timing of the removal of the asbestos had been taken into account. My understanding is that the amount of asbestos contained within that building is quite significant. It has been around since the 1930s. As the minister said, it is not unusual to find asbestos at the bottom of some of the building sites in the central business district. However, a lot of work is to be done in removing that asbestos, and very little has been done. In removing asbestos, occupational health and safety regulations need to be taken into account. It is a very serious issue, and one that cannot be rushed to meet the minister's timetable. We do not want the minister's timetable to be met by rushing the removal of asbestos from that building.

Serious issues are involved with the demolition of the building in William Street, one of which is the pure lack of consultation. This Government has seemingly prided itself on community consultation, but it has failed absolutely and totally in that regard. I hope the minister takes my comments seriously. The employees in that building need to know exactly what is going on. The employers need to know whether they will be there at Christmas time. They need to know whether they will need to purchase stock. If they purchase stock now and will not be there at Christmas time, they will incur a huge cost.

Ms A.J. MacTiernan: Just so you do not mislead them, I made it quite clear in the debate today that none of that work will start before the beginning of next year. Only preliminary works on the foreshore will occur in advance of full environmental approval.

Mrs C.L. EDWARDES: I hope the minister confirms that, because that information has not been provided to those employers and employees. It is okay for the minister to say it in this House, but she, or her staff, needs to sit down with those people and give them the confirmation that they can buy stock for Christmas, they will be there for Christmas and the employees will have jobs until Christmas. At the moment, they have not had that confirmation, and it is not good enough just to tell us in this House. It is incumbent on the minister to inform those people.

Another issue I have raised is the major or minor amendment. The minister has indicated that she will proceed with public hearings. Public hearings are held for major amendments; they are not held for minor amendments. The public hearings for the major amendment will be conducted by the Western Australian Planning Commission to hear the objections to the proposals, which are normally deleted from the process. Can the minister outline in her response when she expects that to be completed? That process also involves development approvals. As the law stands at the moment, railways in road reserves need development approvals from local councils. Once the minor amendment is approved, development approval will no longer need to be sought from local councils. At what point will the minor amendment go through? The minister has now incorporated a public hearing process for the minor amendment. I support that absolutely and totally, although the minister's position has shifted on what the minor amendment is about. First it was about timing and then it was not specific to the railway; her position has continued to change. Will the minister confirm, in respect of the southern railway - I will put all the other roads aside for the moment - that once the minor amendment is passed, and public hearings have been taken into account, whether she will seek, if it has not already been sought, development approvals from local councils to be forwarded to the Western Australian Planning Commission? It has been like drawing teeth, attempting to get the minister to explain what the minor amendment is all about. The other aspect of the minor amendment is one that I will continue to debate - it lacks any specifics, because it is a minor amendment dealing with any road. I have said in this House before that any road that is coloured blue or red on a metropolitan region scheme map will be subject to rail by any Government in the future, without development approval from local councils. That is far too broad for community expectations. The community does not fully understand it. That is part of the dilemma - the total lack of community consultation.

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The minister has raised some of the similarities between this debate and that around the Joondalup railway. I pointed out to the minister that the Joondalup railway development involved a far greater level of community consultation, involvement and integration than has taken place with this line. No comparison can be made between the two. This railway will have a far greater and more significant impact on the Perth central business district than the Joondalup line. This line will come straight up the middle of William Street. It will be underground, but it will divide the city for any potential future loop. That shows a total lack of planning vision for the future.

I heard some of the comments made when the member for Alfred Cove was talking about the referral to the Auditor General. The Auditor General is totally independent.

Ms A.J. MacTiernan: Why was the Kenwick link not referred to the Auditor General?

Mrs C.L. EDWARDES: The minister was in opposition at the time. Why did she not refer it? The reason is that there was far more support for that route. I heard the minister, during the debate on the referral to the Auditor General, ask what the Auditor General would know about planning. Another member asked how the Auditor General would count patronage. My involvement with the Auditor General over many years has shown his terms of reference to be far wider than members opposite would understand. If they think that patronage, planning and dealing with the financial implications is not what the construction of the southern railway is all about, they are obviously very narrow-minded about what is being conducted here. Of course the Auditor General could investigate and report upon the financial, environmental, planning and social implications of the construction of the railway. He could inquire into the lost opportunities with the Fremantle line and the resultant loss of benefits to Western Australia.

Ms A.J. MacTiernan: How would he do all that?

Mrs C.L. EDWARDES: The Minister for Planning and Infrastructure needs to sit down and have a long discussion with the Auditor General about the extent of his role. He can investigate matters that are far broader and wider than that. Has the minister read the Financial Administration and Audit Act recently? Of course she has not.

Ms A.J. MacTiernan: How would he do it?

Mrs C.L. EDWARDES: He would inquire into all of the Government's books and papers. He has the opportunity and the powers to conduct that type of investigation. He would examine the waste of taxpayers' resources. The Auditor General has a role in this matter, particularly because the project is an off-budget line. When this matter comes before the House during the estimates committee process, members will not be able to scrutinise the expenditure on the project to the extent that we should be able to on behalf of the people of Western Australia. The narrowness of what members opposite think is the role of the Auditor General is a concern. It is a concern that they believe that the Auditor General should have no role in this matter, that he cannot add numbers and would know nothing about planning. What a question that was from the minister! That underlies her understanding of the implications of the construction of the southern railway. She believes it is a straight down the line engineering project. She has ignored the planning advice she has received from many quarters. The last straw is that she will stop the potential of the undergrounding of the Fremantle line. There is a real opportunity to value add that under-utilised area. The minister's lack of planning vision is shameful and disgraceful.

**MR P.D. OMODEI** (Warren-Blackwood) [12.47 am]: I am disappointed about the way in which this debate has been conducted. It is not necessary to have this debate at this point of the day, which affects both staff and members. This legislation will not get to the Legislative Council any earlier than it would have if it had been debated next week in the full light of the day and under the full scrutiny of the media and anyone else who wanted to listen. The Leader of the House has not explained why it is necessary for this legislation to be passed at this ungodly hour. Parliament has been sitting for 15 hours straight on top of the previous two days of sitting, although I admit that that is not unusual.

This Bill is important to Western Australia. We are not talking about just a \$1.2 billion project; over a 25-year period, when interest and repayments are considered, it adds up to \$4 billion and there will be recurrent losses. I have a slightly different point of view from the rest of the members of the Opposition. I have no problem with a railway line being built to Mandurah. However, I believe that this project is at least five years premature and has the capacity to lose the State's AAA credit rating and cripple its finances.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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I take great pride in some of the legislation that I passed through this Parliament after long debates, including the Bill for the City of Perth restructure, which enhanced the centre of Perth and created three new towns. At the time, the people who were involved with those decisions were not very happy about them. I was at the Town of Vincent the other night. People were saying what a wonderful success it had been. I am sure the member for Perth, who was the mayor of Vincent, would agree with that. I cannot say the same for this project. Although I am not a city-based member - I am a country-based member - when I look at the transport situation in Perth, with a railway line along the middle of the Mitchell Freeway, I see cars banked up for many kilometres. I do not think this rail line will solve traffic problems. The only way to solve some of the traffic problems in Perth is to introduce the concept of a toll road on freeways to force people into public transport.

Ms A.J. MacTiernan: Is that Liberal Party policy?

Mr P.D. OMODEI: These are my personal views, not Liberal Party policy. Until we think seriously about those things in a bipartisan way, we will not solve the traffic problems.

I hark back to the debt. We will be faced with a capital repayment of at least \$60 million per annum, plus a \$60 million interest repayment over 25 years.

Ms A.J. MacTiernan: Are you saying \$60 million for capital?

Mr P.D. OMODEI: The minister can tell me: what are the annual recurrent figures for capital and interest repayments?

Ms A.J. MacTiernan: \$60 million

Mr P.D. OMODEI: Over what period?

Ms A.J. MacTiernan: That is the projected rate.

Mr P.D. OMODEI: I suggest that some time in the future - even in the corridor - the minister might give me that number, so I know that it is capital and interest. According to my calculation, when \$1.5 billion is divided by 25 it is \$60 million. If the interest rate is four per cent, that is another \$60 million. Then there is recurrent funding. That is \$170 million. I will tell the minister what that would do in her portfolio in the south west. It would fix the South West Highway, the Muir Highway and those roads that are essential - Mowen Road and Milyunup Road - that the minister has been talking to my constituents about in the past few weeks. It would fix all of that in a matter of 18 months. They are death traps. When I drive home - whether this morning or later in the day - I will drive along that freeway, which has very light traffic and a 100 kilometre an hour speed limit; it is by any measure an excellent project. There is no dire need for a southern corridor railway line in the foreseeable future. That is my personal view. Many members may disagree with that, but that is what I think.

I am concerned about what will happen when this railway line comes straight along the middle of the freeway. I envisage huge disruption in the construction phase right through to the centre of the city. It will disrupt not only traffic, but also businesses and people's livelihoods. I am concerned about the mixture of buses and ambulances in the traffic. I do not know what other members think, but normally traffic accidents occur in peak hour traffic, so the movement of ambulances would be hampered by the huge increase in the number of buses and cars on the freeway. That is a legitimate concern, and no-one has explained how these things will work. I am entitled to know that. I am entitled to put a point of view that I think would be supported by my constituents; that is, this money would be better spent around Western Australia on urgent matters that need attention rather than on a grandiose electric railway line.

I now comment on some issues closer to Perth. I owned a unit in Cale Street in the electorate of the member for South Perth for almost 10 years. It had a beautiful view over the Swan River, especially when the sun set. We have spoken about environmental damage. If ever there was an action that constituted visual pollution, it would be a train zipping backwards and forwards in front of someone watching the sun set. I cannot believe that that is being proposed.

Mrs C.L. Edwardes interjected.

Mr P.D. OMODEI: Exactly. I have been the target of much criticism about some of my views about the environment and how forests should be managed. I have been tagged with a few nicknames that I do not really appreciate. Yet, the transport system in Perth has been designed so that the freeway is right on the edge of a beautiful river. I understand that one of the early options was to take the rail down Labouchere Road. It might have caused some concerns, but it would have been a better option than the rail going along the side of the river. The Government should not go to the bush in the south west and tell us, the most sustainable industry in the universe, about environmental damage. When I come to the city I see things like that beautiful port of

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Fremantle, which was created when the civic leaders of the day decided to blast the bar into the Swan River. Surely that had an environmental impact. I also see the Dawesville Cut and other projects that were for the benefit of the community.

I will return to the motion because I am sure that you, Mr Acting Speaker (Mr P.W. Andrews) are getting worried. We are discussing a Bill that will cause expenditure in excess of \$4 billion. That will have a major impact on a range of projects. Members opposite used to talk about the \$5 million belltower. Time and again people would tell me that the Labor members were saying that the then Government could not finish this hospital project or school addition or get that clinic fixed up for the kids because it was building a belltower. That was a \$5 million project. We are now talking about a \$4 billion project.

Mr R.C. Kucera: Was your Government wrong? Was it wrong in planning for a railway?

Mr P.D. OMODEI: If I can explain to the Minister for Health -

Mr R.C. Kucera: I am talking about a railway line. Your Government was going to put the rail line through Kenwick. Now you are saying that we should not have a rail line.

Mr P.D. OMODEI: I was talking about the belltower. Those bells were to given to the State of Western Australia while the Labor Party was in power. The then Government did the right and responsible thing and housed those bells, as was envisaged would happen under the agreement between the Government of the United Kingdom and the State Government of Western Australia. It did the responsible thing. It was a \$5 million project. It was seen as extravagant by some. We are now talking about a project that will cost \$1.5 billion up-front and, after all the capital and interest is paid, over \$4 billion.

Ms A.J. MacTiernan: You're a man of commerce. You have described your interests.

Mr P.D. OMODEI: I am a spud farmer. If that is a man of commerce, I am a man of commerce.

Ms A.J. MacTiernan: When you repay a loan, do you count the capital cost twice? That is what you are doing. You are counting all that will be repaid and adding that to the capital cost.

Mr P.D. OMODEI: I am not pretending to be the expert; the minister is.

Ms A.J. MacTiernan: You are making stupid statements.

Mr P.D. OMODEI: I asked a genuine question.

Ms A.J. MacTiernan: You are saying that it will cost \$4 billion.

Mr P.D. OMODEI: Over 25 years. If the minister cannot answer my question now, she can advise me over the next few days how much the project will cost over a 25-year period, or for however long the loan will run. The minister should give us the exact figure and tell us how much the State will repay each year, so that I can go to my constituents and say that this Government is embarking on a major infrastructure project. It will be three o'clock by the time we finish this debate. We would have sat that long to discuss this matter when we did not really have to. My calculation is that it will cost \$170 million per annum. If that calculation is wrong and it is actually \$180 million or \$100 million, I ask that the Minister for Planning and Infrastructure correct me, so that I can pass on that information to my constituents. I am sure that when the people of Western Australia realise the magnitude of this project and the impact it will have on the finances of this State, they will want to know a bit more about it. The people of Perth do not even realise the magnitude of this project, let alone other people in Western Australia.

Mr R.C. Kucera: That is absolute garbage. You are saying that if you were in government now, you would not have built this railway! It would have cost the same amount.

Mr P.D. OMODEI: The Minister for Health has ready access to hearing experts. He can go and get his hearing checked. My view is that this project is at least five years, if not 10 years, ahead of its time. Whether the Liberal Party or the Labor Party is in government, I intend to have my say, because that was what I was elected to this place to do. I do not support this legislation. I want a lot more answers. I wait with bated breath for the Minister for Planning and Infrastructure to tell me how much the overall project will cost, over whatever length of time the Government intends to repay it. I want to know exactly how much this project will cost the taxpayers of Western Australia per annum.

**MR D.F. BARRON-SULLIVAN** (Mitchell - Deputy Leader of the Opposition) [1.01 am]: I would like to reiterate the comments of the member for Warren-Blackwood on this Bill. I specifically raise the point that it is one o'clock in the morning and we are discussing this matter when there has been no explanation whatsoever from the Leader of the House of why this Chamber is attending to it in this way at this time. The member for

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Warren-Blackwood pointed out the inconvenience to staff and officers of the Parliament. I point out that there is a significant additional cost attached to running a Parliament at this time of the morning. As other members such as the member for Dawesville have pointed out, such sittings create potential dangers for staff and members of Parliament who drive home.

Ms A.J. MacTiernan: Just get on with it!

Mr D.F. BARRON-SULLIVAN: No, because this is an important point. It reflects on the carriage of this Bill as a whole.

Mr J.C. Kobelke: Are you encouraging me to gag it to protect your health?

Mr D.F. BARRON-SULLIVAN: That was the point I was going to mention next. The Leader of the House and the Labor Party gagged this Bill at the consideration in detail stage. That is the very important stage at which the Bill is examined in detail. After about five hours, the Labor Party decided to gag the debate and railroad the Bill through the Parliament. That works out at around \$280 million for each hour the Bill was debated in that stage, because, on the Government's own admission, this project is worth more than \$1.4 billion.

This Government does not have a great deal of respect for the taxpayers of this State. Suggestions were made during the debate on this legislation that the matter be referred to a standing committee or the Auditor General for examination. The treatment of this legislation demonstrates the need for those sorts of initiatives. It is interesting that members on this side of the Chamber have attempted to refer a number of Bills to our standing committee system, which is relatively new, but I do not think we have been successful on a single occasion. That again demonstrates how the Labor Party is prepared to flout a genuine process of this Parliament to achieve its own political ends.

It can be concluded from what the minister said during the second reading and consideration in detail stages that the approach epitomised in this Bill does not carry a balanced policy for transport management in this State. The Government is clearly putting all its eggs in the one basket. It is pulling back on road funding, disrupting the public bus service and so on. It is quite clear that this Bill is oriented towards one particular project, and that is the Mandurah to Perth rail line, rather than being part of an integrated transport policy for the whole urban and regional areas of this State. If I am not wrong, when the northern rail line was built, the use of buses in the northern suburbs increased. On the one hand, as a result of this Bill, people will be turfed off the existing bus services in a number of areas and put onto trains, and, on the other hand, there will also be significant need for additional bus services for this route and also to make up for the deficiencies in public transport planning that arise from the plan epitomised by this Bill. This is not a balanced approach. It is oriented towards one particular project at enormous cost in a number of respects.

An extremely interesting outcome of the consideration in detail stage was the patronage and performance figures for this line. Although this Bill deals with the line from Jandakot, it was necessary at times for the minister to discuss the performance of the whole line right through to Mandurah to give us an appreciation of what would happen in the area covered directly by the Bill. The supplementary master plan of August sets out at page 77 figures that the Government has touted a number of times, showing how long it would take to travel by rail from Mandurah to Perth. The figure quoted is 48 minutes. The figure quoted for off-peak travel by road is 53 minutes. Importantly, it was based on existing freeway configuration and on existing speed limits. Anyone who has to travel on that road regularly - as I do, and the member for Warren-Blackwood and others from the south west - knows that the road system is not as efficient as it could be. Once the Kwinana Freeway is extended to Mandurah, there will be a very significant time saving for all motorists.

Ms A.J. MacTiernan: When is that happening?

Mr D.F. BARRON-SULLIVAN: Under this Government it seems that it will never happen. That is the point I am about to make. If the freeway went through to Mandurah, I would bet a brick to Sydney Harbour Bridge that a car would get to Perth from Mandurah quicker than a train. Not only that, if the Government did not knock down the dedicated bus lane to Canning Highway and if it went ahead with a dedicated bus lane further south, spending the \$70 million that was previously allocated for that purpose, I would hazard a guess that a bus might even get to Perth from Mandurah quicker than a train would. The presentation of the figures is such that apples are not compared with apples. There are forecasts for patronage projections through to 2006, but they are not projected forward to the completion of the freeway. It is a very important point because it goes back to what I said earlier on about an unbalanced approach. The vast majority of people who commute in a car to Perth from Mandurah and various suburbs in the metropolitan area will be discriminated against, simply so that the Government can build a railway along the centre of the freeway and live up to its little ideological plans.

Mr R.C. Kucera: Your logic is totally flawed.

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Mr D.F. BARRON-SULLIVAN: I suggest that the Minister for Health talk to people in the south west and find out what they think about the idea of the Peel deviation and the Kwinana Freeway link to Mandurah being delayed to the extent that this Government has delayed them.

Mr R.C. Kucera: You are always rabbiting on in this House about the price of petrol. Do you know what it is in Europe at the moment?

Mr D.F. BARRON-SULLIVAN: The minister would like to see those sorts of prices in this State. That does not surprise me.

Mr R.C. Kucera: Of course we would not.

Mr D.F. BARRON-SULLIVAN: In the minister's view that would probably force more people to catch the train. What a brilliant idea! Let us charge Western Australians the prices that fuel costs in Europe and then they will have to catch the train from Mandurah. The Minister for Health is a genius! This is the sort of thinking in the Labor Party. I have another idea for the minister: let us close the Kwinana Freeway and then they will have to catch the train.

Ms K. Hodson-Thomas: The Government will close it anyway.

Mr D.F. BARRON-SULLIVAN: That is a good point.

The shadow Minister for Transport has made the point that effectively the Government will be closing the freeway. Motorists will certainly be inconvenienced for a number of years during the construction of this rail line.

I now turn briefly to the financials, because this matter has also come out of the discussion on this Bill. It is clear that the Labor Party has been pleased to break its election promise on this railway and put back the timetable for one reason and one reason only: to save the State's AAA credit rating. We know the Government is \$200 million away from blowing the State's AAA credit rating, which, if it happened, would cost the State tens of millions of dollars in additional interest. So what did the Government do? It thought about how it could put off a big chunk of spending. It is gutting the infill sewerage program, it has pulled \$300 million out of road funding, and it is reducing services all over the place to seek to pay for its rapidly rising debts and put away a bit of money for the railway, which will now cost an extra \$300 million. By putting the railway back a couple of years, the Government can roll the debt back further. That means that the commuters from Mandurah - it is either 1 700 a day or 3 500 a day, depending on whether the figures relate to single trips or return trips - will have to wait until 2007, or whenever, to hop on the train to get to Perth.

Ms K. Hodson-Thomas: It is 2008.

Mr D.F. BARRON-SULLIVAN: Yes. I am sure the member for Mandurah will be delighted to send out brochures saying, "I went to the election promising to construct the south west metropolitan railway to Rockingham by the end of 2004, and to Mandurah by the end of 2005, but I broke that promise, guys, and I am proud to have broken that promise, because we had to keep the AAA rating"! That is what it is all about.

We also have the magical figure of the \$300 million loss. It is interesting that the Government is trying to cover up what the \$300 million loss is all about. The \$300 million loss equates to the equivalent of building the Peel deviation and the freeway extension through to Mandurah. It also equates to building six major regional hospitals or 60 primary schools. The Government is prepared to blow \$300 million of taxpayers' money - all at that opportunity cost that I have just listed but that the lot opposite could not hear because they were interjecting all the time - and the benefit to the community is a project that has been pushed back in time, a second-rate route, and all the difficulties that the shadow Minister for Transport has outlined tonight.

That is not all. The figure of \$1.42 billion that we have heard about is not the total cost. We already know the cost will blow out in a number of ways. However, during the deliberations on the Bill we found a number of costs that have not been included in the costings for this project. For example, it has been confirmed that all of the additional bus service links, particularly from Southern River and Ranford Road and so on, are not provided for in this funding. Secondly, I am sure that at some stage the Government has either implied or said that it would be a good idea to finish off the Kenwick connection to Nicholson Road and so on. However, the Canning Vale station and all the railway lines and ancillary works are not included in this budget. We also have the Rockingham rail loop. The member for Rockingham went to the last election and said that was a great idea. However, now members opposite do not need the Rockingham rail loop. They are happy to let the passengers be dropped off on the outskirts of Rockingham and to get some sort of central area transit bus or light rail service into town. It is *deja vu*. In the 1980s, the Labor Party moved the railway station in Bunbury out of the centre of town. Do members know what the ALP is doing now? It is undertaking studies into moving it back into the

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centre of town. Guess what will happen in Rockingham? In years to come, people will say, "Gosh, the Labor Party has done the same thing as it did in Bunbury; it did not send the railway into the centre of town; it drops us off on the doorsteps. We now have to get into a bus or hitch into town or whatever." That is another expense that is not included in the costings for this project.

If a light rail system is developed, the Government will be up for a substantial additional cost. Another additional cost has come out of deliberations on the Bill; namely, the wastage on the Canning Highway to Perth dedicated bus lane. Lo and behold, the items not included in this project are not budgeted for. Several million dollars worth of work is therefore not included in the budget.

Even more expenses are not included, such as compensation to those occupying the CBD, and the necessary works that were alluded to earlier that will amount to possibly tens of millions of dollars. Those are a few examples of where the budget will blow out.

The other disadvantage is the inconvenience to the motorists who will have to sit in the traffic jam as all the work is carried out for a couple of years, and also the buses that come onto Canning Highway, which we believe will be led in on a dedicated lane to join the traffic jam. All the passengers on the buses will be able to sit next to all the cars jammed in the traffic as the train whizzes past. That is hardly a balanced approach. As I think the shadow Minister for Planning and Infrastructure said, members on this side want more details on this project. We have been offered a briefing on the patronage modelling, which I think will be undertaken by Peter Lawrence. We are looking forward to that. As the shadow minister has pointed out a couple of times, we will seek further information.

I make one final point, particularly to the Leader of the House: the way this Bill has been handled will probably cost the Government a great deal of time in the upper House. Had this gone to a standing committee of this House and members on this side been able to question the minister properly at the consideration in detail stage, the Government would have saved much time when the matter reached the House of Review, the upper House of this Parliament. I wish the Government luck for the Bill's passage through the other place. I suggest government members will be in for as long and just as intense a grilling as the minister received in this House. I hope that will tease out more details to enable the community to fully understand the project.

I refer to the backbenchers who are laughing in their seats. When the next election is held and people in Roleystone, Kalgoorlie, Innaloo and even Mandurah are told of what could have been purchased with \$300 million, at least, which was wasted on this route, I can assure them that the people will say, "Gee, the Liberal Party had a pretty good idea, but we don't like this Labor mob."

**MR M.F. BOARD** (Murdoch) [1.18 am]: As it is very late, I will be brief. As we move to complete the debate on this Bill, some questions are unanswered. The minister has failed to address the basis on which the decision to alter the rail route was made. Why was the decision reversed despite the advice given to the previous Government over three years by the transport department, planning, local authorities and environmental groups and through community consultation following the election on 10 February 2001? Why in a very short period has all of that expertise gone out the window and the advice we received no longer valid? I assure members that the advice was given to us in good faith. I was privy to that advice, which was independent advice based on the best expertise available to us at the time. Why as I stand in this place today is that advice no longer valid? The minister has failed to adequately explain to the House the changed advice that has been given to the Government.

Mr R.C. Kucera: You got it wrong; it is as simple as that.

Mr M.F. BOARD: I am talking about the expert advice that was given to us.

Mr R.C. Kucera: You also had reports on the direct route. You got it wrong.

Mr M.F. BOARD: The strong advice given to the previous Government by the agencies was to ignore the direct route. I was there when that advice was given, minister; I am not lying.

Mr R.C. Kucera: I am not saying that you are lying; you just made the wrong decision.

Mr M.F. BOARD: That was the strong advice given to us. It is a mystery to the Opposition why that is no longer the strong advice; that has not been explained by the minister.

The minister also did not address the reason that the cities of Melville, Canning and South Perth are totally united against the direct route. If the Government's proposal is of such great advantage to people south of the river, why are all the councils, constituents and ratepayers who will be affected and supposed to be advantaged by this rail line totally opposed to the direct rail route? That question has not been addressed by the minister and by the Government generally in its proposal.

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Another issue that has not been addressed is the justification by the Government of the wastage. The excuse put forward by the minister was that the rail line would be quicker and that a number of people who live in the Mandurah and Rockingham areas would gain up to 12 minutes on the trip to Perth. The gain of 12 minutes is based on the fact that there will be fewer railway stations than in the previous Government's proposal and possibly an uninterrupted trip or short turnaround at particular stations into the city. The minister failed to address in consideration in detail the fact that the bulk of the people who will use the line will be disadvantaged because they will have a longer transition from their current suburbs into the city.

I ask members to think about the fact that the majority of people who will be forced to utilise this line will not be advantaged. It will take longer for the people who currently get a bus directly into the city in a short time via the fast bus lane in my electorate and in Bateman and Leeming. Justification for that disadvantage to 10 to 15 per cent of the patronage south of those suburbs and the huge expense has not been given to the Parliament. The financial wastage on the infrastructure put in place by the previous Government at great expense has not been explained to the Parliament. People are benefiting now from an integrated bus system that picks up and delivers them not only directly to the city but also to destinations of their choice. Those people will also be disadvantaged, as will the elderly and parents of young people who have concerns about transport after hours. At the moment, the fast bus system works for them; it is secure, it takes them to their destination and in many ways it meets the community's expectations. The minister has not addressed these issues.

The minister pushed aside and dismissed many issues that were raised during the consideration in detail stage. She said that to comment on them would be to supply too much detail. We spoke about the engineering complications for some of the infrastructure, particularly Mount Henry Bridge, which will require particular engineering solutions. I know that a map has been put out by the Department for Planning and Infrastructure - it has some nice wings on it - but it does not contain engineering solutions to a very difficult problem. That bridge was never built for rail and, as with the Narrows Bridge, it will have difficulty supporting the weight of the trains. I doubt that the minister has the detailed drawings or the costings for that project, which has not been explained to the Opposition or to the community.

What is the justification for members being here tonight at 1.25 am? Why is a Bill involving a project of this magnitude, and changing a project that was announced by the previous Government, being rammed through without the community being properly consulted and with many questions being left unanswered? Many of these questions will come back to bite this Government. The Government will incur blow-outs, and it will find itself involved with some environmental issues. The Government will wish it had slowed down and deliberated more on these issues and taken some further advice before pushing through this legislation. At the end of the day, this is a political decision to take ownership of one of this State's biggest infrastructure projects. Labor members could not stand the fact that the previous Government had a solution that had been costed and funded, following the sale of AlintaGas, and for political reasons they wanted to take ownership of this project and ram through a project that was against all the advice given to the previous Government. It will bring this Government undone.

**MR R.F. JOHNSON** (Hillarys) [1.27 am]: It is almost 1.30 am on Friday. This House commenced at 9.00 am yesterday morning and we have been sitting for something like 16 and a half hours; we will still not finish this Bill in the immediate future. That is totally unreasonable. The average worker works eight hours a day; we have done two days work in one sitting of this House. To expect us to make clear, precise decisions on such an important Bill is absolutely unreasonable.

Mr M.F. Board: That is why we changed the sitting hours.

Mr R.F. JOHNSON: That is right. That was done in an endeavour to have more sensible hours in this Chamber so that members could spend some time with their families. We should not be sitting for these inordinately long hours that we have been suffering not only today and yesterday but also on many days during the past few sitting weeks. The running of this House is a shambles. The Premier should do something about it.

Not surprisingly, we do not support this Bill as it stands. Many issues remain to be discussed. A Bill involving this sort of expenditure should not be rammed through in a short time, leaving many questions unanswered. Because the consideration in detail stage of this Bill was gagged by the Leader of the House on behalf of the Gallop Labor Government, many questions have not been answered. The consequences of that could be enormous; we do not know the extent, but they could be quite horrific. It is irresponsible behaviour on the part of the Government not to allow this Bill to be fully scrutinised by the House. Our first duty is to scrutinise legislation that comes before this Parliament.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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We talk about the consequences of the Bill at the third reading stage. One of those consequences will be the cost to the Western Australian public of trying to save 12 minutes on a journey from Mandurah to Perth. That may be all well and good for the member for Mandurah; he can tell his constituents that he voted for a Bill that saved them 12 minutes on their journey to Perth. However, what do we tell the rest of the Western Australian public? They will pay a minimum of \$25 million for every one minute saved. It will cost the taxpayers of Western Australia an extra \$300 million. That is the blow-out in the cost of changing from the original plan for the Perth to Mandurah railway to the plan currently before the House. However, it is even more frightening when we work it out on a per minute saved basis. I cannot imagine any responsible Government wanting to pay that sort of money just to save 12 minutes on a journey. That is a heck of a lot of money.

At the consideration in detail stage, we found that there has been a total lack of consultation with the public about the ramifications of changing the plan for the Mandurah to Perth railway from the one the previous Government had organised and was ready to proceed with to the one presently before the House. There has been a lack of consultation with the people in Armadale and Rockingham and in other suburbs, who will now be adversely affected because the railway line will not go through their areas.

Another issue that arose during the consideration in detail stage was the lack of consultation with shop owners and lessees in the central business district area who will be adversely affected by the proposal before the House. There has been such a lack of consultation that I am worried that the people who earn their living by running businesses in that area will be so adversely affected that some of them may not be in business in 12, 24 or 36 months. Some of them will suffer extremely dire circumstances. We should be thinking of those people because they are Western Australians too. They pay their taxes and they and their families will suffer.

Another consequence of the Bill as it now stands that will befall this Government and this State is the possible loss of our AAA credit rating. We have already seen the cost of the project blow out. It is all borrowed money; it is not money that is already in a fund. We are adding an extra \$300 million to that amount. As I have said previously, at the end of the day the overall cost will be more like \$2 billion. That will affect our AAA credit rating. That is a very definite consequence of the Bill currently before the House. It is in the dying throes of its passage through this Parliament - the third reading stage. I was wondering whether the Leader of the House intended to gag this debate as well. He obviously does not, because he realises that it would be very foolish and irresponsible. I would not have put it past him.

During the consideration in detail stage, the House discussed the disruption that will result from the construction of this railway. The period mentioned was 601 days, or nearly two years of disruption. I was about to say that this is the result of the new deviation of the Perth to Mandurah railway, but it is now a completely new line, going right down Riverside Drive. It will be a blight on our wonderful foreshore. The ramifications and the consequences of this Bill could be the effect on tourism, as the member for Alfred Cove mentioned. The effect could be enormous, because there will be a blight on that beautiful stretch of freeway, with the river on the right-hand side, travelling north. I cannot imagine any other country in the world that has such a magnificent foreshore right on the edge of the capital city. It is the same as if the railway were built down Riverside Drive. That would be an enormous blight, but the railway is being built on the other side of the river.

I will conclude now, because everybody is very tired, and I am sure that the House will be absolutely delighted that I will not filibuster this debate in the third reading stage. It is much too important a Bill to abuse in any way, although the Opposition will not be supporting it. It is a shame on this Parliament when a Bill of the magnitude of that presently before the House is rammed through at such speed. It will go nowhere until next week. It will not reach the other place until next week, and no time will be saved whatsoever. By the time the other place receives the Bill properly in the way it should, and is able to debate it, it would not have mattered one iota if some of the Bill were left to be discussed next week; if, as is the normal practice, the third reading stage were left until the next sitting day. However, normal practices have gone right out of the window, as far as the Government is concerned, and it has reverted to what one could almost call thuggery to get this through. Perhaps "thuggery" is unparliamentary language, and I will not use that term. It is not normal practice; it is unparliamentary practice. This is not democracy at play on this Bill. This Bill will be rammed through, probably in the next half-hour when the final vote will be taken. The member for Mandurah has scored a victory tonight, because he can say to his constituents that he has got them the fastest railway possible. It will cost the rest of the taxpayers \$300 million.

Mr D.F. Barron-Sullivan: It is late, though.

Mr R.F. JOHNSON: He will have to try and cover that bit up, but he is quite good with words. I am sure he can come up with some sort of spin on that.

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Mr D.F. Barron-Sullivan: They also do not get the freeway to Mandurah.

Mr R.F. JOHNSON: That is true. There are some pluses, but there are some minuses for the people of Mandurah. There is a big minus for the vast majority of Western Australians who will have to fund this extra cost to save 12 minutes on a journey. It is \$25 million a minute saved. That is something I would not want to be responsible for. The Government must wear it as time goes by.

**MR A.D. MARSHALL** (Dawesville) [1.39 am]: I can see a tired group of people in front of me because it is 1.40 am. I will have my thoughts recorded on the third reading because I have never lost a fifth set in my life. This fifth set has been a long encounter. I support the rail link that will be built from Mandurah to Perth. People would be foolish not to see the future benefits that this magnificent project will provide to the State and, more importantly, to Mandurah. It will bring more tourism to the city and that will create more retail and employment opportunities.

Mr R.C. Kucera: Have you changed sides?

Mr A.D. MARSHALL: No. In 1996 we promised to provide a rail service to Mandurah. I am pleased that it will finally get there.

I want government members to know that I do not support the new route or the way in which this legislation has been rushed through Parliament. In a rather defeatist and unsporting attitude, the debate was gagged because the Leader of the House has no idea how to set an agenda that he can keep. He has never learnt that professionals start and finish on time. We start Tuesdays on time and we should always finish Thursdays on time. Tuesday and Wednesday nights are the time for lengthy debates on important matters. I do not believe that the new route can be correctly planned in just six months. In time, we will see the mistakes that have been made. I am uncomfortable that the cost blow-out will continue to escalate. In a few years, people will read *Hansard* and they will ask what crystal ball I was looking into when I said that. I am concerned that this Government changed the completion date of 2005, which was touted by the coalition Government, to 2006 and then 2007 and I believe that it will be delayed even further. I have no confidence in this Government's ability to undertake this very important project. The Government should not have made changes to the original plan just to save just 12 minutes on the time it will take to travel into the city from Mandurah. I am not confident that the Minister for Planning and Infrastructure is on top of her portfolio. With match point at my finger tips, I will conclude by saying that I cannot support the legislation, but I hope that the project is achieved before many of my constituents in Mandurah get dementia and forget that the Government promised that it would be finished by 2007.

**MS A.J. MacTIERNAN** (Armadale - Minister for Planning and Infrastructure) [1.43 am]: I will not spend a lot of time on the third reading stage because I addressed virtually all the issues that were raised in the third reading during the second reading debate and consideration in detail. We have had about 22 hours of debate on this legislation. Members opposite said that that is rushing it, which is extraordinary. If people are prone to deviation, as members on the other side are, and the commitment is to long, winding, irrelevant routes, perhaps 22 hours is too short a time.

*Point of Order*

Mr B.K. MASTERS: I would be grateful if the minister could advise which people on this side she considers to be deviants?

The ACTING SPEAKER (Mr A.D. McRae): There is no point of order.

*Debate Resumed*

Ms A.J. MacTIERNAN: I do not think the member for Vasse should have drawn attention to himself in that way.

One of my colleagues has drawn my attention to an excellent point. There is a complaint that we are merely saving 12 minutes per trip; that is, 24 minutes for each of the patrons per day. We have calculated that in one year alone that will save the people living south of Thomsons Lake 1.5 million hours. We will be saving them that for 100 years.

The deviants on the other side were not always deviants.

*Withdrawal of Remark*

Mr M. McGowan;; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Mr R.F. JOHNSON: It is definitely unparliamentary to refer to members on this side of the House as deviants. I ask the minister to withdraw it.

Ms A.J. MacTIERNAN: I will withdraw the word “deviant”.

*Debate Resumed*

Ms A.J. MacTIERNAN: The deviating members, the members in favour of deviation on the other side, have not always been so minded. Members will recall the polly folly - the Graham Farmer Freeway - of which they are massively proud. That cost in excess of \$600 million to save seven minutes on a journey from Kewdale to Osborne Park. That demonstrates to members on this side of the House that members of the Opposition are not by nature deviationists; they just do not like rail. Today has been a groundhog day. Opposition members bowled up the same lot of irrelevant arguments today that they bowled up in 1989. As the member for Dawesville said, they promised this rail in 1993 and in 1996 and they did not deliver. This Government will not allow itself to be deviated either by way of the route or by allowing the troglodytes on the other side to delay this project.

I respect the member for Carine for conducting herself well in this debate. I regret that she was not able to spend more time asking the questions that she wanted to because of the number of irrelevancies raised by those who had not even made a cursory examination of the supplementary master plan and who simply wanted to get up and pontificate. Some issues will have to be raised; it is a project that requires scrutiny, and we do not object to that. Both the member for Carine and the member for Kingsley asked decent, intelligent questions about this project. However, much of the contribution of the members opposite was simply waffle - anti-rail, anti-public transport rhetoric. In time, members opposite will see the folly of their ways, just as they had to roll over and capitulate and praise the northern suburbs line. They not only praised it but also went to election after election promising to extend it. They did not actually extend it - they would not go that far - but they promised to extend it and to build new stations! The member for Kingsley was out at a couple of elections, promising new stations. Members opposite did not actually deliver them but they at least appeared to have embraced the northern suburbs rail! It will take them a little time, but in eight years we will see the same level of conversion with the south west rail.

We have had 22 hours of debate on this three-clause Bill. That is not bad. It has not been rushed through. It has received a proper examination. The rail has been the subject of many parliamentary debates and discussions over the past 14 months, as it should be. No doubt that will continue, as will this project. We are determined to have this project under way by the end of the year.

It is with considerable pride that I commend the Bill to the House.

Government members: Hear, hear!

Question put and a division taken with the following result -

**Extract from *Hansard***  
[ASSEMBLY - Thursday, 19 September 2002]  
p1324b-1386a

Mr M. McGowan; Mr John Kobelke; Mr Rob Johnson; Speaker; Ms Alannah MacTiernan; Mr Phillip Pendal; Mr Larry Graham; Mr Paul Omodei; Mr Terry Waldron; Mr Arthur Marshall; Ms Katie Hodson-Thomas; Acting Speaker; Mr Bernie Masters; Mrs Cheryl Edwardes; Deputy Speaker; Dr Janet Woollard; Mr Monty House; Mr Mike Board; Mr Norm Marlborough; Mr Tony McRae; Mr D.F.; Mr Brendon Grylls; Mr Eric Ripper; Mr D.F.

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Ayes (24)

Mr P.W. Andrews	Mrs D.J. Guise	Ms A.J. MacTiernan	Mr J.R. Quigley
Mr J.J.M. Bowler	Mr S.R. Hill	Mr J.A. McGinty	Mr E.S. Ripper
Mr C.M. Brown	Mr J.N. Hyde	Mr M. McGowan	Mr D.A. Templeman
Mr A.J. Carpenter	Mr J.C. Kobelke	Ms S.M. McHale	Mr P.B. Watson
Mr J.B. D'Orazio	Mr R.C. Kucera	Mr N.R. Marlborough	Mr M.P. Whitely
Dr J.M. Edwards	Mr F.M. Logan	Mr A.P. O'Gorman	Ms M.M. Quirk ( <i>Teller</i> )

Noes (14)

Mr M.F. Board	Mr R.F. Johnson	Mr P.G. Pendal	Dr J.M. Woollard
Mrs C.L. Edwardes	Mr W.J. McNee	Mr D.F. Barron-Sullivan	Mr A.D. Marshall ( <i>Teller</i> )
Mr B.J. Grylls	Mr B.K. Masters	Mr T.K. Waldron	
Ms K. Hodson-Thomas	Mr P.D. Omodei	Ms S.E. Walker	

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Independent Pair

Dr E. Constable

Question thus passed.

Bill read a third time and transmitted to the Council.