

**SELECT COMMITTEE INTO THE FREMANTLE EASTERN BYPASS**

*Motion*

Resumed from 26 September on the following motion moved by Hon Simon O'Brien -

- (1) That a select committee of five members is appointed, any three of whom constitute a quorum, to inquire and report on the history of that part of the metropolitan region scheme known as the Fremantle eastern bypass and related road infrastructure including -
  - (a) initial inclusion of the bypass in the metropolitan region scheme;
  - (b) subsequent modifications to the metropolitan region scheme in respect of the bypass;
  - (c) the decision making process and advice given to Government by relevant government agencies including agencies responsible for main roads, planning, transport and environment;
  - (d) directions given by Government to agencies with responsibility for decision making; and
  - (e) other matters pertaining to the history and possible future of the Fremantle eastern bypass that the committee may consider useful to bring to the attention of the House.
- (2) The committee have power to send for persons, papers and records and to travel from place to place.
- (3) Standing Orders Nos 322, 323, 330 and 331 apply to the proceedings of the committee and any contrary or inconsistent provision of chapter XXIII is modified accordingly.
- (4) The committee may present interim reports without a requirement for leave and is to report finally not later than 30 November 2002.

**HON JIM SCOTT** (South Metropolitan) [11.09 am]: As it has been a long time since I was last on my feet speaking about this issue, I will quickly recap and then wind up my speech.

The Greens (WA) will not support this motion to examine the history of the eastern bypass. I have already outlined a number of reasons for our opposition. The eastern bypass is only one section of the western suburbs highway. The problem will not be minimised by concentrating on just that area.

More than anything, I am disappointed that this motion looks backwards. All the remarks I have heard by people who are critical of the proposed changes that have been made under the freight congress and that criticise the deletion of the Fremantle eastern bypass section of the western suburbs highway refer to the need to maintain a 40-year-old plan, which is a terrible situation. These days, we know a lot more about urban planning. In 1992, the south west area transit study noted that we had learnt a lot more about the environmental damage of continuing to build major highways and roads that divide communities.

If the motion asked us to consider a new way forward to properly solve the accessibility and transport issues in the region, I would be happy to support it. However, it asks us to look back 40 years at the Stephenson plan. Recently, Stephenson acknowledged that he had underestimated the growth of the use of the motor car and said that he would have done things differently if he could do the work again. Initially, Roe Highway was not intended to link with the eastern bypass but was to be built straight past it along Marine Terrace in Fremantle and was to finish in the middle of the city. That would have been a six-lane highway that would have destroyed the city of Fremantle.

Hon Barbara Scott interjected.

Hon JIM SCOTT: The member does not see the problem with having a six-lane highway that would go up Marine Terrace and end up in Market Street. That is the 40-year-old plan the member supports.

Hon Barbara Scott interjected.

Hon JIM SCOTT: Does the member not support stage 8 of Roe Highway?

Hon Barbara Scott: Yes, but not from Marine Terrace.

Hon JIM SCOTT: That is where it was planned to go. The big mistake that has been made in all the debates on the eastern bypass is to think that somehow it was related to linking the traffic from the east of the city to the port of Fremantle. It is obvious that, as part of the western suburbs highway, the eastern bypass is a north-south road that runs parallel to the coast and has nothing to do with bringing freight traffic from the east. It is easy to see that that is a fallacious argument, particularly in the light of the fact that the original route never went anywhere near the port. Even the second plan did not propose that it be built anywhere near the port. It is only because of

the pressure that was put on the current leader of the Liberal Party in the other House - whose electorate would have suffered from major disruption by the construction of the western suburbs highway - that the Liberal Party changed its opinion and decided that it would be better to build the road closer to the coast and across Tydeman Road. At no stage was the eastern bypass going to be linked to the port.

Hon Barbara Scott interjected.

Hon JIM SCOTT: The member said it was designed for port traffic.

Hon Barbara Scott interjected.

Hon JIM SCOTT: That is not the 40-year-old plan about which we are talking. The plan to which the member refers went down Stott Road from the north of the city. It is nonsense to say that it was designed to link the port. It was designed to link Kwinana with the northern suburbs. Many reports of the history of this road have been written. If members want to find out its history, they should read Mr Kenworthy's study. He has written a comprehensive report on its history. Members can read that at their leisure and not waste the time of the House by studying history when we should be studying the future to determine how we can make the city less polluted and less dominated by cars, and the transport system less costly to operate. Perth has the highest per capita spending on roads and cars of any city in the world. Seventeen per cent of our gross domestic product is spent on roads and private cars. We have a terribly wasteful system. We should design a city for the future. We should get rid of as many of the major highways as possible.

**HON SUE ELLERY** (South Metropolitan) [11.16 am]: The motion before us seeks to investigate the history and facts that have been the subject of debate in the community and in this place for many years because of the controversy of the Fremantle eastern bypass. Although I have been a member of this House since only 6 May 2001 -

Hon Derrick Tomlinson: Is that all?

Hon SUE ELLERY: Does it seem longer?

The controversy over the Fremantle eastern bypass has been around for a lot longer. I have researched the history of this issue because it is an important issue in my electorate.

Hon Barbara Scott: History is not important according to Hon Jim Scott.

Hon SUE ELLERY: I do not disagree with Hon Jim Scott's remarks in that regard. We should not support this motion for a couple of reasons. First, two standing committees could easily consider the matters that the motion seeks to investigate if we were of a view to investigate the history of it at all. Hon Simon O'Brien responded to an interjection from the Leader of the House about why the matter could not be referred to a standing committee. Hon Simon O'Brien said that those standing committees are currently busy with commitments and inquiries, and I acknowledge that that may very well be the case. Secondly, and more importantly, these matters and the history of the Fremantle eastern bypass have been the subject of extensive community debate for at least the past 12 years. I am not sure that we can learn any more about the history of the matter than we know already.

Hon Simon O'Brien: The committee inquiry could discover that and do it well in advance.

Hon SUE ELLERY: It could; however, the metropolitan region scheme amendment proposal can also gather information. The inclusion of the MRS, the positions of the various Governments over the past 12 years, the community campaigns and the views of those who were to be affected by the Fremantle eastern bypass slicing through their suburbs and neighbourhoods are all a matter of public record.

Hon Barbara Scott: What were the statistics of the public consultation, according to you?

Hon SUE ELLERY: I have read a number of the reports about the views of the people in White Gum Valley.

Hon Barbara Scott: Sixty per cent of the people are in favour of the eastern bypass.

Hon SUE ELLERY: I do not know whether I agree with that. In any event, given that these matters are on the public record, why must the history of the matter be further investigated? I have listened to the speeches that members have made and I re-read the debates in *Hansard*. Hon Simon O'Brien and Hon Barbara Scott have acknowledged that this matter has been the subject of much public discussion. In fact, Hon Simon O'Brien referred to it as an ongoing issue over many years and Hon Barbara Scott referred to its chequered history. That seems to me to undermine their call for a new investigation about something that has been in the public domain over that period. Hon Simon O'Brien also remarked that a number of local government authorities were concerned about the recent announcement by the Government to honour its election commitment to delete the Fremantle eastern bypass from the metropolitan region scheme.

Hon Simon O'Brien: That was not exactly the way I put it.

Hon SUE ELLERY: Perhaps a reasonable way to paraphrase the member's remarks is by saying that their views were that the Government was jumping the gun. I am certainly aware of the views of the City of Melville.

Hon Simon O'Brien interjected.

Hon SUE ELLERY: I paraphrased the member; I am not saying that that is what he said.

The City of Melville has made its views clear. Certainly the Mayor of Canning has expressed a point of view. One councillor from the City of Fremantle has put her view to me, but she has also acknowledged that she does not represent, and the view she put to me does not represent, the considered view of the City of Fremantle. However, it is worth noting that all the relevant councils are participating on the local impacts committee. All the councils in the region affected by the Roe Highway extensions and the Western Australian Local Government Association are represented on the local impacts committee, of which I am also a member, to identify in the first instance the impacts of the possible alignments of routes for stage 7 of the extensions. It is fair to say that only one voice keeps raising the issue of the Fremantle eastern bypass in those deliberations. The local impacts committee has an important job to do in consulting widely with the community. It has started to work through the complex technical issues to recommend an alignment, to assess the impacts and devise a means of alleviating any potentially detrimental ones, and to recommend to the minister the steps that the community wants taken. I am pleased that the committee is working well under the chair of my colleague Tony McRae, the member for Riverton.

I was pleased to participate in a full and frank discussion with the councillors and senior officers of the City of Melville on Monday night. It was a very useful exchange. Certainly the heat and the animosity - which perhaps are the words that could be used to describe the public exchanges with the City of Melville on the respective positions about a month ago - were nowhere to be seen. It was a very constructive meeting and I look forward to the work ahead of us.

I was pleased to note also that a few weeks ago, the minister made the commitment to ensure that stage 6 of the construction proceeds with a minimum of disruption. I was particularly pleased that the Mayor of Canning, Mick Lekias, expressed his confidence in the minister's pledge.

The Labor Party's position on the Fremantle eastern bypass has been consistently clear. It is a matter of public record that it was a significant issue at the Fremantle by-election in 1990. What history do we know? As I indicated earlier, I agree with the comments of Hon Jim Scott. He outlined for the House the wide range of investigations, the research reports and the studies that have already been done. The Fremantle eastern bypass was introduced into the metropolitan region scheme in 1973 as a six-lane road reservation. The rationale at the time was that it would form part of the north-south highway from Innaloo to Rockingham. At the Fremantle by-election in 1990, the bypass and its potential to slice through the Fremantle area was hotly debated, and Labor promised to delete it from the MRS. That is a matter of public record. In December 1991, the then Labor Government amended the MRS to delete the Fremantle eastern bypass. That is a matter of public record. In 1993 there was a change of government. The Liberal-National coalition Government reinserted the Fremantle eastern bypass into the metropolitan region scheme, not by way of amendment subject to the processes of consultation, but by way of legislation. It announced that a program of construction would commence in 2000. That is a matter of public record. In January 1996, in a hot debate about whether the Stephenson highway would proceed, the then Minister for Transport, in an open letter to *The West Australian*, said that the construction of the Fremantle eastern bypass was still on track to begin in 2000. That is a matter of public record. In November 2000, in an interview with a Fremantle newspaper, the then Premier said that his Government would not proceed with the Fremantle eastern bypass and the waterfront development until those projects gained community support. That is a matter of public record. In November 2000, in answer to a question asked in this place by Hon Jim Scott, then Minister Criddle said that the master plan for the Fremantle eastern bypass would be released in June 2001 and that the awarding of the contract for the construction of the Fremantle eastern bypass was scheduled for June 2003. Some seven-plus years after the Liberal-National Government was elected to office, and after it had reinstated the Fremantle eastern bypass into the metropolitan region scheme, it had not released the master plan. The information I found indicates that the Government had not included the finances for the Fremantle eastern bypass in the forward estimates and that the contract was not scheduled for a further three years. All of that is a matter of public record. It leads me to ask how dinkum the previous Government was in proceeding with the Fremantle eastern bypass. Although that might be an interesting topic to investigate, I am not sure it is a worthwhile expenditure of public funds through a select committee. Meanwhile, this Government is getting on with fulfilling its clear election commitment to delete the Fremantle eastern bypass and to apply a triple-bottom line measure against the proposed Roe Highway extensions. That means that the Government decided not to proceed with stage 8 of the extensions through the wetlands, because it did not meet that test.

The freight network review considered a wide range of issues associated with the movement of freight through the southern suburbs. We are now working with the community on the finer detail of how we balance industry, community and environmental needs and move the freight and other traffic through that area. We are getting on with the job, and a select committee into the history of matters that are already subject to public scrutiny would not help.

Thirdly, as I alluded to at the beginning of my comments, the process of public consultation and the opportunity for submissions to be made and for the Parliament to consider all of that relevant material is built into the process to which the Government has committed by seeking to amend the metropolitan region scheme.

Before I resume my seat, I put on record my objection to what I describe as a gratuitous sexist remark by Hon Simon O'Brien about the minister. *Hansard* records that the member was engaging in an exchange on the minister's remarks about comments that he was alleged to have made prior to the last election. Hon Simon O'Brien was questioning the minister's motivation for that, which is entirely reasonable. However, he then proceeded to suggest that perhaps her motivation was that she had "a splinter off the broom". The minister is no shrinking violet and she does not need me to take objection on her behalf; nor is she even aware that I am taking objection. She probably did not even blink at the remark. She gives as good as she gets. I say to the member that he can attack her policies, her performance and the management of her portfolio if he will; that is his job. However, that kind of remark belittles the one who made it and it belittles the whole House. Can we not lift the debate about the political motivation of a woman in public life without degenerating into stereotypes about witches?

**HON NORMAN MOORE** (Mining and Pastoral - Leader of the Opposition) [11.28 am]: I will comment about the last matter raised by Hon Sue Ellery. If she was offended by that comment and believes that it belittles the House, I wonder what she thinks about giving you a vote, Mr President, in the context of belittling the House.

Hon Kim Chance: That is democracy; that is different.

Hon NORMAN MOORE: No, it is not democracy at all.

I support the motion moved by Hon Simon O'Brien. The debate on this issue clearly demonstrates who is running the Government of Western Australia. Before the election in 1996, the member for Fremantle was the Leader of the Opposition. He worked out that he would never become Premier, so he stood down and we got Dr Gallop as the Leader of the Opposition, who has become the Premier in name only. Behind the scenes, the member for Fremantle - the Minister for Electoral Affairs and Attorney General - basically is running the Government. About 90 per cent of the legislation coming through the Parliament comes from him and most of the contentious issues in the Parliament that I can think of concern him. The minister who sits next to the leader has not dealt with one Bill since he has been in this place. The poor Minister for Government Enterprises is handling all of the legislation brought into the Parliament by the member for Fremantle - the pseudo Premier. This significant issue affecting the southern suburbs has been brought about by the demands of the member for Fremantle. I rarely argue in this House from the view of being a nimby -

Hon Sue Ellery: A what?

Hon NORMAN MOORE: A nimby - not in my backyard. However, in this case, I am arguing as a nimby because I live about two streets away from Leach Highway, and have done so for about 20 years. I have seen Leach Highway grow from being a relatively minor road to being a virtual freeway. Because Mr McGinty does not want a couple of vehicles wandering up and down through Fremantle, and because he does not want any in his backyard, he will impose a heap of traffic on the people in the suburbs of Willetton, Booragoon, Winthrop, Myaree and all the way through to Fremantle.

Hon Jim Scott interjected.

Hon NORMAN MOORE: Hon Jim Scott himself is a nimby on this issue; he lives in Fremantle but does not want any traffic there. He ignores the fact that Fremantle is the major port in this part of Western Australia.

I am not happy about what will potentially happen to Leach Highway and South Street as a result of this decision and the decision on Roe Highway. We had established a very good planning document that provided well into the future for the transport needs of the southern suburbs. That plan included the eastern bypass, the extension to Roe Highway to meet up with the eastern bypass and a road down to Rockingham to meet the needs of Western Australia, particularly the needs of people in the southern suburbs. The plan did not create a scenario that would massively increase the traffic on Leach Highway, South Street and Stock Road, greatly inconveniencing the people living on or near those roads. High Street in Fremantle, which goes from North Lake Road to Fremantle, will also have a massive increase in traffic, all because Mr McGinty does not want the eastern bypass.

Hon Jim Scott interjected.

Hon NORMAN MOORE: Hon Jim Scott has had his go. He has already said he will not support the motion to refer this matter to a select committee. That is pathetic! He has come into this place on countless occasions to move for the appointment of select committees. He moved motions to appoint select committees to deal with the environmental issues that he wanted investigated by the Parliament. He now has the audacity to say that an issue of this magnitude should not be investigated by a select committee. I would have thought that the magnitude of this decision, and the effect that decision will have on the population of the southern suburbs, is such that the Parliament would appoint a select committee to investigate it. If Hon Jim Scott does not believe it is a significant issue, he should take a look at the rest of his electorate, other than Fremantle. He should get out into Booragoon, Willetton and all the suburbs along Leach Highway and South Street and find out what people think about him, instead of looking after his personal interests in Fremantle. It is not good enough for a member who purportedly represents the South Metropolitan Region - the same applies to Labor members who will not support the motion - to say that he does not believe the issue should be investigated by a parliamentary committee. He is doing his electors a disservice. He is kowtowing to the member for Fremantle. I suspect this is probably a factional issue in the Labor Party that will allow Mr McGinty to ruin the southern suburbs for some political purpose. That is what it is about. The Labor Party and the Greens will not support a proper and legitimate proposal of Hon Simon O'Brien who, along with Hon Barbara Scott, is looking after the interests of all the people of the southern suburbs. Those members are not Fremantle-centric.

Hon Jim Scott interjected.

Hon NORMAN MOORE: Mike Board is looking after the people in his electorate very well indeed. The councils along that route also represent the interests of their people. The tragedy is that members of the Labor Party and Greens from the southern suburbs are not looking after the interests of their constituents.

Hon Sue Ellery: That is not true.

Hon NORMAN MOORE: They are not. The Labor Party and the Greens will wear this decision. This is manna from heaven for the Liberal Party. The moment that Hon Alannah MacTiernan announced this project was the end of those guys opposite from the southern suburbs; there is no question about that. This is manna from heaven for our party, from a political perspective, but that is not what it is about. It is about doing the right thing. The Labor Party and the Greens are not doing the right thing. However, if government members want to stick to their policy - Hon Sue Ellery said it was her party's policy - why will they not give the Parliament a chance to investigate the matter through a committee?

Hon Sue Ellery: It has a chance to formulate a considered view and to hear all sorts of views through an amendment to the metropolitan region scheme.

Hon NORMAN MOORE: Does the member believe that is sufficient? Is the Parliament going to bring people into the Chamber to give evidence in that debate?

Hon Sue Ellery: All sorts of material can be put before the Parliament during debate on an MRS amendment.

Hon NORMAN MOORE: The next thing the honourable member will be saying is that we do not need parliamentary committees. The reason for a parliamentary committee is simple: it gives the Parliament a chance to get out into the community and it gives people in the community an opportunity to put forward their view by giving evidence to that committee. People cannot provide any input when the Parliament debates an issue.

Hon Jim Scott: I remember when you reinstated it; you did not have any debate on it then.

Hon NORMAN MOORE: Did Hon Jim Scott move for a select committee then?

Hon Jim Scott: No, I wouldn't have got one.

Hon NORMAN MOORE: He could have. It is a tragedy that the Labor Party and the Greens are not prepared to allow scrutiny of this process by a select committee.

Hon Jim Scott: You need to look at the history and the future.

Hon NORMAN MOORE: That is what we are doing. Hon Jim Scott takes the intellectual high ground that everything he says is right and what everyone else thinks is wrong; that is the Greens' strategy. The so-called intellectual high ground is arguable, but the Greens laugh at anybody who has a different view from them. This is an opportunity for the Greens to have their view tested by having a select committee examine the issues. This motion relates to the history of this bypass, what it will do and the effect it will have on the southern suburbs of Perth.

Hon Sue Ellery said that we cannot afford a select committee and we should not waste taxpayers' money on one. I do not know how many times the Labor Party proposed select committees when it was in opposition. The public expense was never in its mind then and it should not be now. We should spend what is needed to be spent to ensure we make the right decisions. It is a pity that the Government, which will give us a railway line we do

not want, will spend \$300 million or \$400 million more than it needs to without asking the people what they want, yet it is worried about public expenditure on a select committee. Good grief! I will assist the Government, if that is one of its problems. I will move an amendment to the motion to refer the matter to one of the existing standing committees for consideration to avoid the public expense of a select committee. The Standing Committee on Public Administration and Finance is probably the most appropriate committee to consider an issue of this magnitude. Reference of this issue to that committee will avoid the cost of a select committee, if that is an issue, although it is not an issue for me.

This matter needs to be considered. If some members have a problem with that standing committee, do they want it to go to another one? This matter needs to be considered by a committee. The railway line also needs to be considered by a committee. It needs to be considered by many more people than those in the current Government because it has the potential to massively change the transport situation in metropolitan Western Australia. It has not been investigated or thoroughly scrutinised by anybody I know of.

Hon Simon O'Brien's request for a select committee would give us a chance to properly scrutinise the decision about the eastern bypass. I am told that a select committee is not acceptable, and one of the reasons is that it will cost too much money.

*Amendment to Motion*

Hon NORMAN MOORE: I move -

That the words "That a select committee of five members is appointed, any three of whom constitute a quorum," be deleted and the following words be substituted -

That the Standing Committee on Public Administration and Finance be required

If the amendment is agreed to, part (1) of the motion will read -

That the Standing Committee Public Administration and Finance be required to inquire and report on the history of that part of the metropolitan region scheme known as the Fremantle eastern bypass and related road infrastructure including -

I move that amendment to overcome at least one of the problems raised by Hon Sue Ellery and to give an existing committee, which has responsibility for these sorts of things, an opportunity to investigate this matter.

**HON SIMON O'BRIEN** (South Metropolitan) [11.41 am]: I thank the Leader of the Opposition for moving that amendment. It appears that the Labor government members and the Greens (WA) members have not been convinced of the need for this matter to be examined and for reports to be made to the members of the House who do not know anything about the history of the Fremantle eastern bypass, but who, in due course, will be required to consider the metropolitan region scheme amendment. We have had an indication from a government member that, possibly, a standing committee inquiry might be some sort of a compromise.

Hon Sue Ellery: That is an incorrect characterisation of what I said. I said that an alternative could be a standing committee inquiry but that the standing committees were already very busy. I disagree with your assessment.

Hon SIMON O'BRIEN: The member should not be so touchy, although she is about to hear a few other things that she might be touchy about.

The PRESIDENT: Order, members! Hon Simon O'Brien will address the Chair.

Hon SIMON O'BRIEN: The Government has already provided written advice that it will not support the establishment of a select committee. I was disappointed to learn from the Greens (WA) that although they have considered the matter, they too will not support it. The option of having a standing committee examine the issue and report to the House needs to be pursued. In that context, and in that context only, as the mover of the principal motion, I will accommodate the amendment. I will do that rather than see the substance of the motion fail. It is important that this matter be sent to a committee of this Parliament. I am about to introduce some material that was not available when I moved this motion, but which a committee of this Parliament must consider. In considering the history of the Fremantle eastern bypass, the Standing Committee on Public Administration and Finance needs to look closely at the relationship between the Australian Labor Party, the Greens (WA) and a group known as the Transport Action Coalition, and at the actions of the office of the Mayor of the City of Fremantle. It should do so in view of some of the documents that are now to hand.

Hon Graham Giffard: Are you talking about the current mayor, Mr Tagliaferri?

Hon SIMON O'BRIEN: Yes. Those documents show a pattern of activity that requires investigation. They show some alarming developments in the way that government is practised in this State by this Labor Government, and particularly through the Minister for Planning and Infrastructure's office. Mr President, you do not need me to advise the House that this is a controversial issue, that a range of matters surrounding it are also controversial, and that there are some very strong views about it. Those views find voice in a number of

ways. We have heard already about the now member for Fremantle and the undertakings he has given in the heat of election campaigns, particularly during his by-election campaign in 1990 when he was first elected. We have also heard about the relationship that seems to have formed between the state and federal members for Fremantle and a local group called the Transport Action Coalition, which in turn has links with Hon Jim Scott. In fact, he is probably a foundation member.

Hon Jim Scott: I am.

Hon SIMON O'BRIEN: I thought he might be. Perhaps that is from where he got his initial interest in politics all those years ago.

Hon Jim Scott interjected.

Hon SIMON O'BRIEN: The relationship certainly continued to flourish. If we look at the role of the office of the Mayor of the City of Fremantle in its dealings with the Minister for Planning and Infrastructure, some very interesting things come to light.

I start with the Transport Action Coalition. If members in the Chamber who are online wish, they can easily access its site. They should start by going to [www.mp.wa.gov.au/jscott](http://www.mp.wa.gov.au/jscott), which is the web site of Hon Jim Scott. It is a nice web site, and contains a picture of him in which he looks as flash as the proverbial rat with the gold tooth. The web site also contains links to Jim's speeches and media releases. It is riveting stuff. It has everything except Jim's Mowing. People who go to the web site will also find "Green Links". That is not surprising as the member wants to promote certain other web sites, one of which is that of the Transport Action Coalition. Its web site is maintained by foundation member Hon Jim Scott as a community service. It is an extension of Hon Jim Scott's web site. People can tune into all sorts of things on the Transport Action Coalition's web site, including its newsletter of August 2002. There is a range of others, but the August one is very good. The portal page of the Transport Action Coalition contains a number of things, including comment, plans for different rallies and some very choice remarks about the Melville City Council and the Liberal Party. In one part, Hon Mike Board, Hon Barbara Scott and I are referred to as the Three Stooges. After I saw that I mentioned it to Hon Jim Scott, and we had a laugh about it.

Hon Graham Giffard: Larry, Curly and Moe.

Hon SIMON O'BRIEN: The question of who is Larry, Curly and Moe is something -

Hon Nick Griffiths: I think you are Moe.

Hon Graham Giffard: How would you characterise it?

Hon SIMON O'BRIEN: The Transport Action Coalition owns a web site that contains news flashes and so on. I have printed the page for members' perusal. It contains an index of a number of topics. I have referred to the coalition's newsletter. A number of other sites are promoted as related reports of interest. When web sites are linked, it is because they are affiliated. If I had a web site it would be linked to a Liberal Party web site; it would not be linked to Hon Jim Scott's web site. On the web site are related reports of interest to the Transport Action Coalition.

Hon Graham Giffard: Are you referring to the newsletter or the web site?

Hon SIMON O'BRIEN: It is on the web site at a portal page.

Hon Graham Giffard: What was in the web site?

Hon SIMON O'BRIEN: I raise it as an issue.

Hon Jim Scott: I have a link to TRAC and TRAC has a link to that - okay.

Hon Graham Giffard: I thought there was something in the newsletter.

Hon SIMON O'BRIEN: I will give it to Hon Graham Giffard.

Hon Graham Giffard: Thanks.

Hon SIMON O'BRIEN: Related reports of interest include such gems as "Road Raging - Top Tips for Wrecking Roadbuilding". It is an interesting document to appear on such a web site. It is a handbook for people who want to prevent the building of roads by fair means or foul. Chapter 7 of that document is interesting. It says "Know your enemy". The enemies shown on this web site include politicians, road-building agencies, financiers, contractors, road-building engineers and surveyors. I do not know too many offensive surveyors. Apparently the Transport Action Coalition considers those people to be the enemy. It points out that surveyors carry theodolites and reflectors, which are very expensive and delicate kits. If a theodolite is broken the surveys do not work.

Hon Bill Stretch: That is incitement to break the law. It is disgusting.

Hon SIMON O'BRIEN: It appears to be. Security guards are seen as the enemy, and it targets a range of other people. However, the really big enemy is the nasty police because they might not like road ragers breaking expensive equipment owned by surveyors or sabotaging plant and equipment. Other enemies include local road supporters and probably the worst are residents' lobby groups. According to this web site, local residents are not allowed to have lobby groups unless, like TRAC, they share the views of Hon Jim Scott. Businesses and landowners are also the enemy. It is not as good as the *Ozymandias Sabotage Handbook*, the collectives' field guide to direct action.

Hon Nick Griffiths interjected.

Hon SIMON O'BRIEN: Hon Nick Griffiths should take this seriously. I have given the documents to Hon Graham Giffard, the Parliamentary Secretary to the Minister for Planning and Infrastructure. I am sure he will be interested. These people are calling the shots for this Government's policy. The *Ozymandias Sabotage Handbook* comprises two volumes. Seven chapters are in the first volume, from the introduction to "Tool Checklist". Volume 2 starts with another introduction and lists more advanced methods, such as how to wreck basic mechanical systems, engine-based systems, motor-based systems, pneumatics, hydraulics etc. Chapter 9 is a good topic if members have the time to peruse it! It is called "Special Hits". Chapter 11 is on health and safety. Is that not nice? The following are some of the tips that apply to health and safety -

In relation to the previous section on combustion, there are very specific safety rules. . .

When cutting/grinding match heads. . .Never store more than a cup full of ground heads in the same place. Always wear gloves.

Is that not sensible? When road ragers are devising their incendiary devices for direct action against road builders those are the precautions they need to follow. The handbook very wisely states -

When mixing ammonium nitrate, charcoal and sugar, never mix more than a kilo at a time.

I wonder why. Is it because it explodes and we are talking about homemade bombs? Another chapter in the *Ozymandias Sabotage Handbook* refers to sabotage of vehicles. Heavy vehicles are good to sabotage because they are big and create barriers when they are disabled.

Hon Ljiljanna Ravlich: What is your point?

Hon SIMON O'BRIEN: I am coming to the point. The handbook points out that air-brake systems can be cut, but it must be done carefully to avoid injury.

Hon Kim Chance: Have you drawn this matter to the attention of the police?

Hon SIMON O'BRIEN: No, I have not. I am drawing it to the attention of the House.

Hon Kim Chance: It breaches a number of laws.

Several members interjected.

Hon SIMON O'BRIEN: I am trying to address the Chair.

The PRESIDENT: Order!

Hon SIMON O'BRIEN: These issues are on the Transport Action Coalition web site. They portray the mentality of some of the people who maintain that web site, which, as we can see, is promoted by Hon Jim Scott.

I refer now to a really interesting aspect of this web site. Hon Graham Giffard asked about the newsletter to which I referred and I have given him a copy. This group wants to take action over the deletion of the Fremantle eastern bypass. At the top of page 4 of the newsletter it states -

The schedule below was to be the timetable for the deletion of the Fremantle 'bypass'. It has been delayed for around two weeks while it is re-written. The original authors of the MRS deletion amendment are still in favour of the highway and put in several pro-'bypass' comments. A neutral document is now being prepared.

It then gives the schedule that it purports was the original timetable, starting with the advertisement of the amendment in the *Government Gazette* on 30 July. This raises some other questions that are not immediately apparent. I could not find out promptly, as a member of Parliament, the proposed timetable. This group knew. What does that show? It shows nothing more -

Hon Graham Giffard: That they are more adept at finding out information.



Hon SIMON O'BRIEN: It shows that they are working closely with the minister's office. There is nothing wrong with members of a local lobby group working with the minister's office if it suits them to do so. However, I will repeat that brief passage -

The schedule below was to be the timetable for the deletion of the Fremantle 'bypass'.

Members might ask: so what? Those people knew the proposed schedule before it was made public by the Government. In fact it has never been made known generally. It was simply the province of those in the know. The newsletter continues -

Hon Jim Scott interjected.

Hon SIMON O'BRIEN: Hon Jim Scott does not want this to come out, but I do. It says that it has been delayed for about two weeks while it is being rewritten. That group knew also that it had been delayed and rewritten. The newsletter also tells us that the original authors of the MRS deletion amendment are still in favour of the highway and included several pro-bypass comments. What a serious offence that is, that impartial senior public officers should give advice to the Government which contradicts the minister's own capricious view! In my address-in-reply contribution recently, I described this sort of development in government and I warned the Parliament against it. Here is an indication of it happening. The original authors of the metropolitan region scheme deletion amendment are still in favour of the highway and they put in several pro-bypass comments. The paragraph concludes that a neutral document is now being prepared. In other words, the professionally drafted instrument said things that this Government, its Green colleagues and the Transport Action Coalition did not want it to say. Therefore, it had to be sent back to be rewritten to take out those comments; in other words, to put some bias into it. I thought it would be interesting to see the document. I believe I have a copy of it with me. Indeed, it is an interesting document. I will not go through it in its entirety, but I will provide copies of the documents that I have to the parliamentary secretary.

Hon Graham Giffard: Is this a draft?

Hon SIMON O'BRIEN: Yes. There are various covering pages. I invite him to turn to the page headed "Report to: Perth Region Planning Committee. Report No: PRPC/545. File Nos 809/2/1/79".

Hon Graham Giffard: Where did you get this from?

Hon SIMON O'BRIEN: It was given to me.

Hon Graham Giffard: Mr Integrity, who gave it to you?

Hon SIMON O'BRIEN: The member might ask me that.

Hon Ljiljanna Ravlich: It is a fair enough question.

The PRESIDENT: Order! It may be a fair enough question if it were question time and the Opposition were being questioned.

Hon SIMON O'BRIEN: It is a fair enough question, but I want to proceed with my own presentation to the House before turning to the interjections of the unruly members opposite.

Hon Graham Giffard: How do we know it is legitimate?

Hon SIMON O'BRIEN: We will know if it is legitimate or not -

Several members interjected.

The PRESIDENT: Order!

*Point of Order*

Hon PETER FOSS: A very interesting question was raised by the parliamentary secretary. I wonder if Hon Simon O'Brien would be so kind as to identify the document in a way in which we can make sure that at least we know what it purports to be, and then obviously at the end of his speech he can table it so that we all have the benefit of it.

The PRESIDENT: I believe Hon Simon O'Brien had been identifying the document at length, but if he wants to do so again to accommodate the recently arrived member, he may.

*Debate Resumed*

Hon SIMON O'BRIEN: In answer to the question, how do we know this is a legitimate document, asked by way of interjection by the Parliamentary Secretary to the Minister for Planning and Infrastructure -

Hon Graham Giffard: Quite innocently.

Hon SIMON O'BRIEN: Quite innocently - I have provided him with a copy of it. He can establish it for himself. However, he is quite right in asking the question, is it a genuine document, because if it is, there are implications for this Government and for the minister in the context of the debate on the Fremantle eastern bypass and in a wider context to which I alluded during my address-in-reply contribution.

Hon Graham Giffard: Where is the bit that says "it will go through your house"?

Hon SIMON O'BRIEN: Under the heading "background", it gives several -

Hon Graham Giffard: It spells the word "Labor" wrong.

Hon SIMON O'BRIEN: The parliamentary secretary cannot spell it.

The document contains an introductory paragraph about the proposed metropolitan region scheme amendment, and under the heading of "background" it refers to the election of a Labor Government with a platform including a promise to delete the Fremantle eastern bypass. It is a pretty small splinter in the platform, not a broomstick. I will paraphrase the document and truncate it.

Paragraph (3) indicates that the minister has requested the director general to initiate the process to delete the eastern bypass from the metropolitan region scheme. The next paragraph reads -

4. The Western Australian Planning Commission considered this request on 26 February 2002 and resolved:
  - (1) To initiate an amendment to the Metropolitan Region Scheme in accordance with section 33 of the Metropolitan Region Town Planning Scheme Act, in reference to the deletion of the Fremantle Eastern Bypass Primary Regional Roads Reservation and transfer of the land to the Urban Zone, as shown on Plan No. 3.1626.

There is nothing extraordinary about that. It continues -

- (2) To refer the proposed amendment to the Minister for Planning and Infrastructure, to note.
- (3) To note that other consequential actions and amendments which may arise from the deletion of the Fremantle Eastern Bypass, are being investigated as part of the Freight Network Review.
- (4) To request that, following the satisfactory completion of the actions indicated in resolution (3) above, the proposed amendment (with any modifications), be referred back to the Commission to follow the usual statutory and administrative processes.

Here we have evidence of what we, the Liberal Opposition, and particularly I, Hon Barbara Scott and Hon Mike Board, have been saying. The professional officers who prepared this document support our view that one should not delete the Fremantle bypass until one has made satisfactory other arrangements for all the consequences that will flow from that.

I fear you are about to call me to order, Mr President.

The PRESIDENT: The member has another four minutes.

Hon SIMON O'BRIEN: Thank you, Mr President.

More in this document seriously undermines everything that the minister and the Government have been saying and presents arguments which are dead against the course of action that the Government is following, a course of action that is against the advice of its professional officers and against the interests of the community. However, this Government does not care; it will proceed with it anyway. I will come back to some of the comments on another occasion.

The document to which I have been referring has two attachments, the first of which is a letter signed by the minister, Hon Alannah MacTiernan MLA, Minister for Planning and Infrastructure, and dated 8 May 2002. It is to the Acting Director General of the Department for Planning and Infrastructure. It is headed "Fremantle Eastern Bypass". I am sure that the parliamentary secretary will check the veracity of this letter. When debate resumes on another sitting day, it needs to be examined closely, but time does not make it possible for me to do so now.

I will also refer to a second attachment to the document. It refers to the impacts of deleting the Fremantle eastern bypass. It refers to matters of history. It refers to matters of evidence by professional officers that fly directly in the face of what we have been hearing from Hon Jim Scott in opposing, in concert with government members, a select or standing committee inquiry. That is why these further matters need to be brought to the attention of the House. That is why the House needs to look at the history of this entire saga. All is not as the

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Government assures us - far from it; in fact, the documents directly contradict information that has been put about publicly by the minister and by members in this place.

Hon Peter Foss: Do you want to table them so that we can all read them?

Hon SIMON O'BRIEN: I seek leave to table the documents to which I have referred and identified together with the attachments.

Leave granted. [See paper No 357.]

Debate interrupted, pursuant to standing orders.