

Chairman; Mr Chris Tallentire; Mr Albert Jacob; Ms Simone McGurk; Mr Frank Alban; Ms Eleni Evangel; Mr David Templeman

Division 62: Swan River Trust, \$12 446 000 —

Ms J.M. Freeman, Chairman.

Mr A.P. Jacob, Minister for Environment.

Mr R. Hughes, General Manager.

Mr M. Cugley, Manager, River System Management.

Mrs K. Rogers, Manager, Business Services.

[Witnesses introduced.]

The CHAIRMAN: The member for Gosnells.

Mr C.J. TALLENTIRE: I refer to the statement of cashflows on page 703 and the funding provided to the Swan River Trust via the Crown Perth casino levy. Under the Casino (Burswood Island) Agreement Act, levy funds are made available to the trust subject to it providing a range of programs for the management and protection of the Swan and Canning Rivers. How will this funding arrangement change as a result of the abolition of the Swan River Trust?

Mr A.P. JACOB: I thank the member for the question. Given that the Swan River Trust will not be abolished, I do not anticipate that it should involve any change to the current arrangement. The trust will remain.

Ms S.F. McGURK: Will the Crown Perth casino levy be used to fund environmental programs?

Mr A.P. JACOB: Yes.

Ms S.F. McGURK: Can the minister give us some idea of how the money will be spent?

Mr A.P. JACOB: I understand that the lion's share of that money goes into Riverbank funding. Mark will outline what we currently fund with that money. I think the key point is that nothing will change in the current arrangement.

Mr M. Cugley: Just over \$1 million from the Burswood levy is proposed to go to the Riverbank program; about \$900 000 is used for the operation and maintenance of our oxygenation plants throughout the Swan and Canning Rivers, which is a very important initiative; about \$700 000 is provided to our Healthy Catchments program, which supports subregional natural resource management groups and devolved grants such as the Swan River Trust and Alcoa Landcare program; and the balance is used to deliver community engagement programs.

Mr C.J. TALLENTIRE: Does the minister have legal advice that the terms of the agreement relating to this money from the casino levy will not be breached if the money goes towards supporting staff who are employed by another body with another line of reporting—namely, the director general of the Department of Parks and Wildlife?

Mr A.P. JACOB: I will throw to Mr Hughes to answer that in a moment. As I said in my earlier answer, under the Swan and Canning Rivers Management Act, the trust, as a body, will continue to exist, so I do not see why there would be a fundamental change to that. Also, the current employing authority for the staff employed within the Swan River Trust is the Department of Parks and Wildlife, so there really is no change in that particular function either. I will ask Mr Hughes whether he wants to give a little more detail on that.

Mr R. Hughes: We do not have legal advice, but under the terms in the schedule to the agreement act, the money funds projects rather than bodies. Those projects are approved by the minister responsible for rivers under the Swan and Canning Rivers Management Act, and that set of projects is endorsed by the Burswood Park Board—so it is not funding to the Swan River Trust so much as it is funding to projects.

Mr C.J. TALLENTIRE: I am having a little trouble hearing, but if I have got that right, the trust has legal advice.

Mr R. Hughes: I am sorry; I said that we do not have legal advice.

Mr C.J. TALLENTIRE: However, the minister imagines that it will be acceptable for the money to go to the trust, which will then pay it to the Department of Parks and Wildlife to pay for staff who work for the Department of Parks and Wildlife on projects to support the health of the river.

Mr A.P. JACOB: No. My understanding is that the money has been going into projects up to this point, and those projects will continue. The structure of the Swan and Canning Rivers Management Act, as it pertains to the Burswood Casino levy money, is not changing. I do not know whether Mr Hughes has anything to add to that.

Chairman; Mr Chris Tallentire; Mr Albert Jacob; Ms Simone McGurk; Mr Frank Alban; Ms Eleni Evangel; Mr David Templeman

Mr R. Hughes: No; to the extent that we are not pre-empting Parliament considering a piece of legislation, we have gone through the process for the coming financial year as is agreed under the terms of the Casino (Burswood Island) Agreement Act.

Mr C.J. TALLENTIRE: So it is possible that the trust could be in breach of the terms of the agreement if this money goes via a convoluted way. I know that the minister says that the money goes to projects, but surely the Swan River Trust staff, soon to be Department of Parks and Wildlife staff, who will deliver those projects will have their wages paid by the Department of Parks and Wildlife, and the wages budget in the Department of Parks and Wildlife will be topped up by this levy. I am just concerned that the minister has not done the necessary legal checking to see whether it is valid to shift the money from the trust to the Department of Parks and Wildlife in that way.

Mr A.P. JACOB: I have a few points on that. If the member looks at the Healthy Catchments, Healthy Rivers and Riverbank programs, he will see that the money is going to projects, not to staffing costs, although obviously staffing resources come into play as we deliver the projects. The member made an assertion that it may be the case that that agreement will change if the employment conditions of the staff change. The staff are currently under the employing authority of the Department of Parks and Wildlife, and that does not change.

Mr C.J. TALLENTIRE: That is only recent, though.

Mr A.P. JACOB: The change to the act in question essentially moved some of the trust reporting authorities from the trust, as a board, to the CEO. The Department of Parks and Wildlife is the employing authority for the Swan River Trust staff.

Mr C.J. TALLENTIRE: But that is new. They have become employees of the Department of Parks and Wildlife only since the minister made the changes.

Mr A.P. JACOB: In the sense that they were staff of the Department of Environment and Conservation before that.

Mr R. Hughes: The Swan River Trust has never been an employing authority. For all of its existence, it has employed its staff through other host agencies and we have essentially been employees of the Department of Parks and Wildlife, which was created last year, and before that, the Department of Environment and Conservation. So, as the minister said, that employment arrangement does not change.

[5.30 pm]

Mr C.J. TALLENTIRE: The issue might be around the direction. Previously the direction came from the general manager of the Swan River Trust. Now the reporting accountability will be to the director general of the Department of Parks and Wildlife. That might be the point of contention with the legitimacy of the funding from the casino levy.

Mr A.P. JACOB: That is no doubt something that we will debate when the Swan and Canning Rivers Management Amendment Bill comes on for debate, but the director general has outlined that those priorities are at the direction of the minister and that would not change.

Mr F.A. ALBAN: I refer to the “Services and Key Effectiveness Indicators” on page 699 of the *Budget Statements*, which relate to the water quality of the Swan and Canning Rivers. Significant funds have previously been committed across the forward estimates to nutrient-stripping wetlands at Ellen Brook in my electorate at Belhus and the Bayswater Brook catchment. Can the minister advise the progress of these important projects?

Mr A.P. JACOB: I thank the member for Swan Hills for that question. The Ellen Brook nutrient-stripping wetland is a very important project. In 2011–12, the Liberal–National government committed \$3.2 million over four years to build nutrient-stripping wetlands at not only Ellen Brook but also the Bayswater Brook catchment. This year, \$500 000 will go towards those two projects. Construction of the Ellen Brook wetland project in Aveley began in March this year and is due to be completed this month, but it is dependent on how much rain we get because it is hard to build in the middle of a flowing brook. The project includes a pumping system, river restoration and 0.6 hectares of hybrid wetland, which will include nutrient-absorbing material such as Iron Man Gypsum, which is a mineral sands by-product that absorbs phosphorous and nitrogen. That wetland will also have a range of plantings and other works that will also strip the nutrients from the water as it flows through Ellen Brook into the Swan River. Past research and trials using Iron Man Gypsum have demonstrated that with its potential for nutrient removal, it is expected that the Ellen Brook nutrient-stripping wetland will remove 270 kilograms of phosphorous and 320 kilograms of nitrogen a year. The Eric Singleton Bird Sanctuary wetland project at Bayswater Brook is a partnership between the Swan River Trust, the City of Bayswater, the Water Corporation and the Department of Environment Regulation. A detailed design for this project has been finalised and construction of the 2.7-hectare nutrient-stripping wetland will begin in November this year. Those works are

Chairman; Mr Chris Tallentire; Mr Albert Jacob; Ms Simone McGurk; Mr Frank Alban; Ms Eleni Evangel; Mr David Templeman

estimated at \$3.3 million. It will divert a portion of the flow from Bayswater Brook into a nutrient-stripping wetland for treatment prior to that brook flowing on and entering the Swan River.

Ms S.F. McGURK: I refer to the average cost per square metre of foreshore works line item on page 699 of the *Budget Statements*. It has increased 10-fold from 2012–13 to 2014–15 per project. The footnote refers to the cost depending on the nature of the project, but that is a pretty big increase, and I assume that some of those foreshore projects have been done before. Nothing very sophisticated is happening in East Fremantle, I must say.

Mr A.P. JACOB: This is an example of how those efficiency indicators do not always tell the full story; they are good to a certain extent, but not so much here. If the “Average Cost per Square Metre of Foreshore Undergoing Protection and Rehabilitation Works” is low, it is often because the work has been done in areas that are easier to access. We have allocated an extra \$1 million this year, an extra \$1 million next year and an extra \$1 million the year after. That is focused, particularly this year, on those difficult-to-access areas and high-population areas. Yes, they are a lot more expensive. The flagship example of that—the member for South Perth has just popped out of the chamber—is Mends Street Jetty; the river walls are 50 or 60 years old and have started to fail. That type of work in a high-profile position is far more expensive than it might be in other areas with less pedestrian traffic and less user interface. Rather than doing the easier ones this year—although it is not about that as we do it on a needs basis—we are outright tackling some of those harder sites. This site has been neglected for 60 years. Part of the reason is that it is far more expensive to do that river wall, but we have fully funded those works.

Ms E. EVANGEL: I refer to page 698 of the *Budget Statements* and the “Statutory Assessment of Development Proposals” in relation to the Elizabeth Quay project in my electorate. What is the Swan River Trust’s involvement in this project and how is the trust ensuring that the Swan River does not suffer adverse impacts from the development?

Mr A.P. JACOB: I thank the member for the question. I will shoot back to the relevant page. The bottom of page 695 refers to the “Elizabeth Quay Compliance and Liaison Officer”. The Elizabeth Quay development directly abuts the Swan River and it will be a significant place of interaction between the built environment of the city and the river. The first of two development approvals for the creation of this inlet and the public space associated with it have been issued by the Western Australian Planning Commission under the metropolitan region scheme. The third development application remains to be finalised while design issues are in question. The Swan River Trust has a formal role in the approval process. It has established a memorandum of understanding with the Western Australian Planning Commission and the Department of Planning whereby the commission has delegated its authority to the trust to ensure compliance with conditions of approval to protect the river environment. Responsibility of the delivery of the project has been transferred to the Metropolitan Redevelopment Authority, but the trust’s role on behalf of the commission will remain for the approvals, which will continue to be governed by the WAPC. The Metropolitan Redevelopment Authority has continued funding of a dedicated officer at the trust. That is reflected on page 695 in the “Elizabeth Quay Compliance and Liaison Officer” line item. This officer and others at the trust will ensure that the conditions of approval are adhered to, the management plans are adequate and the river is protected during construction. The Swan River Trust continues to support the Elizabeth Quay redevelopment because it is a fantastic opportunity to reconnect the Swan River with the city and increase appreciation of our fantastic Swan River.

Mr D.A. TEMPLEMAN: I indicate that the opposition is very keen to move on to the heritage division.

The appropriation was recommended.