

## COMMITTEE REPORTS - CONSIDERATION

### *Committee*

The Chairman of Committees (Hon George Cash) in the Chair.

*Standing Committee on Environment and Public Affairs - Petition Objecting to the Proposal to Establish a Sewage Pumping Station in Heseltine Park, Glenleigh Road, Busselton - Fourth Report*

Hon JIM SCOTT: I move -

That the report be noted.

Hon FRANK HOUGH: I refer to paragraph 6.1 of the report and my dissension with the committee's recommendations Nos 2, 3 and 4. It is most important that I explain why I dissented from those recommendations. My dissension was on a commercial basis. I agree that the Busselton waste water plant is necessary, but I do not agree that the sewage pumping plant should be put in between housing on lot 95, which backs onto lots Nos 38, 39, 96 and 97. I dissented from the committee's recommendation because I do not believe it is in the commercial interest to locate a sewage pumping plant between those houses.

Originally, the plan was to locate the sewage pumping plant in the middle of Heseltine Park, where I believe it should be placed. The committee recommended that the sewage pumping plant be made of brick, be fenced and surrounded with foliage, and be devoid of sound problems. The aesthetics of the building were right; it would look like a home, and gardens would be planted around it. The building would not have affected the park greatly because people would have seen only a building behind shrubbery in the middle of the park.

I dissented from the committee's recommendations to locate the sewage pumping plant at lot 95. I would prefer it to be located in the middle of Heseltine Park because of the four residential housing blocks that back onto lot 95. If I were to buy a house from one of the residents, I would place a lower estimate on the value of the house because it is next door to a sewage pumping plant. There is no use denying that the property is to be next door to a sewage pumping plant. It might look like a house with trees around it and it might be silent; however, it is still a sewage pumping plant. The reasons given for placing a sewage pumping plant among four homes are unsatisfactory. It would not hurt to locate the plant in the centre of Heseltine Park provided it had the correct coverage around it. It would not affect the usage of the park. The plant would probably take up only about 800 square metres of the park, which is only one small section.

I dissented purely on a commercial basis; the home owners have not approached me on this matter. I saw on a commercial basis that placing a sewage pumping plant among homes was totally unacceptable when the plant could be placed 100 yards away in the middle of a park and not affect anyone. In that way, the problem would have been shared fairly. I was concerned that, ultimately, residents would state, "Our property has been devalued by that sewage pumping plant." I know that if I were buying a house in the area, I would not buy one that backed onto a sewage pumping plant, but buy one further up the track. I am not looking to be absolved from my decision to dissent, but it is important to explain my reasons for doing so.

I feel that the four home owners whose properties will back onto the proposed plant would be placed at a disadvantage later if they tried to sell their properties. It is a beautiful area. I cannot see a problem in moving the sewerage plant into the middle of a park if it were to be surrounded by lovely trees, flowers and fencing. One could still play cricket, footy, golf or whatever in the park - only about 800 square metres would be lost.

The sewage pumping plant is needed in the area. I would have gone along with the original proposal by the Water Corporation for a vacuum pumping station to be placed at the top right end of the park, just off Glenleigh Road. I support the recommendations of the standing committee, but it was necessary to explain my dissension with certain recommendations.

Hon LOUISE PRATT: This was an interesting petition, as it took up a localised community issue; namely, a proposal by the Water Corporation to place a sewage pumping plant in the middle of Heseltine Park. Petitioners saw it to be undesirable to locate a sewage treatment plant in the middle of their community public space. A great deal of objection had been lodged to other locations, so it appeared that the Water Corporation decided to make everybody suffer by sticking it in the middle of the park.

Heseltine Park is very important to the local community, as not a lot of parkland and open space is available in the area. I acknowledge that the plant would not have taken up the entire park, but it would have been a significant building in the middle of public open space. The committee decided it would be more desirable to place the sewage treatment plant on lot 95 Blue Crescent, which is vacant but privately owned land. The Water Corporation had some difficulty in acquiring the property because of negotiations regarding the valuation. The committee identified some discrepancy between claims by the Water Corporation and the owner of lot 95 Blue Crescent concerning valuations. The committee would like to have seen more effort put in by the Water

Hon Jim Scott; Hon Frank Hough; Hon Louise Pratt; Hon Barry House; Hon Dr Chrissy Sharp; Mr Tom Stephens; Chairman

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Corporation to resolve those issues. I hope that the Water Corporation, after looking at the committee's recommendations, will consider those issues carefully.

We often see sewage pumping plants in our community in the metropolitan area. Those built recently are quite attractive buildings with up-to-date soundproofing and the like. They blend in with suburban streetscapes. The committee found that lot 95 Blue Crescent was the preferred site, which is a different position from that taken by Hon Frank Hough as an individual member of the committee. Ultimately, the key issue is the need to protect our very precious public open space and community parkland. The committee was pleased to determine viable outcomes that will protect the open space and allow the Water Corporation to come to grips with the issue and acquire the property, in the best interests of the community.

Hon BARRY HOUSE: As the member who tabled the petition, I am pleased to note it and to acknowledge and congratulate the committee on the work it did investigating the petition. The committee's work added considerably to the knowledge and information that is available on the debate of this difficult issue.

There are a couple of things to note. First, there is no dispute about the fact that this area of Busselton requires deep sewerage. Nobody is saying that that proposal should be canned as a result of the petition. The deep sewerage program - which began between eight and nine years ago - is one of the most significant capital programs initiated in this State in recent times. As an environmental exercise, it has been absolutely outstanding. Many of us have viewed the funding cutbacks over the past two years - since the change of Government - with some dismay. The cutbacks have been serious to the point that the funding has been more than halved and is now a quarter of what it was originally meant to be. Of course, that means that some areas will not get deep sewerage for a considerable time. One of the fears that people have is that the Water Corporation may use the contention over this site as a reason to put off the installation of deep sewerage in this area of Busselton. That is not a valid reason to not proceed. The Water Corporation must do that work as soon as possible and it must be funded by the Government.

The petitioners who came to me reside either around Heseltine Park or in that general area. They came to me so that I could act as their messenger and take their message to a person or an organisation that would conduct a thorough investigation of the situation, because at that stage they felt that that had not been done. Their intention was to conduct an investigation into the different options that might be available for the pumping station at Heseltine Park. The petitioners believed that the Water Corporation had not done its homework well enough and were concerned, with some justification, that it was taking the easiest and least-cost option, the impact of which would be felt in a precious part of their community, Heseltine Park. Heseltine Park is precious to those residents because it was their work that created it. In addition, they put in a bore at their own expense to water the park. They continue to move the pipes and sprinklers and mow and maintain the park. Sure, they also benefit from the park, because their kids play in it; it is a lovely piece of open space in an urban area. Nevertheless, the significant personal ownership they felt towards the park and their frustration with the process led them to me, as a local member, so that I could express their view to the Parliament in the hope that it would undertake to do further research. That research has been done, which is terrific.

The committee's report reflects the fact that it is a classic no-win situation. Whatever is done in a situation like this will result in winners and losers. The original petitioners were not satisfied that the Water Corporation's research of alternative sites was adequate. They wanted assurance that all alternative sites had been investigated thoroughly and researched. Information released by the committee has clarified that to some extent. The Water Corporation has had to justify why Heseltine Park is its preferred site. A site on Dolphin Road, on the extreme west of the area to be deep sewered, was mooted by some people as a possible option. There are technical reasons why that site would be difficult and expensive to establish. That would also be a no-win situation. I know that area and the people in it well. I have been contacted by people from that area, from Heseltine Park, and by people living adjacent to the lot for sale recommended by the committee. The lot concerned is lot 95 Blue Crescent. Whatever happens, some individuals will be impacted directly by this issue.

The ultimate decision rests with the Water Corporation in conjunction with the Shire of Busselton. To its credit, the Shire of Busselton maintained that the Water Corporation had to submit a development application for the project. The application has had to go through all the processes associated with normal development applications. That involves advertising, public input and so on. By and large, that has been done. The ultimate decision lies with that forum. The information provided by the Parliament adds to the debate by providing better background information for people. The decision will still be difficult for the shire. It is a no-win situation.

There is some merit in what Hon Frank Hough had to say. From the point of view of landowners adjacent to lot 95, the situation is quite significant. Recommendations Nos 3 and 4 are that the Water Corporation somehow or other use devices other than entering the real estate market to purchase the block of land. The commercial value of the block of land is \$187 000. Why should the individual owner of that land - this reminds me of other debates we have had in this place - not be entitled to market value? Why should the process allow the Water

Corporation to use some other means of obtaining the block of land at a cheaper price? I do not think it should. If the block is worth \$187 000 - it is a well situated duplex block - that is what the owner should get for it. The process should not allow government in any way, shape or form to cut corners and deprive the owner of some of the value of that block. However, that is an aside to the issue.

I express my appreciation to the Standing Committee on Environment and Public Affairs for presenting an excellent piece of research. Admittedly, it is a local issue but the principles that stem from it can be applied much more broadly throughout the State of Western Australia.

Hon JIM SCOTT: A number of points in the recommendations need to be threshed out. Hon Frank Hough dissented from a number of the recommendations but he supported the overall report, although that issue is one of judgment. The other issue concerned the number of people who would be impacted upon by the recommendations. In relation to that site rather than the centre of the park, a lot of residents live on the other side of the Blue Crescent thoroughfare. That is important. Recommendation No 4 states -

The Committee recommends that the Water Corporation take the necessary steps to enable it to go outside any land purchasing guidelines to facilitate the purchase . . .

The principle we had to struggle with was if the Water Corporation would have to pay more for that lot, at the end of the day who should pick up the tab? We could not expect a group of householders to contribute when they might benefit from another decision that was made. If the site were located elsewhere and its value were changed, it would cause others to also suffer a loss at some stage. The community generally is gaining in a significant way from that sewerage system, because it will increase the values of all the properties in those areas over time. The Water Corporation is a public corporation in the sense that it belongs to government. The easiest and best way to proceed is to ensure that any additional cost is spread among all of us by being consolidated into the whole system. It would not amount to a great deal.

I was concerned that the valuations for that property were not always presented with the greatest honesty. We kept getting additional pieces of information that gradually changed our minds about certain matters. Some of the initial information we were given about the valuations was not strictly correct, or was out of date and failed to mention certain things. That concerned me. The standard of the information provided by the corporation needs to improve.

That is all I want to say. I indicated in the committee that I agree with this report, but I want to add my support in this Chamber. Even though this seems a simple issue, it was difficult to resolve because there was no perfect answer that satisfied everybody. This is probably the best solution.

Hon CHRISTINE SHARP: I am very pleased that the Minister for Government Enterprises is in the Chamber at the moment and that we have the good fortune that he is listening to this discussion, and he is drinking some of his product at the moment. This report is about helping government make a difficult decision, for which there was not necessarily an obvious solution. Although the report concerns a matter which, in the overall scheme of things, is very small in scale, nevertheless it is important to the residents of central Busselton and also touches on some matters of principle that are important to many other people in the State. It was a difficult decision, on which the Water Corporation has been and probably still is being pushed in many different directions by a variety of interests.

After listening to the various parochial views of the people living around this little park, the committee attempted to make an overview, because its members were well placed to do that, given that none of us lives there and none of us would receive any particular advantage or disadvantage from the outcome. Yet what was a fair outcome for this decision? One factor that we thought was important was to enshrine the notion that public open space is a very precious thing. This area of the State is under considerable development pressure. A large area of established residential development needs infill sewerage to prevent the continued discharge of nutrient into Geographe Bay before there are very severe ecological impacts on the bay. Everyone totally supports the overall government program to implement infill sewerage. Nevertheless, when it comes down to the detail, amongst the suburbs of Busselton is a very small park which comprises essentially some very nice old-growth peppermint trees and grass and which was established through the efforts of residents several decades ago. Some residents still take an active role in watering the park and giving it some tender loving care. It is very much their backyard. Where can a sewage pump be plonked in the middle of this area? The Water Corporation took the simplest solution, given that no-one around the park - members need to picture these residences dotted around the park - wanted the sewage pump right next to their house; they all wanted it on the other side of the park. To be fair to everyone, it came up with the solution to plonk it right in the middle of the park so that the disadvantage would be shared equally. However, the committee of course took the view that that was very much undermining some wise decision making, because clearly it would maximise the impact on the park. By sharing the impact fairly on the residents, the Water Corporation was doing the utmost to destroy the values of the park.

Hon Jim Scott; Hon Frank Hough; Hon Louise Pratt; Hon Barry House; Hon Dr Chrissy Sharp; Mr Tom Stephens; Chairman

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Hon John Fischer: Couldn't you have stuck it in a corner?

Hon CHRISTINE SHARP: Indeed, that is our proposal. In fact, we suggested that the best location was adjacent to the park on a private lot. That way the public open space would be protected. It is a very important principle that public open space remains sacrosanct. I cannot remember the size of the public open space in Busselton, but it is probably about 1.5 hectares. There are all sorts of reasons that in Busselton, one of the most rapidly growing areas in Australia, we could whittle away a bit here and a bit there and this grassy open area in a sea of housing would then be gone altogether. The committee believes that the Water Corporation must respect one very important principle in its infill sewerage program; that is, the use of public open space must be avoided at all costs. In getting the pumping station moved out of the park and into the private residential block adjacent to the park, the committee was keen for the property to be adequately valued and the current owner given a fair price. As Hon Jim Scott has said, the committee had considerable doubt about whether the Water Corporation was prepared to pay the owner a fair price for the property, because it would be in the corporation's financial interest to situate the pumping station in public open space to avoid the additional cost of having to purchase that vacant block.

I have been prompted by this inquiry and other concerns that have been raised with me elsewhere in the south west to clarify the position on the location of sewage pumping stations. I have asked the Western Australian Planning Commission to clarify its policy on sewage pumping stations, whether they be for new residential subdivisions or infill sewerage, as is the case in Heseltine Park. The Planning Commission has replied to me, as a member representing the south west, that its policy is to accept the siting of such infrastructure in public open space but only if the pumping station is below ground - effectively not physical - and has no impact on the open space area. Members will note from that correspondence that what is proposed at Heseltine Park is at odds with the Planning Commission's position. I hope that information will further assist the Minister for Government Enterprises and his department to ensure that the final decision acknowledges that protection of public open space is for the benefit of the residents of not only Heseltine Park and Busselton but also all of Western Australia.

Question put and passed.

*Standing Committee on Environment and Public Affairs - Swimming Pool Fencing - Sixth Report*

Hon CHRISTINE SHARP: I move -

That the report be noted.

Hon FRANK HOUGH: I had a bit to say about this report last night and I was disappointed when I re-read the report. I said last night - probably I did not use strong enough words - that Hon Tom Stephens, the minister, has betrayed me. In fact, I would be prepared to say that I feel Judas is alive and well in the House. I am sure that I had experience of him last night. For him to put the kybosh on this motion is disgraceful. Quite a bit was put into this report. God knows why it has been knocked on the head.

I will read some of my comments in a press release last night -

... the Minister for Housing and Works, Tom Stephens, has "lost the plot" on the issue of isolation fencing for pools. "The Minister has succumbed to recommendations based on flawed research findings in a move that's generally indicative of the poor integrity of the Gallop Ministry," ...

I went on to say that if one compared apples with apples -

Regulations enacted in 1992 originally allowed pool owners to install self-closing doors and restrictive opening windows and/or isolation fencing as a barrier around pools. These remained in force until 2001. In November 2002 new regulations -

That relates to the disallowance motion -

were enacted that made isolation fencing mandatory for all new pools, despite evidence showing that isolation fencing did not offered a greater degree of safety.

...

"The decision to implement isolation fencing had less to do with common sense than a report which reflected the Government's pre-election promise to implement tougher regulations. The report presented by Prof Fiona Stanley contained many inconsistencies, was academically driven and didn't include opinion from the Swimming Pool and Spa Association. The report's findings were decidedly anti-industry and showed up the new regulations for what they really are - totally useless," ...

Hon Jim Scott; Hon Frank Hough; Hon Louise Pratt; Hon Barry House; Hon Dr Chrissy Sharp; Mr Tom Stephens; Chairman

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In May 2002 I instigated a disallowance motion. As the media release states, the intended regulations were referred to the standing committee. I point out clearly that I spoke with Hon Tom Stephens in the corridors of this place. It was not in the darkness of night; it was quite bright. It was the honourable minister with whom I spoke; there is no doubt about that. He told me just outside the door to the Chamber that he would support a referral of the matter to a standing committee for evaluation. On the basis of that, one would infer that it would be referred to a committee that comprised people who had experience of, or were prepared to spend time evaluating, the rights and wrongs and the good and bad aspects of a particular piece of legislation. I believe it was done correctly. Seven people certainly cannot be wrong. Two Labor members, two Greens (WA) members, two Liberal members and one One Nation member were involved in making the recommendations, which were unanimous.

The media release continues -

“The Standing Committee’s recommendations were that category two measures - self-closing doors and restrictive opening windows - was to be the minimum standard for all homes. All seven members were in full and unanimous agreement that category two fencing was an equal option to isolation fencing, as per the regulations from 1992 to 2001.

Incidentally, I point out that -

The Royal Life Saving Society backed the Standing Committee’s recommendation for just that reason,”  
...

“Furthermore, category two measures did not preclude home owners from installing isolation fencing in combination with self-closing doors and restrictive opening windows ...

Therefore, if people wanted to opt for isolation fencing, there was no problem incorporating it. It continues -

“Where Prof Stanley’s report faltered was that it only investigated the merits of isolation fencing. Her report stated that 60 per cent fewer child drownings occurred in private pools with isolation fencing but offered no proof. It correctly identified that isolation fencing was more effective than perimeter fencing but it did not consider the effectiveness of self-closing doors and restrictive opening windows, even though this was included in the 1992-2001 regulations.

Prof Stanley failed to compare apples with apples. Her report lumped together category two barriers with category three barriers, that is, where only perimeter fencing existed.

I speculated to members a week or so ago that the Minister for Local Government and Regional Development intended to knock the perimeter fencing proposal on the head. About 10 days ago when I told the two Labor members on the committee at a committee meeting, I asked why. They said that it was untrue and they had not heard anything. I think they were very surprised when the minister announced his decision. I also heard at the same time that the minister had not made that decision. When I called the minister Judas, I should have attributed that also to the Premier. I was informed that Professor Stanley had gone to the Premier over the minister’s head and told him categorically that she was not happy about that decision and that he should pull his head in and go back to the assessment he had made prior to the disallowance motion. I do not know whether the minister will take a great deal of notice of me. However, I would like him to answer some of my questions and to say whether he based his backtrack purely on pressure from Professor Stanley or the Premier or whether he made it on his lonesome. I am sure that the minister did not make the decision on his lonesome.

I am very disappointed in the outcome. As you know, Mr Chairman, child drownings are prevented more through parental supervision and duty of care. The reason that not many children drown at Tomato Lake, Lake Monger or Cottesloe or Scarborough beaches is that they are not fenced areas; therefore parental guard is up and they are watched like hawks. When pools or waterways are surrounded by perimeter or isolation fencing, they provide a perceived area of confinement and safety, so people drop their guard. On, say, a Sunday afternoon, the adults will have their backs turned to the swimming pool enjoying a few beers with friends while the kids are going mad doing water bombies in the pool, and chances are that one will have already drowned. The adults have a false sense of security because everyone is inside an area that is deemed to be safe for children. For a few moments the adults take their eye off the ball and let down their guard. Drownings usually happen when parents are within 50 metres of the pool. The minister has got it wrong. This is not the first time, for God’s sake; he should overturn his decision and implement his original decision.

Hon TOM STEPHENS: I formally thank the Standing Committee on Environment and Public Affairs for having agreed to do this work. On the record, it is work that I formally and informally encouraged members to do on behalf of the people of Western Australia. I am appreciative of the fact that the work was taken up. A number of recommendations contained within the report have immediately found favour so far as I and the Government

Hon Jim Scott; Hon Frank Hough; Hon Louise Pratt; Hon Barry House; Hon Dr Chrissy Sharp; Mr Tom Stephens; Chairman

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are concerned. The multi-party nature of the committee expressed multi-party support in the report for initiatives that were taken up in the past couple of years - since the Labor Party has been in government - to make barrier fencing mandatory around pre-1992 pools. These home pools were the ones that concerned me most as minister. I was fearful that even that regulation could, from time to time, be changed on the basis of the rise and fall of the Government of the day. Now we have multi-party support being expressed for that initiative through this committee report. I hope that that is firm advice to pool owners around the State that the question is now effectively beyond dispute. I note that there does not appear to be any lobby group or anyone else asking for anything else to happen other than for recommendation 3 to be embraced and become the regulation that governs pre-1992 pools in the future.

Recommendation 4 deals with the establishment of a home swimming pool advisory group. I accept that recommendation. However, the recommendation has been formulated in words that I do not think adequately address the situation. A technical committee was in existence that had not met since the proclamation of the last recommendations. My recent press release does not adequately connect with my intention in this regard; that is, that the technical committee be re-established, as advocated by the standing committee report, to take up the challenge the committee has thrown down to it in its report. The technical committee will then deal with the issues referred to in the report. The technical committee will have some of the characteristics in terms of focus and terms of reference suggested in the submission of the Royal Life Saving Society (Western Australia) to the standing committee. Recommendation 4 is substantially adopted by the Government.

Recommendation 5 deals with the provision of resources to the Royal Life Saving Society. So long as resources are available to government to do this, this is my ambition. I have already made resources available for the role of the Royal Life Saving Society, particularly in regional areas, to target the issue of water safety strategies around home pools. I have been successful in securing funds through regional initiative programs to pick up additional resources. The Royal Life Saving Society would like additional resources - like any organisation - and I am pleased that the health portfolio has found ways to fund it in part with some of the partnerships. When opportunities are available to provide additional support, I will be favourably disposed and clearly encouraged by recommendation 5. However, it is my intention that the executive support for the technical committee be available through the department's resources. Recommendation 6 effectively is endorsed as well. It will be embraced as the terms of reference of the technical committee, so far as I am concerned.

I understand the disappointment that has been expressed to me by some members of the Standing Committee on Environment and Public Affairs. Some of that disappointment has been expressed a bit vituperatively, but that is life. I took the standing committee report to Cabinet and Cabinet made a decision on the issues canvassed within it. That decision is effectively my decision, because it is a cabinet decision. I must accept responsibility for that decision. I cop the criticism that has been thrown in my direction. I am part of Cabinet and therefore will articulate the viewpoint of Cabinet; that is, that the State Government has operated instinctively in support of its pre-election commitment to require all new pools to have isolation fencing. That has been done with an instinctive confidence in isolation fencing as the means to improve the protection of small children from drowning in home pools well into the future. I note that the committee is of the view that sufficient research data is not available to justify that instinctive confidence of the Cabinet. The Government will now have the opportunity to study the effect of its regulations and to compare them with those in place in other jurisdictions in which isolation fencing around new pools is not mandatory. I hope that no more child drownings occur. Of course, that hope is in vain. With statistical certitude, there will be ongoing deaths around pools and other bodies of water. Hopefully, Cabinet's instinctive confidence in the ability of isolation fencing to improve the statistics for those pools -

Hon Norman Moore: Do you make many decisions based on instinct?

Hon TOM STEPHENS: We make decisions based on instinct all the time.

Hon Norman Moore: But in cabinet?

Hon TOM STEPHENS: The pre-election commitment was made on the basis of the view of the Labor Opposition. I have made the standing committee's report available to my colleagues, and I have announced the decision of Cabinet on that report on behalf of my government team. Hon Frank Hough should not be overly disappointed. He has been part of a historic standing committee report that has secured multi-party support for a move that will make a collection of pools safer over the coming years. Children's lives will be protected as a result of the requirement for barrier fencing around pre-1992 pools, which otherwise could have been left simply with perimeter fencing. In my view, that is the most dangerous set of pools with which the State is faced. That environment will now be significantly improved. As properties with a pre-1992 pool come onto the market, they will require barrier fencing. Barrier fencing will be mandatory by 2006. That will significantly improve the safety of those pools in the State of Western Australia. Hon Frank Hough has been part of a historic deliberation

Hon Jim Scott; Hon Frank Hough; Hon Louise Pratt; Hon Barry House; Hon Dr Chrissy Sharp; Mr Tom Stephens; Chairman

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on that issue, which has secured multi-party support. I hope that is the end of the issue. On the issue of new pools, it is interesting to note that no group has lobbied against that report.

Hon Simon O'Brien: Go home and look in your own shaving mirror and try to convince yourself, because you are not fooling anyone else. You are just fooling yourself.

Hon TOM STEPHENS: No lobby group has argued against committee recommendation 3. I am appreciative of that.

Hon Simon O'Brien: That is because you have set a date of December 2006. If this measure were so important, you would bring it in long before then. What you are doing is making sure that you will not be the minister and your Government probably will not be the Government that will have to wear this.

The CHAIRMAN: Order, Hon Simon O'Brien!

Hon Simon O'Brien: In the meantime, you are appeasing the Fiona Stanleys of the world, and that is as far as you can look.

The CHAIRMAN: Order! Firstly, I indicate to Hon Simon O'Brien that I was trying to attract his attention to tell him that he was interjecting too much. Secondly, I indicate to the House that it is one o'clock. Before I leave the Chair, I indicate that five minutes remain in this debate. Therefore, it will be continued when the House resumes at two o'clock. That information is for the benefit of members.

*Sitting suspended from 1.00 to 2.00 pm*

Hon TOM STEPHENS: I will conclude my response to the report by rearticulating my appreciation of the work that was put into producing it. The work has been of substantial value. The recommendations will see the technical committee taking up the themes that have been identified for it by the standing committee. I particularly welcome the multi-party support expressed in the report for barrier fencing arrangements to be put in place for all pre-1992 pools. This is of great significance to Western Australia, and I hope the members of this committee will continue to earn the respect and high regard of the wider community for what they have done on that issue. It is a difficult issue, but it deserves that multi-party support.

The statistics for the drowning of young children in home swimming pools would have been much worse but for the fact that swimming pools proliferate throughout the community with the result that swimming skills amongst youngsters are dramatically lifting. Focus on home pools should not be critical of them as a recreational facility. They are significantly lifting the swimming skills of youngsters all over the State. Steps should not be taken that make home pools too difficult to install. The requirement for isolation fencing adds an extra burden that some people may find too onerous for their own situation, and that is a problem.

The regulations that I put in place dealing with new swimming pools provide for exemptions to be applied for, but they have been rarely granted so far by any local council. Only one has been drawn to my attention. The technical committee that will take up the work recommended in this report has the opportunity of working on what would be the parameters inside which an exemption should be granted - for example, for a small block - or in what set of circumstances an exemption would be legitimately applied for and granted. It would be a dreadful mistake if an isolation fence were to be erected right at the edge of a pool, because it could effectively increase the risk of drowning. If the only option for a new pool is to have the fence right at the edge of the pool, it may be a set of circumstances in which exemption should be automatically granted. However, this would only be done on the advice of a technical committee working through those issues.

As members have said, these are difficult issues. I am not for one moment suggesting that the final word has yet been had on this question, but a very useful report has been delivered. There are some very disappointed players, including committee members and people from the swimming pool industry, but I focus their attention on the technical committee and the chance to ensure that the application of these regulations is done with minimum disruption to the community.

Debate interrupted, pursuant to standing orders.