

**STATE TRADING CONCERNS (AUTHORISATION) AMENDMENT REGULATIONS 2009 —  
DISALLOWANCE**

*Motion*

Pursuant to standing order 152(b), the following motion by Hon Sally Talbot was moved pro forma on 25 May —

That the State Trading Concerns (Authorisation) Amendment Regulations 2009 published in the *Government Gazette* on 26 February 2010 and tabled in the Legislative Council on 3 March 2010 under the State Trading Concerns Act 1916, be and are hereby disallowed.

**HON KEN TRAVERS (North Metropolitan)** [8.14 pm]: This disallowance motion has been moved by Hon Sally Talbot. Again, this motion deals with the same issues that we have just covered and it would be good if we could get an explanation from the government. The terms of these regulations are far broader than the explanation provided by the government, which was very limited. The Swan River Trust currently engages in a range of sponsorship activities, but those sponsorship activities are technically outside its powers at the moment and it wishes to continue those sponsorship activities. If that is the case, the opposition does not have a problem with the sorts of activities that the trust is currently engaging in. However, the enabling legislation that we have been asked to support is written in far broader terms, so I am looking for some commitment from the government about exactly what the intentions are for the Swan River Trust. Paragraph (c) in the amendment regulations is almost identical to the provision that applies to the Department of Transport. We know that the provision that applies to the Department of Transport will allow the department to engage in the sale of billboards. I would like a firm commitment from the government that it has no intention of putting billboards on Swan River Trust land. Although we would all be concerned about billboards at Fremantle and Hillarys boat harbours, I know that we would absolutely hate the thought of billboards along the Swan River.

**HON LYNN MacLAREN (South Metropolitan)** [8.16 pm]: I support the disallowance motion. Again, it is a very sensible disallowance. I thank the member for drawing to our attention the potential impact of what has been called a plethora of billboards. If only we could get the details from the government about its intentions, it would allay many of the concerns that have been raised. I do not understand what the issue is with not having details about this matter. If we knew that there were proper limitations and restraints in place, we would not be so concerned. I think it is fair to say that Western Australians will be seriously concerned about a forest of billboards along the Swan River. Obviously, some money needs to be raised; therefore, the implication is that there will be quite a lot of billboards. I again make the point: we do not want this rampant consumerism to continue because it is equally threatening to the environment that we are potentially trying to save by raising the revenue. It does not make a lot of sense to the Greens (WA). Please, minister, we would love to have some details about the limits that will be placed on this potential legislation. In the meantime, we will support the disallowance motion until that sensible information is provided to us.

**HON DONNA FARAGHER (East Metropolitan — Minister for Environment)** [8.18 pm]: Obviously, I am not the person who normally deals with these matters; that is the responsibility of the parliamentary secretary. However, given that the amendment regulations are quite specific to the Swan River Trust, I am happy to allay the fears of members on the other side of the house.

These amendments to the regulations will simply enable the River Guardians, which is a volunteer program of the Swan River Trust, to enter into project partnerships with commercial organisations, which is beyond the ambit of what is possible under the act at the moment. As background, the River Guardians program is simply a program for those members of the community who have an interest in protecting our rivers. They become members and they participate in a range of volunteer activities, attend events et cetera. A situation has arisen in which, for example, a tour boat operator that operates on the Swan River has offered to support the River Guardians program by providing information on the River Guardians program to the tour boat operator's customers when they are on a cruise. I also understand that a yacht club is happy to provide its clubrooms free of charge to the River Guardians for their events. They are being good corporate citizens in that regard. The River Guardians program has a website and there will be suitable acknowledgement of its logo or similar. Having said that, even with that logo there will be a legally drafted disclaimer that identifies the limits of the partnership between the trust and the commercial operator. It is simply allowing good corporate citizens such as tour boat operators and the like to do good things and help the River Guardians. I reiterate that there is certainly no intention for billboards to be put along the length and breadth of the Swan River. There will be no McDonald's signs or those sorts of things. In fact, very strict approval processes must be gone through with the Swan River Trust board regarding any aspect of signage. I can almost give a 100 per cent guarantee that anything of that sort that went before the board would not be approved by it. This simply allows the board to deal with the River

Guardians program and those corporates who would like to be good corporate citizens by supporting that program.

**HON HELEN MORTON (East Metropolitan — Parliamentary Secretary)** [8.21 pm]: I certainly will not unconvince Hon Ken Travers. I will make a couple of additional comments, although they will not be specific to the Swan River Trust in the same way as the Minister for Environment's comments were specific to the Swan River Trust. I reiterate that schedule II is about prescribing statutory corporations. To date, there are 12 statutory corporations in the regulations, of which the Swan River Trust is one. Six of those regulations were introduced during the term of the previous government. A number of them have exactly the same wording that is inserted under the Swan River Trust. The Small Business Development Corporation is an example of that. The Western Australian Sports Centre Trust and the Wheatbelt Development Commission have phrases similar to the words that have been inserted under the Swan River Trust. This enabling legislation would enable the activities that the minister has outlined to take place. Questions have been raised about the legality of undertaking those activities without this legislation in place. This legislation was intended to put right the situation under which those activities are currently operating. Once again, I hope that opposition members will withdraw the disallowance motion based on the information the minister and I have given. Obviously the government will not support the motion.

**HON KEN TRAVERS (North Metropolitan)** [8.22 pm]: — in reply: I thank the Minister for the Environment.

**Hon Donna Faragher:** I do not get many thanks in this place!

**Hon KEN TRAVERS:** The minister came in here and did what we asked, which was to allay our fears and give us a commitment about the intention of this enabling legislation. We all accept that the legislation is currently drafted very broadly. To some degree it is concerning that a future government, regardless of what the minister's intentions are, could use it for other purposes. At least we have on the record tonight what the current government's intentions are. If the minister goes beyond that, we can hold her to account by the comments that she has made tonight. I had hoped that that sort of approach would have been taken to the previous disallowance motion. That is why I am putting it on the record that it is good that the minister has explained to us what is happening in her portfolio and that she has addressed our concerns. As I have said—I also said this in the previous debate—it is not the engagement in commercial activities per se that we are opposed to; it is ensuring they are appropriate, limited and to the point. In this case, I believe that the sponsorship arrangements the minister has talked about entering into are appropriate. We do not have a problem with that. It does not matter whether we let it go to a vote and we all vote for it, and it certainly is not my intention to divide on it, because the issues have now been addressed. I appreciate the minister's comments about the disclaimer being put on the website, because that is very important. If the government includes commercial advertising in a mail-out, I hope to see the sort of disclaimer that the minister talked about included in any mail-out that says it is not in any way endorsed, supported or approved by the government. If people get that sort of advertising when they get their driver's licence, they may start to think that it has some authority. It is appropriate to have a properly legally drafted disclaimer, and I appreciate that. I thank the minister.

Question put and negatived.