

## Legislative Council

Wednesday, 28 September 2011

**THE PRESIDENT (Hon Barry House)** took the chair at 2.00 pm, and read prayers.

### FISH RESOURCES MANAGEMENT AMENDMENT BILL 2011

*Returned*

Bill returned from the Assembly without amendment.

### HORIZONTAL FALLS

*Petition*

**HON GIZ WATSON (North Metropolitan)** [2.02 pm]: I present a petition containing 326 signatures couched in the following terms —

To the President and Members of the Legislative Council of the Parliament of Western Australia assembled.

We, the undersigned residents of Western Australia ask that the Legislative Council alert the state government to the detrimental effect of proposed copper mining activities on the site on the Kimberley coast known as The Horizontal Falls.

This world class feature and natural phenomenon, a place of special significance to the people of the Kimberley is an attraction to overseas visitors that generates millions of dollars worth of tourism income to the Nation. Any such mining in the area will destroy one of the major tourist draw cards to the region and Australia.

We the undersigned object strongly to any mining in this area and ask that the Legislative Council do all in its power to prevent visual and environmental harm to this wonder of the world.

And your petitioners as in duty bound, will ever pray.

[See paper 3897.]

### PAPERS TABLED

Papers were tabled and ordered to lie upon the table of the house.

### SELECT COMMITTEE OF PRIVILEGE

*Motion*

**HON ADELE FARINA (South West)** [2.07 pm] — without notice: Pursuant to standing order 155, I move —

That a select committee be appointed to inquire into a breach of parliamentary privilege by Hon Helen Morton on 21 September 2011.

The breach being that on 21 September 2011, Hon Helen Morton misled the house in her answer to question without notice 790. Question without notice 790 comprised four parts. In answer to parts (3) and (4), Hon Helen Morton said, and I quote from the corrected *Hansard* dated 21 September 2011 —

These questions need to be addressed to the Minister for Mental Health. However, I am aware that I have already provided that information to the member, and I ask her to look at answer 714.

Parts (3) and (4) of question without notice 790 do not form part of question without notice 714, and no answer to these parts was provided by the minister's answer to question without notice 714—a fact the minister knew or ought to have known when she gave her answer to question without notice 790. Further, the minister has failed to correct the record despite having had the opportunity to do so.

I table the following relevant documents: *Hansard* of 6 September, question without notice 714, and the minister's answer; *Hansard* of 21 September 2011, question without notice 790, and the minister's answer; and question without notice 790 and the answer as provided by the Minister for Health and distributed at that time. I table the relevant documents.

[See paper 3898.]

**THE PRESIDENT:** Standing Order 155 states that the member can speak succinctly to the motion if she wishes, and for no more than 10 minutes.

**Hon ADELE FARINA:** Thank you, Mr President, but I have said everything that I need to say.

**THE PRESIDENT:** Okay. Standing Order 155 also states —

- (3) At the conclusion of the Member's speech the matter is adjourned without question put.
- (4) At the next sitting, and despite any other rule or order, the order of the day for further consideration of the matter is to be taken immediately after Prayers at which time the President shall rule whether the matter is one affecting the privileges of the House under the *Parliamentary Privileges Act 1891*.

Debate adjourned, pursuant to standing orders.

### **HOUSEHOLD CHARGES — BARNETT–GRYLLS GOVERNMENT**

*Motion, as Amended*

Resumed from 21 September on the following motion, as amended, moved by Hon Ken Travers —

That this house condemns the Barnett–Grylls government for the savage increases in household fees and charges and the abolition of assistance payments to families such as the \$400 It Pays to Learn allowance, which has resulted in families being up to \$1 700 worse off. We note that the savage 57 per cent increase in electricity and 46 per cent increase in water charges over two years has resulted in an increase in the dividends the state government is receiving from the power and water utilities. We say enough is enough and call on the Barnett–Grylls government to keep future increases to below the rate of inflation.

**HON ROBYN McSWEENEY (South West — Minister for Child Protection)** [2.11 pm]: When I last spoke on this motion, I reminded the opposition about the \$80 million that we have provided for energy rebates, concessions and hardship assistance in 2011–12. I also mentioned how we have provided a further \$6 million for the hardship utility grant scheme, taking the total funding to \$10 million. I talked also about the cost-of-living rebate, and about how we made an election commitment that when we came into government, we would provide our Seniors Card holders with this rebate. We have increased the cost-of-living rebate for singles from \$104.80 to \$150, and for couples from \$157.22 to \$225. I do not know of any other state that provides a cost-of-living rebate for its seniors. Certainly the Labor Government when in power never did anything such as that.

I talked also about the Seniors Card and said that in Western Australia it is indeed a very generous scheme. When we came into government, we said that we would review the Seniors Card scheme. We knew that it had been reviewed by Labor in 2003 and 2006, and it was just too difficult for Labor to do anything about it. When we came to do the review, we realised the difficulty of trying to work out how to increase the benefits for Western Australian seniors from the Seniors Card. What we came up with I think is a very generous and well-accepted scheme. Instead of saying that to be eligible for the Seniors Card, a person must be aged 60 and work for no more than 20 hours a week, we decided that a person must be aged 60 and work for no more than 25 hours a week, and that that can be flexible over a 12-month period. That means that a person can work 1 300 hours, or up to six months, at a time, or can work two, three or four days a week, or whenever people want to work, because we want the scheme to be flexible for our seniors. We have achieved that, and more seniors are now eligible to apply for that card. Of course, once seniors have a Seniors Card, they can get up to \$1 200 worth of benefits from that card.

We have also provided a further \$26 million for seniors, from royalties for regions funding, in the form of the Country Age Pension Fuel Card. That card has been provided to over 43 000 eligible seniors, and it entitles them to \$500 a year to help pay for the cost of their petrol, or for taxis. This is an exceptional program for country people and it has been extremely well received. When we live in the regions, we know that transport is very difficult, and transport for seniors can be even more difficult. Therefore, that card is a real bonus for seniors. The card does not need to be used for their car. Seniors can use the card to buy petrol for a relative's car if they need to go shopping or they need to travel.

We also give our seniors free travel on buses—not at peak times, but at off-peak times. We have also extended that more than what the previous Labor government was going to do—although I do not think it ever brought in free public transport; we were the ones to do that.

Not only do seniors get the benefits from the Seniors Card, but last year we brought in a rebate for our seniors of up to \$200 for security devices, and of up to \$200 for fire security. That has been very well received. That means that if seniors need to install a residual current device, they can get \$200 off the cost of that, or if they need to get some sort of security device, they can use the rebate for that.

I have made mention of the cost-of-living rebate. In 2011, we paid out \$254 464 for that rebate, and in 2010, we paid out \$245 372 for that rebate. The cost of paying that rebate so far this year has been \$33 784 125.

So I certainly do not agree with the motion that is in front of us. I have a great understanding that people are having trouble paying their utility bills. We have put some \$80 million into the hardship utility grant scheme. We

have also streamlined that scheme. People can now access the HUG scheme not once, but twice, if they are in grave hardship. The grant is \$475 for people in the south of the state, and well over \$790 for people who live north of Carnarvon. So, if people can show that they are in grave hardship or their circumstances have changed, they can apply for that assistance not just once, but twice.

A total of 316 000 Western Australians benefit from our Seniors Card. The reason I am talking about our seniors is that they are getting a very good package from our state government. They will say that themselves. They absolutely love the Seniors Card and they are very grateful for the benefits that they can get through that card. They realise that our Seniors Card scheme is the most generous in Australia.

**HON SUE ELLERY (South Metropolitan — Leader of the Opposition)** [2.19 pm]: I welcome the opportunity to speak on the motion before the house today. On Monday this week the minister and I attended a financial counsellors' conference. It was an interesting conference of the people at the front line of those who are in financial crisis. The financial counsellors' association newsletter—of which I do not have a copy with me but which I am fairly sure came out in May or at the beginning of June—indicated that about 50 Western Australian households a day now need help to pay their utility bills. That was the figure for the month of May. That is an extraordinary number. It is also the case now that the figures from the Australian Bureau of Statistics and from the National Centre for Social and Economic Modelling show that the gap between the richest households and the poorest households in WA is getting much bigger, with the wealthiest households earning around \$250 000 a year and the poorest around \$19 000 a year. Our wealthiest here in WA are now the richest in the nation, and the poorest in WA are going backwards; they have dropped by about \$3 a week according to those ABS figures of only a couple of weeks ago. If we add up the increases in key government charges imposed and subtract the allowances removed by the government—I was interested to note that the minister did not touch on the allowances that have been removed—we can see that household costs have gone up by about \$1 700 a year.

Another interesting point to note is that West Australian Opinion Polls conducted some polling in four marginal seats in June 2010, which found that 44 per cent of voters polled described themselves as financially worse off than they had been in the previous 12 months. Move on another 12 months and in July this year 56 per cent of that same group described themselves as financially worse off than they had been the previous year. Interestingly, those four metropolitan seats were Riverton, Mount Lawley, Wanneroo and Forrestfield. It is interesting to note that there is a pretty diverse range of incomes in those households, if we think about Mount Lawley versus Forrestfield, for example. If that polling had been done in areas where there is an even higher density of low-income households, those figures would have been even higher. People are really feeling that they are financially worse off and the demand, therefore, for services such as those provided by the financial counsellors that the minister and I spoke to on Monday is increasing.

I welcome the additional funding that the government has allocated to financial counsellors. However, depending on where people live, there remains a waitlist of people to get into financial counselling services, and there is no doubt that the demand for those services is on the increase. One interesting thing that financial counsellors also say is that many clients they deal with are what might be described as “frequent flyers”. I do not mean that in a disrespectful way. Many clients they deal with are in that cohort of people who have very complicated, messy lives and all sorts of factors that lead to poor planning and poor decision making. However, increasingly, those needing assistance to pay their bills are not those who are incapable of managing their financial affairs; there is just not enough cash coming into their households to pay their bills. Financial counsellors have noted, as has the Western Australian Council of Social Service in one document I will refer to in a minute, that an increasing number of people who have never had to seek that kind of service before are seeking it now.

I want to remind members of the terms of the motion. It refers to the savage increases in household fees and charges, which I will touch on in a minute, and also to the abolition of assistance payments to families such as the It Pays to Learn allowance and others that were available before this government came into power. I initially hesitated to stand and speak to this motion because I hoped that someone from the government—maybe someone else will—would stand and justify why those allowances are no longer available to people. I did note the minister's comments on three allowances: the hardship utility grant scheme, which I will talk about; financial counselling, which I have touched on; and the seniors' allowance. It is the case that the WA Seniors Card, an initiative of the Labor government from more than 20 years ago now, has been and remains the most generous allowance in Australia. It is important that we provide assistance to those people on fixed incomes; that includes many seniors on a pension and self-funded retirees. They do not have the capacity to do a couple of extra shifts a fortnight or a month to pick up extra money. They have limited, if any, flexibility in their income, and it is important that we put in place measures to assist them. However, families are more than just seniors. Indeed, it is families across the board who are struggling with their household fees and charges. That is why the motion very deliberately uses the word “families” and refers to one of the financial benefits that were removed by this government that assisted those families who still have children at school.

If we add up the increases in key government charges under this government that have been made to the motor vehicle licence fee; recording fees; the driver's licence fee; utility charges for electricity, water, sewerage and drainage; public transport; the emergency services levy; stamp duty; general insurance and the like, it comes to about \$1 073. If we add up the abandoned subsidies, such as the It Pays to Learn allowance of \$400 and the secondary-school subsidy of \$200, it comes to about \$600. If we add to those new charges such as the landfill levy increase, fee increases for boat registrations and admission fees to Rottnest Island, national parks and Perth Zoo, it comes to a figure of \$1 725.52; that is, families are worse off by that amount under this government. That is a significant impost. There is no doubt that when people are asked what it is that they are feeling most keenly, they say that it is the steep increases in utility charges. The number of those increases over the first three years of this government has caused people to struggle significantly to make their budgets add up.

In May this year WACOSS issued its information sheet on utility price rises for 2006–2011, which stated —

For low income and vulnerable Western Australians, the cost to access essential services such as electricity, water and gas, consumes a high, disproportionate percentage of their income. As a consequence, many are unable to pay utility bills on time and without additional assistance, end up in debt or, in the worst cases disconnected from an essential service.

That is what HUGS is directed to ensure: that those people do not get disconnected from an essential service. WACOSS goes on —

It has also become evident that many middle income individuals and families are struggling with utility bills, which places increased pressure on community service organisations that are geared towards those on lower incomes.

WACOSS policy is guided by the recognition that electricity, water and gas are essential services for an acceptable standard of living in the WA community. Access to these essential services is the right of all Western Australians, regardless of a household's capacity to pay.

In that document, WACOSS sets out the price utility increases that end up in the increases that I just referred to.

At the same time that the government has tweaked and continues to tweak the hardship utility grant scheme—I still think that more needs to be done to tweak HUGS—the number of people who have had their power disconnected for non-payment of bills has skyrocketed. That is a matter of some concern. I think that it will always be the case that a program such as HUGS will not capture everyone. I think some of that is, in part, perhaps because of marketing, but it is also the case that for some people it is a question of pride about whether they ask for assistance. That is particularly the case with seniors, for example, who would rather cut the cloth than ask for assistance and who would certainly never not pay a bill on time. They will pay their bill on time; they will not eat meat or will turn off their air conditioning or will not turn on their heating, rather than not pay their bill. For families with children who are struggling to meet all the increases in household costs, it becomes much harder if they are not engaged in a scheme such as HUGS to provide them with assistance. I think that we still need to think about what we do. Coming up with programs that assist after the effect, I think, is not the only answer. We asked the government to consider a moratorium on price increases in this budget and it needs to consider that for the next budget as well. I know that the government has already ruled that out, but people are really hurting in seats such as Mount Lawley, which is perhaps not where we might expect the greatest pain to be felt.

At the beginning of my comments I made reference to, if we like, the gap between the richest and the poorest in Western Australia. The reason I did that is that recently, probably a month ago, I, with several other members—I think Hon Philip Gardiner was the only other member from the Legislative Council—attended the MercyCare Oration, which is an annual event that MercyCare hosts with a prominent speaker to address topical social issues of the day. This year's presentation was by Father Frank Brennan, who is well known to people as a commentator on a range of matters and somebody who is engaged in policy development and policy work. The theme of his presentation was specifically about health care and the social implications of what happens when we have uneven delivery of health care. He was talking to the organisation that runs aged-care services and Mercy Hospital, so his pitch was about that. He raised some really interesting questions for a faith-based organisation. For example, he raised that MercyCare and St John of God, for example, run fantastic private hospitals around Australia. They do not have emergency departments and are run by charging fees to people who have health insurance. He posed the question in the gentlest of ways about how that sits in the faith parameters of those organisations: how is it that organisations that are committed to helping the poorest and those most unable to help themselves actually run health services that those people cannot get in the front door of? That was an interesting question to put to them. I have to say, just as an aside, that there were many people in attendance who hold positions in the Catholic Church; there were many nuns and former nuns. Good Catholic girl that I am—12 years in Catholic school—I felt very nervous as I walked in because I immediately assumed that they knew everything that I had done and that I should have been confessing, so I felt slightly uncomfortable the whole evening. However, I have to say that they certainly made me feel very welcome and it was a very good oration.

**Hon Ken Travers:** Confess now.

**Hon SUE ELLERY:** I am not confessing, no; I stopped doing that a long time ago. I feel guilty, but I do not confess.

Anyway, Frank Brennan made a point that has been made by many others; that is, the size of the gap in any community is a measure of a range of other social factors. He relied on some work that had been done, first, by the World Health Organization and, secondly, by the UK government—the Labour government started the work and it was picked up by the Conservative–Liberal Democrat coalition government—that was conducted by Sir Michael Marmot. The work Sir Michael Marmot did for the World Health Organization and for both UK governments really measured and set out in quite stark detail that for those communities in which there is the biggest gap between the richest and the poorest, we can take any other measure of social wellbeing and the bigger the gap, the worse those measurements will be. Some members might ask why I would raise that issue in the context of a debate about fees and charges imposed by a state government. I raise it because although the fees and charges imposed by a state government are not the only things that are impacting on families in Western Australia—all sorts of things are impacting on families in Western Australia—it is certainly the case that levers are available to a state government to touch on some of the most important areas in which we have the capacity to influence the outcomes for people where the gap is so big. Therefore, it is the case that a state government is able to pull the policy levers for education. It is the case that a state government is able to pull the policy levers for an early intervention program for early childhood issues. It is within the capacity of state government to deliver that. It is within the realm of the state government to deliver a health system through our public hospitals. It is within the realm of state government to influence and deliver community housing and public housing. It is within the realm of state government to pull and push the levers for household utility costs. It is within the realm of state government to pull and push the levers for public transport. All those things that go to determining whether there is an equitable community, and the extent of that gap, are within the capacity of a state government to influence.

One of the things that Frank Brennan referred to, which has been referred to before in this house by Hon Linda Savage and perhaps others as well, is the work done by Richard Wilkinson and Kate Pickett in their book *The Spirit Level: Why More Equal Societies Almost Always Do Better*. When they refer to more equal societies, they are talking about the gap. When that gap is small, communities do better on all the measures of health and social outcomes. When the gap is large, those communities do worse. The relevance of that to this debate is that the state government has the capacity to push and pull levers that affect the equality or otherwise of households in Western Australia. If the government continues down the path of utility increases that it has to date, it will create a more unequal society and we will all pay the price for that. I was looking at some stuff about housing that the Council on the Ageing circulated I think today or maybe yesterday. The minister and I also met separately, probably a fortnight or maybe a week ago, with National Seniors Australia when its national person was over. I met with Michael O'Neill and the association's Western Australian policy person, but I am not sure whether the minister met with others. The two issues they said were critical to them were the impact of household fees and charges, and housing. Interestingly, COTA yesterday distributed material from the Australians for Affordable Housing organisation. It has measured housing affordability state by state, and it said about Western Australia that housing costs had increased by 64 per cent over the past six years and that it now takes 7.1 times the average annual income to afford the median house price. They are stark numbers. Through the work it does to encourage low-cost development and support community housing and a better public housing system, the state is actually able to affect those outcomes.

The other point I wanted to make is about the work referred to by Frank Brennan and Michael Marmot and in *The Spirit Level*, about income differences within rich societies, and that is generally what Western Australia would be described as. People can read this information for themselves, but it makes the point that health is related to income differences within rich societies, but not to those between them. It says that health and social problems are worse in more unequal countries. We have already heard it said that, in Western Australia, the gap between the richest and the poorest is growing. On the measures of life expectancy, maths and literacy, infant mortality, homicides, imprisonment, teenage births, trust, mental illness and social mobility, child wellbeing is better in more equal, rich communities. Child wellbeing is unrelated to average incomes in rich countries, so it is not about the average income; it is about the gap.

The prevalence of mental illness is higher in more unequal rich countries, and drug use is more common in more unequal countries. Life expectancy is longer in more equal rich countries; infant mortality rates are higher in more unequal countries. Educational scores are higher in more equal rich countries. Homicide rates are higher in more unequal rich countries. There are more indices, which I did not print off today, that show that more equal societies always do better, which is why this motion is before the house today, because it is getting worse for Western Australians. The gap is getting bigger and the government needs to stop and take note of the impact that all its levers—particularly, in this case, the levers in respect of household utility charges—are having on ordinary Western Australians.

The minister outlined the range of measures that are in place to assist seniors. Those are terribly important; I do not take anything away from the government in introducing those, but it is not just seniors who are impacted by this, it is ordinary families. Ordinary families living in electorates as diverse as Riverton, Forrestfield, Wanneroo and Mount Lawley are struggling now. Whether that translates into how they vote politically remains to be seen, but those families are under real pressure, and this government needs to do more than what it is doing to address those issues.

I will conclude my comments there, but I look forward to hearing from the government not only about what it is putting in place to assist people, but also why it took away, for example, those two educational allowances.

**HON PETER COLLIER (North Metropolitan — Minister for Energy)** [2.43 pm]: I will respond to a couple of the points that have been raised so far by members opposite and reiterate that the Liberal Party will not be supporting this motion. I would like to put this motion into a little context in my area of utilities, which is the electricity price increases, and why there was the necessity to have such significant electricity price increases. I can assure members that I am extremely mindful of the impact that electricity price increases are having on the community, particularly those who are not necessarily eligible for the hardship utility grant scheme, single-income families and families are literally on struggle street on a day-to-day basis. An increase in electricity charges of around 57 per cent over the past three years has had an impact on their households. I will talk about the necessity for those increases and the ways in which we are trying to assist those families to cope with those increases. The decision to increase electricity prices was not taken lightly. I was pretty much responsible as Minister for Energy, so it rests on my shoulders. It was, finally, a government decision, but I am the Minister for Energy, so responsibility rests with me.

To put this into a little context, when we came into office, I was faced with the very real prospect of having to write out cheques for billions of dollars in the short to medium term to literally bail out our electricity corporations and ensure that they kept operating; that is the long and short of it. That is where we are at. We could have done that, or we could have moved to a user-pays system, whereby Western Australians actually paid for their electricity. We had had only one increase in Western Australian electricity prices since 1992; that was in 1997 and was a very nominal increase. For the entire duration of the previous government, there were no increases at all. That was at a time when we were essentially in a period of boom. If there ever was an occasion when we needed to have electricity price increases to keep pace with the cost of the generation of electricity, it was during those years. They need not have been exorbitant increases; they could have been quite modest increases—perhaps the consumer price index plus 1.5 per cent. If we had gone down that path, we would have been pretty much at the rate we are at now. I will get on to where we are at now in comparison with other jurisdictions in a moment.

The simple fact of the matter is that we are faced with a situation in which we are still not paying for our electricity. We are still around 30 per cent off cost-reflective levels of supplying electricity, and we have to pay for that generation. Whether that will be through another serious hike in electricity prices, or through the government, on behalf of Western Australian taxpayers, writing out cheques to the tune of billions of dollars is a decision we will have to make. We have made the decision to slow down the process and we are very cognisant of the fact that those increases are having an impact on Western Australian householders across the board.

In respect of prices, I will talk about the recommendations that were provided to me just after I became Minister for Energy. At that time it was evident we were faced with an almighty dilemma. In September 2008, we were well off cost-reflective tariffs. A couple of years previously, the previous lone electricity entity, Western Power, had been disaggregated into four entities: Horizon Power to look after the regions, Verve Energy to look after generation, Western Power to look after the poles and wires, and Synergy to look after the retail component. It caused a lot of consternation in the community at the time; a number of members of the community and people in politics agreed with it, and a number did not agree with it, including the current Premier. The Liberal Party decided to go down the path of agreeing with the previous government on the assumption that it would bring down electricity prices. We had been told consistently by the two previous energy ministers, Hon Alan Carpenter and Hon Eric Ripper, that if we went down that path and agreed with the then government, we would have cheaper electricity prices. To reinforce that, I will read from the *Hansard* of 4 December 2002, in which the then Minister for Energy, Hon Eric Ripper, stated —

These reforms will deliver substantial and sustainable benefits to Western Australian consumers and the economy, through greater competition and lower electricity prices.

Hon Eric Ripper also stated in Parliament on Tuesday, 25 November 2003 —

... in other words, compared with what would happen if we were to stay with the status quo—electricity prices will fall by 8.5 per cent by 2010.

Members opposite must remember these quotes because they have come back to bite them. The then Minister for Energy, Hon Alan Carpenter, said in June 2005 —

... especially because we are going through a reform process that we anticipate and postulate will lead to lower electricity prices and the introduction of competition.

The Office of Energy website stated in October 2003 that the prospect for the longer term was for more competition, greater choice and cheaper power. We, as the then opposition, relented and agreed with, or supported, the disaggregation process in 2006 on the pretext that the disaggregation process would lead to lower electricity prices. In April 2008, the then Minister for State Development, Hon Eric Ripper, and Hon Alan Carpenter were provided with the first draft report on electricity price increases. The report would have been a revelation to the government because it showed that, since disaggregation, not only had there not been a reduction in electricity prices, but also the recommendations for electricity price increases were quite substantial. The recommendations were for an increase in electricity tariffs of 47 per cent in 2010 followed by a 15 per cent increase in 2010–11 and a two per cent increase in 2011–12. That put paid to the notion that the disaggregation process would reduce electricity prices; it was quite the contrary. In April 2008, the then Premier stated that the government would not go down that path. He said that there would be a 10 per cent increase in April 2009 and that the government would allocate \$780 million for a bailout of Verve Energy, which was haemorrhaging and running at an enormous loss. Coincidentally, of course, that would have meant a further freeze in electricity prices for another 12 months until after the state election. A cynic would suggest that is why that decision was made, and I would agree; that is exactly why the decision was made.

The then government promised that the disaggregation process would lead to lower electricity prices. In fact, the government had to face the prospect of telling the taxpayers that electricity prices would increase by around 50 per cent the very next year and that the price of electricity still would not be close to being cost-reflective. A lot of water went under the bridge over the following 12 months and there was a change of government. In January 2009, I received the final tariff recommendations from the Western Australian Office of Energy. I have to say that that was not a very pleasant day. Those recommendations were for a 59 per cent increase in electricity prices in 2009–10, a 23 per cent increase in 2010–11 and an 11 per cent increase in 2011–12. That is a 117 per cent cumulative increase over those three years. The reason for the shift from the draft policy in April 2008 to the final policy in 2009 was the access agreement—the increasing costs of the poles and wires. The government had to contemplate the prospect of telling Western Australians that we would increase their electricity prices by 117 per cent within the next three years to get to a user-pays system whereby Western Australian householders would pay for the cost of their electricity. That was unpalatable to the Premier and me.

I chatted with the Premier in his electorate office and we decided at that stage that we would initially increase electricity prices by 10 per cent on 1 April 2009 and by a further 15 per cent on 1 July 2010. That is a cumulative increase of 26.5 per cent in the first 12 months. Even after having done that we were faced with the prospect of still having to pay a massive payout to Verve Energy. That money could have been spent in other areas of service delivery to the community. We are still paying hundreds upon hundreds of millions of dollars to pay for the difference between the cost of generating, distributing and retailing electricity and what is recouped in tariffs. This government was slammed by the opposition for doing that. The shadow Minister for Energy said that the opposition would introduce a 10 per cent increase in 10 per cent increments while Hon Eric Ripper, the Leader of the Opposition, said that the Labor Party would introduce an increase of 10 per cent for the first year and then a minimum increase of 10 per cent beyond that. There was some contradiction in what the opposition stood for. Either way, it would have led to significant increases in debt levels for the government. In fact, if we had gone down the 10 per cent road, that would have meant another \$6 billion bailout until 2020 and we still would not be close to cost-reflective tariffs. It is as simple as that. This was a huge dilemma for any energy minister, including me, and it was not a decision that the government took lightly. I am very aware of the impact the increase in electricity prices is having on Western Australian householders.

**Hon Ken Travers:** Is it a bailout or is it a subsidy for electricity prices in regional Western Australia?

**Hon PETER COLLIER:** No, that is the TEC, the tariff equalisation contribution. That is a separate issue altogether. As I said, this is a bailout. The TEC is just one component of it. We are recouping the cost of generating, retailing and distributing electricity, as opposed to what we recoup.

I established increases on 1 April 2009 and 1 July 2009. We then increased the price by a further 7.5 per cent on 1 April last year and then another 10 per cent. Again, I am extremely aware of the impact this is having on the community; it really is biting. The government has to ascertain how it can best assist Western Australian householders, firstly, to cope with the electricity price increases and, secondly, to reduce their electricity consumption. The dual purpose of those two roles is very significant. We have to assist those who are the least able to pay, in particular. I will not go through that again because Hon Robyn McSweeney has been through exactly what we have done. This year we are contributing close to \$80 million in hardship assistance. We cannot label all Western Australian householders as being in hardship, but a significant number of Western Australian householders are struggling. My parents are pensioners. Day in and day out they tell me about the impact this is having on them and their friends. Hon Kate Doust is on urgent parliamentary business and is very well aware of

the Boulder united group that meets every Monday. It has about 80 members, many of whom use walking frames and are aged in their 80s and 90s. They go there every week and get into my parents ears to explain to them the impact that the increase in electricity prices is having.

**Hon Ljiljana Ravlich:** How do you respond?

**Hon PETER COLLIER:** Give me a go. I will go through it. I certainly was not born with a silver spoon in my mouth.

**Hon Ken Travers:** So how did it get there then?

**Hon PETER COLLIER:** That is not very nice. I am painting a picture that there is a mindset on the part of the opposition that the government does not care and believes that we are making these flippant decisions that have come out of left field. We do care about the impact it is having. I, personally, do care. As I said, I hear about it ad infinitum from my friends, family and political colleagues on both sides of the chamber. However, the simple fact is that we had to do something. We could not continue to spend, as I keep saying, hundreds of millions and billions of taxpayers' dollars to bailout these corporations. We had to make the very difficult yet necessary decision to increase electricity prices over the last three years, which we have done. That has definitely had an impact, as I said. We have increased the hardship utility grant scheme quite significantly and we have improved a number of other areas to assist the community. In addition, I asked the Office of Energy to review the tariffs. The point of that was to make sure we had the most equitable and efficient tariff structure we could possibly have. A tiered tariff structure or an inclining block structure is used in some jurisdictions. That is very similar to what is used with water consumption. That means that the more we use, the more we pay. Water guzzlers pay more for excess water usage. It is the same for electricity. There has been this cultural attitude within Western Australia, prior to these increases, that because electricity is so cheap, conserving it does not really matter. We have a couple of plasma TVs, our computers and we have the lights on in every room. It is a cultural attitude throughout the community. We have more air conditioners per head of population in Western Australia than in any other jurisdiction in Australia. Around 92 per cent of Western Australians have air conditioning. I am not complaining about that. It is every householder's right to have air conditioning and those utilities et cetera, but we have to assist the community to reduce its electricity usage. That is one of our roles.

First of all, we have to look at the tariff structure to see whether it is the most equitable system, and we also have to assist the community. The review of the tariff structure has been completed. I have looked at the recommendations in the draft report, which I got several months ago; and, again, the final report. I have said this over and again: I am not convinced that a tiered tariff structure is necessarily going to assist those who are least able to pay—those we should assist more than anyone. As a government we will consider whether we will change the tariff structure, but we will only fiddle with the tariff structure if it is going to assist those who are least able to pay. I am not convinced at this stage, from what I seen—I have not been buoyed by what I have seen—that it will necessarily do that. That is one thing that the government has to do.

We also have to assist the community to reduce its electricity use. We do that for a number of reasons, of course. The number one reason is that it necessarily will reduce electricity bills. Secondly, it will lead to a much more sustainable energy future. In a global sense, we are moving into a much cleaner greener energy future. We are doing that. At the moment, the electricity consumption in Western Australia over the last 15 years in particular has gone through the roof. As I said, that was because all of the wrong messages were out there in the community that it is cheap to use electricity.

We have four energy corporations, and I am mindful of the fact that Synergy and Western Power were pretty much two different corporations with different messages. They were paying for advertising campaigns for electricity reduction et cetera with two different messages. I met with the boards and chairs of both corporations and said that we can work together on this and try to assist the community to reduce its electricity use. That is why we have the Switch the Future campaign; that is the chuditch running in the wheel making it go round and round—he is in the roof. The whole point is to get through, particularly to the younger members of the community, the need to be more prudent in our electricity use. Very similar campaigns have been very effectively used with the Waterwise campaign in the mid to late nineties, when water levels dropped. I have been through this before, but there was that message that we had plenty of water, so conserving it did not really matter, so people would turn their hoses on seven days a week when they did not need to. Then sprinkler use was restricted to two days a week and all hell broke lose and people thought that it would be the end of our gardens as we know them, and one thing and another. It did not happen. Our gardens are still alive. We have become much more water-efficient in our gardens through the use of native Australian plants, paving et cetera. As a direct result of that, householders got used to reducing their water usage. Western Australians like this; they have embraced this message. In the winter we have sprinkler bans right throughout the week. The Western Australian public has jumped on board. We need to do the same thing with electricity use. We need to assist householders to reduce their electricity use right across the board. As I said, it has a dual benefit: number one, it helps to reduce electricity prices; and number two, it works towards a much more sustainable energy future.

With all of that done, we are assisting the community again this year with \$80 million in hardship allowance; we are looking at restructuring the tariff system; and we are assisting in promoting that cultural shift to reduce electricity use. However, we are still faced with the prospect of a \$367 million bailout subsidy this year and \$1.1 billion over forward estimates. In anyone's language, they are big bucks. That is something that we need to consider.

Even with all of that, I get back to the fact that we have had significant increases in electricity prices over the last three years, and the government will continue to consider that. One of the biggest issues we have is that even with those increases—I mentioned this earlier—we are still not close to cost-reflective tariffs. On a national basis our electricity price is relatively cheap in comparative terms. I know that is cold comfort to Western Australian householders, but that is the fact of the matter. It is because we did not have increases for so long and we have had such negative increases over three years that it really has hit home to Western Australian householders. If we had had a much more responsible attitude to increasing tariffs over a sustained period, we would be at the same level or even higher, but Western Australian householders would have adjusted.

Let us look at the price of electricity across Australia. Perth ranks sixth out of eight of the capital cities. We pay 24.21c per kilowatt hour. The most expensive is Adelaide, where they pay 32.81c per kilowatt hour. Hobart pays 29.2c per kilowatt hour; Sydney, 25.92c per kilowatt hour; Melbourne, 25.65c per kilowatt hour; and Darwin 24.88c per kilowatt hour. The only two cities that are cheaper than Perth are Brisbane with 24.09c per kilowatt hour and Canberra with 19.1c per kilowatt hour. The national average is 25.75c per kilowatt hour. Western Australians pay 24.21c per kilowatt hour, which is cheaper than the national average. As far as states are concerned, again, we rank sixth out of eight. Western Australia pays 24.21c and South Australia pays the most followed by Tasmania, New South Wales, Victoria, Northern Territory; and then Queensland and the ACT are below us. The national average across all states is 26.5c per kilowatt hour and we pay 24.21c per kilowatt hour. That would be cold comfort to Western Australian householders, but the simple fact of the matter remains that we are not "Nigel No Friends" on this. What we have right across the nation, and right across the globe, is a situation in which the cost of electricity is skyrocketing. The cost of generation, transportation and fuel is skyrocketing. In Western Australia, because we have such a diverse state and a disparate elongated network, the costs are even higher. We have one of the largest aboveground isolated networks in the world in the south west interconnected system. That brings with it considerable additional cost. In addition to that, the transportation costs of fuel are exorbitant. The transportation of our primary fuel source—gas from the north west—is exorbitant, and the exposure it presents to Western Australia, as was never more in evidence than in the Varanus Island explosion in 2008, stands testament to the problems we have with costs in Western Australia; things are not going to get any easier.

At the moment we have added pressures. The next access agreement is up for consideration by the Economic Regulation Authority. I talked about that in the chamber a couple of weeks ago. That will add pressure, if it is accepted. Western Power is looking for an injection of close to \$9 billion for maintenance and upgrade of the network system. That comes at a cost. On top of that is the proposed carbon tax, which again will put added cost onto electricity prices. On top of that is added fuel costs. I can assure members that the price of gas is not coming down; it is going up. Wherever one goes, the cost of generating, retailing and distributing electricity continues to go up. That is the stark reality we are faced with. We can do it the way we have done it, which has had an impact on householders throughout Western Australia, or we can do it the way the Australian Labor Party wants it done. At the moment it wants to freeze electricity price increases. That would amount to \$3 billion over four years. As I said, that comes at a cost.

A number of members opposite who have sat in cabinet would know that when ministers go to the Economic and Expenditure Reform Committee, or the equivalent in their time, one has to fight tooth and nail to get every cent from government. Every time I want additional training places, every time I want additional funding for an Indigenous program, or every time Hon Robyn McSweeney wants something for child welfare or for mental health, or any other area, one has to fight tooth and nail for that funding. I have to say it is often not pleasant being energy minister when sitting around a cabinet table and knowing full well that I am responsible for a significant proportion of the funds that the government has to pay out. As I said, that is billions upon billions of dollars.

We have one of the safest networks in the world. We have a reliability rate of almost 100 per cent. We now have plenty of capacity—in fact excess capacity, but I will not get into that argument today; it is not relevant to the motion. We will not run out of electricity like we did in 2004. We have a very reliable and safe electricity system. Most Western Australians appreciate that. Energy is an interesting portfolio; it really is. It is certainly not a portfolio that receives too many accolades. On very few occasions do the public wake up in the morning, turn on their lights and think they will ring up my office or ring Western Power and thank us for having the lights on. When the lights go off, of course they are the first on the phone; I appreciate that. There is nothing worse than having your lights out at eight or nine at night or seven in the morning —

**Hon Ljiljanna Ravlich:** I think of you when I turn my light on!

**Hon PETER COLLIER:** Your light is on, is it?

**Hon Ljiljanna Ravlich:** First thing in the morning when I turn my light on, I think of you!

**Hon PETER COLLIER:** Is that right?

**Hon Ljiljanna Ravlich:** And then I want to go into darkness!

**Hon Robyn McSweeney:** Isn't that nice. I didn't know you liked him that much!

**Hon PETER COLLIER:** Thanks, Ljil. What was I saying? That just shocked me! Sorry, Mr Deputy President, I have gone weak at the knees!

I can assure members that one does not come into this business for the accolades. I will tell members a story. I have told this at a couple of forums. The Economic Regulation Authority reported on an energy issue about a month ago. I said to a senior journalist, "Mate, you guys have got to give a bit of positive ink to energy every now and again. I don't mind taking it on the chin, even when there are issues et cetera, but every now and again when we do something positive it would be nice if you could write something that is good in the energy sector." He said, "Mate, you're like the CIA—you're going to get judged on your failures!" There is a degree of truth in that in the energy sector. The energy sector is not one of those things that householders deem in any positive sense. Certainly, as far as this issue is concerned, it is not one of those issues that resonates positively in the electorate; I am very well aware of that. Whenever I go on talkback radio, whenever I am out in the community, this issue comes up reasonably regularly. The decision we had to make as a government two or three years ago was a difficult decision. I think, quite frankly, it was the right decision. We had to think in overall terms where we were going as a government. At the same time we had to be mindful of its impact on the community. We have injected tens of millions of additional money into assisting those least able to pay. We have looked at changing the tariff structure in Western Australia to become a much more equitable system. We are assisting the community to help reduce electricity usage. Having said that, we still have a long way to go. The government made the conscious decision this year to slow the process down. That is why we have had a five per cent increase this year. We have budgeted for a five per cent increase next year. That is a direct result of the fact we are aware of the impact these increases are having. At the same time we are also aware of the fact that if we do not have any increases at all, that has ramifications right across the community. Essentially, it means we will not have that money to spend in other areas.

As energy minister, they have not been easy decisions; they have been necessary decisions. I am aware of the impact these decisions are having on the community. To suggest otherwise is folly; it is not correct. As a government we are very aware of the impact they are having on the community. We will take all of those issues into consideration as we move into next year's budget. I have given a fairly good coverage of the energy sector including the reasons that we needed those electricity price increases. They have not been taken lightly. Those decisions have not been taken with a great degree of enthusiasm, but they have been necessary decisions. Having said all of that, the Liberal Party will not support this motion.

**HON LJILJANNA RAVLICH (East Metropolitan) [3.15 pm]:** I welcome the opportunity to make some comments in support of this motion. In doing so, I want to comment on the previous speaker's comments. I am amazed that the minister can make comments about being aware of the impact of increased utility charges on Western Australian householders. I have to say to the minister that it would appear to me that he has eminently sensible parents. They sound like really, really nice people. Those very, very nice people, who live in Kalgoorlie, are no doubt people who understand the impact of increased utility charges on their weekly household bill. They are like many, many other seniors in this state who are finding it very difficult to come up with the amounts of money that are required by the government in order to meet the cost of keeping themselves warm in winter and cooler in summer. We just heard an interesting response to the motion from the Minister for Energy. The only thing I got from that was that the minister defends a policy of full cost reflectivity. In doing so, the only thing that became very obvious is that this minister is simply not listening to the people of this state when they send him a very strong message that says: these cost imposts are hurting us, these cost imposts are not manageable for us, and these cost imposts are not sustainable. They may well be sustainable for the minister and for the government because cost reflectivity is all about making sure that the end user pays for the full cost of the product or the good or the service that they purchase. In this case it is utilities—power, water and gas. The only thing I got from the minister's response was that he does not care. He is not listening. If he cannot listen to his own mum and dad, who can he listen to? It is quite clear that what his parents are telling the minister is something that many Western Australians—I would say the vast majority of Western Australians—know and understand. We are in fairly difficult times. To move down to the position of full cost reflectivity given the current set of circumstances is naive to the extreme, as far as I am concerned. I say that because many people in the community are going through a very, very difficult time. The economy that we currently find ourselves in is an economy that many people describe as two-tiered. Other people describe it as patchy. We know that we are nowhere near that high level of economic activity that we saw in 2007 and 2008. We have certainly dipped from that. At the moment, we are faced with what many commentators describe as the second global financial crisis.

For anyone who has been following the events around the world, with the uncertainty in global financial markets, the impact of that on resource and other stocks, and the impact of that on discretionary spending by consumers, the only conclusion we can come to is that the only thing that we can be certain of is uncertainty. That is the only thing that we can be certain of. Nobody knows for how long this uncertainty will stay around. Some commentators would have us believe that it is something that we may get through in the next 12 or so months. Other commentators are saying that there are serious structural challenges in global international markets, namely in the United States, and many of the economies of Europe, and those challenges need to be dealt with.

Therefore, the impost of increased utility charges is coming at a particularly difficult time, given what is happening in global financial markets, given what is happening in our own domestic market, and given that there is so much uncertainty around. We do have some serious challenges here. We know that all this uncertainty is causing a reduction in aggregate demand in our local economy. Although people talk about the benefits of a strong mining sector, those benefits, unfortunately, are not shared equally by everybody within our community. The impact of that mining activity can be quite different for different people, depending on which sector of our local population we are talking about.

I want to quickly explore what is happening in the aggregate demand situation. When there is a huge demand for goods and services within the local economy, it means that people are spending. When people are spending, governments are usually also investing. If the demand for goods and services is increasing, people need to be gainfully employed in order to produce those goods and deliver those services that are required in the market, be it the domestic or the international market. However, in recent times, the aggregate level of activity within the domestic economy has been such that general consumption has been down, because households are concerned about their future, so instead of buying the next plasma television, or instead of booking a holiday to a local tourism destination, they are tending to keep the money in their pockets, because they are not certain whether this is the right time to go out and do those things. We know that the level of investment by both families and businesses is also on the decline. When we look at investment in property, for example, we see that consumer investment is down considerably. We only need to look at the local real estate market to know that there is some serious trouble there. That is a problem. Another example is investment in larger items. If we look at the figures for car sales, we see a significant reduction. If we look at investment by business, we see a major reduction. In fact, we see a situation in which many businesses are going to the wall. We only need to look at the small business sector, which is laying off staff; and the consequence of that is not positive.

We also see a reduction in government spending. This is reflected in the fact that as the level of confidence is reduced, governments are also less prepared to invest. It is fair to say that during the first tranche of global financial difficulty, the commonwealth government put an automatic stabiliser into the economy through the Building the Education Revolution and other programs. Those programs were designed, in a Keynesian way, to pump-prime the economy and keep a level of money circulating. As you would be aware, Mr Deputy President (Hon Matt Benson-Lidholm), from your experience as an economics teacher, government spending performs a very, very important function. However, Treasuries are the same throughout the world, and at a point they too can be at risk of running out of money. So, depending on what happens in the future in terms of the economic position that we find ourselves in, it will be interesting to see how the commonwealth government responds. But there is no doubt that there is a major challenge here.

I want to also quickly touch on the fact that a view is emerging that we are a resource state and that we are a major supplier to many economies throughout the world, but we have predominantly over time made sure that we have established a very strong trade relationship with China; therefore, we are very closely aligned with China and to that extent we are very much reliant on China. It is interesting to look at the announced slower rate of growth in China and the consequential impact of that on our stock market and on the level of confidence within our economy. I have to say that it is very, very important that we spread our risks. We need to spread our risks by making sure that we maintain a strong and healthy balance of all the activities within our economy that generate the economic wealth of this state. There is a danger in Western Australia that we may go too far by concentrating on the absolute and comparative advantage that we get from the resources that we have in this state. Although that may be okay over a short period, if we allow other industries to flounder or die, we will become a captive of the fortunes or misfortunes of other nations. Therefore, it is very important that we make sure that we have a vibrant, strong and diverse economic base, and one that is not overly reliant on mining and resource development.

I just quickly want to touch on employment. I have spoken at some length about the economic situation we find ourselves in. I have spoken at some length about making sure that we spread our risks in the industrial base of our economy to make sure that we are not overly reliant on the resources sector. Principally it is really important that we ensure that there is employment for the people in our community. I have expressed my concern in this place on previous occasions and put on the public record my belief that we are not getting enough jobs for Western Australians from Western Australian resources. That is an ongoing concern. I also believe that there is

under-employment in many sectors. Certainly our level of youth unemployment, which in some places—such as in pockets of the south east metropolitan region—exceeds 21 per cent, is a major cause for concern. If people are not working and not earning an income, it becomes incredibly difficult then for them to have the money to pay their bills. That applies equally, whether it be their food bill, their utility bill or their rent; all these bills by and large need to be paid.

I want to quickly touch on a very interesting report released recently that refers to the mining industry and some of the challenges of our economy relying on the mining industry—or perhaps the challenges of it not overly relying on the mining industry. The paper put out by The Australia Institute under the banner “Research that matters.” is called “Mining the truth: The rhetoric and reality of the commodities boom”, has a subheading “Institute Paper No. 7”, was released in September 2011 and was written by David Richardson and Richard Denniss. At page 56 it states —

**So who really benefits from the mining boom?**

The mining boom has created new jobs in mining, higher wages for those who have remained in the mining industry, very high dividends and share price gains for shareholders and a range of spill-over benefits, such as increasing upstream and downstream jobs.

However, just as rising house prices in Perth are good for those who already own a home and bad for those hoping to buy one (and particularly so for those who don’t work in the mining industry), so too the ‘benefits’ of the mining industry are a mixed blessing for the economy overall.

Strong world demand for Australia’s minerals has driven up the exchange rate which, in turn, has reduced world demand for our manufactured and agricultural goods as well as for our tourism and education export services.

We only need look at the state of the WA tourism industry, which I have to say is in very, very poor shape indeed. In fact, it seems to me that the hottest ticket in town at the moment—I do not know how many tourists or international tourists it is attracting—is the Perth Fashion Festival. I do not believe that there is any doubt that that will not bring many international tourists to Western Australia. We know the argument that our steel manufacturers and people in the steel industry are finding it harder to compete in the international marketplace because of the exchange rate. It is the mining industry that drives up the exchange rate, but it is actually the industry sectors that feel the full impact of their inability to compete in the global marketplace.

The paper goes on —

The booming Western Australian economy has helped keep unemployment low, but the boom has meant that the RBA increased interest rates in order to ‘make room’ for the boom by slowing growth in other sectors. The costs of this policy have been borne largely by those with large mortgages, typically young families.

The former Secretary of the Treasury, Ken Henry, suggested that Australians would enjoy the benefits of the boom by way of cheaper import prices. However, for the millions of Australians whose income is indexed to inflation an increase in the exchange rate simply means that they can buy the same bundle of goods and services before and after the boom. Flat panel TVs may have become relatively cheaper, but such a reduction in price means that pensions and other government benefits will not rise as fast as they otherwise would have. For cheaper import prices to improve anyone’s living standards there would have to be a commensurate *real* increase in their incomes.

Often that is not the case. The paper continues —

The main sources of household income in Australia are wages and government income support payments. If wage earners were to benefit from the mining boom there would have to be a jump in real wages compared with what workers would have otherwise earned. Unfortunately, there is no evidence that this has occurred.

I want to quickly run through the scenarios that are painted in this paper. I am sure the paper is based on sound research, but it refers to the people who benefit and the people who lose out. It goes on —

In summary

**Mining workers** have of course experienced the direct effect of the mining boom as have some of the firms and their workers that have experienced the ripple effects of the mining boom.

**Ordinary wage and salary earners** have seen no boom in the rate of growth in their real wages.

**Pensioners** receive indexed pensions and, by definition, indexed payments do not increase in real terms so there is no extra benefit for pensioners. (The exception was the \$30 a week increase in the 2009–10 budget as part of the government’s response to the global financial crisis.)

**Hon Robyn McSweeney:** They just got another \$19, I think.

**Hon LJILJANNA RAVLICH:** Yes. The paper continues —

**Homeowners** are forced to pay higher interest rates across the board as the Reserve Bank seeks to control overheating which is actually concentrated largely in the resource-intensive regions of Australia.

**Shareholders** have experienced increases in the value of resource stocks and reductions in the value of investments in retail, manufacturing and other sectors that have been adversely impacted by the rising Australian dollar.

Since this was written, there has been, no doubt, a drop in stock prices, which were also hit. The paper continues —

**Superannuants** with the median balance of those approaching retirement would be better off by around \$2 a week, or 0.6 per cent of the age pension, as a result of the mining boom.

**Workers in others sectors of the economy** that are trade exposed, such as those working in manufacturing, tourism and education, are experiencing reductions in employment and less job security.

**Foreign owners** of resource stocks have seen their profits rise enormously and the capital value of their Australian investments increase as the exchange rate has risen.

I must say that whether or not members agree with that analysis, at least it is an attempt to provide some insight into the winners, losers, beneficiaries and so on of the boom. All too often we hear about the benefits of the boom, and the assumption is made that everybody is a winner.

I have two brothers who are both tradesmen and work in the mining sector as tradespeople. When the last boom was on, I remember Eric Ripper saying to my elder brother, “It must be great for you guys in the mining game. Tradies on the mines must be doing really, really well. You must be getting really good money now.” My brother said, “Well, the only difference between a period of sustained economic growth, if you want to call it a boom, and a non-boom period is that you can get as much overtime as you like.” That is the only difference because workers do not get paid more money to do the same number of hours in the same job that they have always done. The benefit for many workers, particularly those directly working in the mines, is that they can work a 13-day fortnight or 14-hour shifts and so on and so forth. Therefore, workers can get a volume of work that is greater, and because the volume of work is greater and they are paid on an hourly rate, they can basically earn more than they used to. But workers do not get more for doing less; it just does not work like that and it certainly does not work like that with mining companies.

I want to touch on some issues that also are concerning and reflect that people in Western Australia are doing it tough. I make reference to the big jump in the number of people who are caught up in mortgage arrears. They do not have the capacity to pay their mortgage because they may have locked in a high rate of interest or they may have fallen on hard times. This occurs for a lot of reasons, but there is no doubt that an increasing number of Western Australians are losing the battle to keep their house payments under control. That has resulted in one of the worst rates of mortgage arrears in the country. Although Western Australian households have traditionally been amongst the best at paying their mortgages on time, a new report by global credit rating agency Fitch reveals that the situation has deteriorated to the point that Western Australia now ranks lower than any other state apart from New South Wales. We have seen, as I already mentioned, property activity at an all-time low. It might not be an all-time low; maybe it was lower during the Great Depression in 1929, but it is certainly at a 20-year low. We are also seeing more repossessions than has been the case for a long, long time. Hon Sally Talbot only recently brought a private member’s bill into this place to try to protect those people whose houses are being repossessed to ensure that they are not sold out from under them at a lower value than the amount of money owing on them. That means that the houses are not sold out from underneath them at an unfair price.

Certainly, the view is that more stressing times are ahead. I am telling members this because it is against this backdrop, if we like, that we have seen the Barnett government increase the fees and charges it imposes on the people of this state. It is amazing that what seemed to present itself as a caring and sharing opposition should become so uncaring and unsharing in government. I think that it is fair to say that many people are mightily disappointed by the direction of this government. The Minister for Energy, for example, gets up and talks about cost reflectivity as though it is some concept that really does not matter to anybody. He speaks about it in a way that does not even invite being looked at in terms of its impact on ordinary people. When I say “ordinary people”, I do not mean that there is another class of people out there, because I think that we are all ordinary people. We are all ordinary people in that everybody is trying to do their best to survive, raise their children, educate their children and ensure that members of their family do not go without. I have to say that if we look at the impact of the cost-reflectivity policy of this government across the utilities, be it water, power or gas, the simple fact is that it hurts. There is no other way of putting it; it is a painful, painful, policy and it is hurting. First of all, it starts hurting the most if someone is a vulnerable member of the community—for example, they do not have the capacity to vary their income—such as a pensioner or a person on a fixed income. It really, really hurts

these people, who have no capacity to increase their income at all, when they are slugged with these huge utility increases. Even if we —

**Hon Norman Moore:** So does listening to you.

**Hon LJILJANNA RAVLICH:** The Leader of the House does not have to listen to me; I am sure that he has plenty of urgent private business that he can go to. I think that it would be good —

**Hon Norman Moore:** Urgent parliamentary business.

**Hon LJILJANNA RAVLICH:** All right, urgent parliamentary business; but I am saying that the Leader of the House does not have to be here. It was a good quiet place before the Leader of the House got here.

**Hon Norman Moore:** Can I ask you a question?

**Hon LJILJANNA RAVLICH:** No; I am not taking interjections.

**Hon Norman Moore:** Who do you think you are?

**Hon LJILJANNA RAVLICH:** Who do you think you are? I am on my feet! I have the call.

**Hon Norman Moore:** Whether you take an interjection or not makes absolutely no difference whatsoever. You might just tell us how you'd reduce the price of electricity —

**Hon LJILJANNA RAVLICH:** Anyway, it is obviously hitting a chord; the Leader of the House has been here for two minutes. The Leader of the House is more than welcome to get on his feet after me, have his say and explain how cost reflectivity and increasing water, gas and electricity charges are benefiting ordinary Western Australians in this current economic climate.

I will quickly go through and examine some of these increases in government charges.

**Hon Peter Collier:** Come on!

**Hon LJILJANNA RAVLICH:** It is not compulsory for the minister to be here.

**Hon Peter Collier:** I really want to hear what you've got to say!

**Hon LJILJANNA RAVLICH:** It is not compulsory for the minister to be here.

I want to look quickly at government charges across a range of key areas. I will look at the three yearly increases from the 2008–09 financial year and compare them with the increases as they stand in the 2011 financial year. I just want to put that on the record because it will show the sort of impost it is on the average person. First of all, I will start with motor vehicle licence fees. The cost under Labor in 2008–09 was \$405.20. When we compare that with the cost under the Liberal–National government in 2011–12, we see that it is going to be \$440.16. The recording fee has gone up from \$24.30 to \$26.10 over that period. Compulsory third party insurance has gone up from \$471.18 to \$490. Total government motor vehicle charges under the Australian Labor Party in 2008–09 were \$973.88. Under the Liberal–National government they have increased to \$1 029.48. I have not had time to look at the percentage increase, but that looks to be at least a 20 to 25 per cent increase.

I want to focus a little on utility charges, and I will start with electricity. How is this? In 2008–09, under the previous Carpenter government, the average annual electricity charge was \$963.36. Compare that with the charge under this government, for 2011–12, of \$1 515.05. That would have to be a 60 per cent increase, if not more. Water charges in 2008–09 were \$401.15, compared with \$581.61 in 2011–12. Sewerage was \$509.60 in 2008–09, compared with \$583.33 in 2011–12. There was also a significant increase in drainage from \$63.10 in 2008–09, to \$89.66 in 2011–12.

**Hon Helen Morton** interjected.

**Hon LJILJANNA RAVLICH:** No, I cannot tell the minister anything. I have limited time and I am not taking interjections, especially from the minister. Total utility charges are —

**Hon Helen Morton** interjected.

**Hon LJILJANNA RAVLICH:** If the minister would just pay attention.

Utility charges were \$1 937.21 in 2008–09, compared with \$2 769.65 in 2011–12. I have to ask: which family —

*Point of Order*

**Hon HELEN MORTON:** Mr Deputy Chair, can I ask the member to table the document she is reading from?

Several members interjected.

**The DEPUTY PRESIDENT (Hon Matt Benson-Lidholm):** Order, members! Minister, I suggest at this point that you ask the member to identify the document, and you can ask her to table it at the end of her speech.

**Hon HELEN MORTON:** Would the member please identify the document she is quoting from, and at the end of her speech, table it?

**Hon LJILJANNA RAVLICH:** Yes, they are my notes; something that I have put together and that I am using.

**The DEPUTY PRESIDENT:** That is fine. The member has identified that they are her notes.

**Hon KEN TRAVERS:** On the point of order, the member is entitled to ask for a document to be identified only if the member is quoting from a document. If members are using their notes as an aid to assist them in their speech, that is not quoting from a document and therefore there is no ability for anyone to ask for the document to be identified.

**The DEPUTY PRESIDENT:** Members, I have simply noted that Hon Ljiljanna Ravlich has stated that she is using her own notes and as far as I am concerned, that is quite satisfactory.

*Debate Resumed*

**Hon LJILJANNA RAVLICH:** The point I am making is that the Minister for Energy goes on and on about how minimal the impact is on families of his policy of cost reflexivity, particularly as it applies to power charges. We clearly see something different when somebody does some research, as I have. I get criticised by the Minister for Mental Health; she says, “Don’t go off and do your research; that’s what you do all the time”, and so on and so forth. I can tell the minister that it is not until somebody does a bit of forensic analysis and research, and looks in detail at what is happening, that they can see what is going on.

The only other point I want to make is that Western Australians are going through a particularly tough time. The economy is not doing particularly well, there is a lot of uncertainty around, not everyone has a job and many people are underemployed. We need some compassion from the government rather than what we have had to date, which is a government that spends beyond its capability and uses borrowed money to do so. We know that over the next couple of years we will end up with a state debt of some \$20 billion that will have to be serviced. We also know that this government is going to try to service that debt by loading more and more families, and that is simply not sustainable. It is not sustainable because many of those families simply do not have the capacity to pay.

I also make the point that every time the issue of the lack of capacity for families to pay comes up, the Minister for Community Development and the Minister for Energy talk about the hardship utility grant scheme. They say that they are putting \$9 million into HUGS or whatever, but when we look at how many people need to be helped by the allocated money, the allocation is nowhere near the amount required to help all the people who will have huge financial problems; nowhere near enough. I say to the minister that the average Western Australian is looking for a degree of understanding and compassion from him, and for him to give serious consideration to the net impact on their lives of his implementation of such a blunt instrument as his cost-reflexivity policy, particularly over such a short time.

**HON HELEN MORTON (East Metropolitan — Minister for Mental Health) [3.58 pm]:** Most people I speak to say that there is nowhere else in Australia they would rather live than Western Australia. They make it clear that they are really glad that they live in Western Australia. They also say, especially more recently, that there is nowhere else in the world they would rather live than in Australia. Rather than regarding the glass to be half-empty, they tend to talk about the glass being half-full. Thank goodness that the Howard government and Peter Costello left our country in such a viable situation with no debt so that we were able to sustain the difficulties that occurred when the global financial crisis hit. Members have commented on the federal government’s massive spending that has racked up billions and billions of dollars of debt. Thank goodness that a Liberal government is not far away. Hon Ljiljanna Ravlich said that the federal government’s spending is down, but in Western Australia the government is investing in its biggest ever capital investment. I say again, thank goodness for the Western Australian government. I am so pleased that I am a Western Australian living in this state.

No-one is denying that the water prices have increased. In the end, I did not bother asking Hon Ljiljanna Ravlich to table the document she was reading from because she fessed up and said that it was her own forensic analysis—I think that was her term—so from that point I did not feel the need to look at the documentation. I had thought there would be something credible to look at, but that hope was dashed. Water prices have increased and of course that is causing some difficulty for some Western Australians. However, it has been absolutely necessary to balance the demand for water with the real cost of water infrastructure while also encouraging efficient water use as we confront the prospect of living in this drying climate. These new sources are part of a financially responsible suite of initiatives that form part of our plan to secure water for the future growth of the state. The increase in water charges are decided by the government, based on an independent assessment of the cost of providing services by the state’s economic regulator, the Economic Regulation Authority. The previous Labor government followed similar advice when setting charges. The point I was trying to make to Hon Ljiljanna Ravlich about the difference between a charge and a cost is that a cost is a cost whether it is paid for by

the user or the taxpayers, who are also the users, whereas a charge is charged to the user. Even when I sought from Hon Ljiljanna Ravlich by way of interjection some clarification, she was unable to tell me whether she was talking about charges or costs. As I said, the former Labor government also followed similar advice when setting water charges. In May 2008, the member for Balcatta stated during his time as Minister for Water Resources that it was not sustainable to provide water for a price that does not reflect the cost of supply. This government is replicating the approach of the former Minister for Water Resources in the previous Labor government whereby the cost of water must reflect the cost of supply.

In 2011–12, costs across the total charges for water, waste water and water services, including prices, increased by 8.5 per cent, which equates to around \$2 per household per week. Residential water tariffs in Western Australia are \$120.95 a year less than the national average, which is \$670.55. Lower prices apply for those households using less than average consumption, providing an incentive for householders to reduce their water use. Through our community service obligation payments to water utilities, the government makes a contribution to ensure that certain groups in our community are not unfairly disadvantaged. In the last two years the total CSO subsidy paid to the Water Corporation was \$984 million. That money was used to offset the real cost of providing water services to the country, to subsidise pensioners and seniors' concessions and for the infill sewerage program. Without this payment, annual service charges, or water prices, would be much higher. Again, the point I was trying to make to Hon Ljiljanna Ravlich was that the cost is the cost is the cost. We cannot get away from what it costs to produce and bring water to someone's house to use. However, a charge is somewhat less. The Liberal–National government is helping those who can least afford the price increases. The 2011–12 budget increases support for those in financial difficulty such as seniors on a low income and people in regional areas who have higher expenses than those in the metropolitan area. As Hon Robyn McSweeney said, the government has increased payments to the hardship utility grant scheme, taking total funding to over \$10 million this year. This is in addition to the significant concessions already available through the expanded eligibility for Seniors Card holders and to seniors for cost-of-living expenses.

This issue is about user pays. When I ask my constituents whether they want to pay, through their taxes, for the water used by the people up the road who have big gardens and swimming pools, my constituents make it absolutely clear that they would prefer those people to pay for it themselves. My constituents want those who use water to pay for it. When my constituents are asked whether they want the users to pay for those costs and are told that we have a safety net for people who are facing real genuine hardship, invariably, my constituents say that that is okay. They can understand the logic in the users who use more water paying for their high water use, and in providing a safety net for those who are facing genuine hardship and who cannot meet the payments; and in the rest of the users monitoring and modifying their water use. Invariably, people say that is a fair system. I believe the government is on the right track with the system it has in place.

**HON HELEN BULLOCK (Mining and Pastoral)** [4.07 pm]: We all know that the situation is really bad in the real world outside of the chamber. Many Western Australians are struggling to cope with increased electricity bills. Hon Ken Travers gave us some cold hard figures last week about how much electricity bills have increased over the last three years. We all know that. The Minister for Mental Health admitted that, as did the Minister for Energy. I did not realise just how serious the situation was until the Minister for Child Protection informed this house that there has been an unprecedented increase in the number of people seeking financial assistance, which has forced the government to increase hardship utility grants to those people who need assistance. I have some quite disturbing figures that were provided by the Minister for Child Protection in the speech she gave on Wednesday, 21 September. I will refer to some numbers that she provided to us. In 2008–09, 2 687 people sought help under the hardship utility grant scheme, and the total fund that was provided was just under \$1 million. In 2009–10, 6 700 people sought hardship utility grants, which was a 250 per cent increase on the previous year. The grants totalled \$2.268 million, which was a 262 per cent increase. Two years later, in 2010–11, 12 400 people sought help, which compared with 2008–09 was a 462 per cent increase. The total dollar amount provided by the grants was \$4.6 million. I will continue next week.

Debate adjourned, pursuant to temporary orders.

## COMMITTEE REPORTS AND MINISTERIAL STATEMENTS — CONSIDERATION

### *Committee*

The Chairman of Committees (Hon Matt Benson-Lidholm) in the chair.

### *Mental Health Review — Statement by Parliamentary Secretary — Motion*

Resumed from 21 September on the following motion moved by Hon Ljiljanna Ravlich —

That the statement be noted.

**Hon HELEN MORTON:** The last time we debated this motion I was responding to some comments made by Hon Ljiljanna Ravlich on the statement that I made as parliamentary secretary representing the Minister for Mental Health on the development of the mental health policy and strategic plan for 2010–20. I had indicated the

extent to which consultation had taken place in this process. I had got around to talking about the Mental Health Act and the concerns that Hon Ljiljanna Ravlich had about why the new mental health legislation had not been introduced into Parliament. Hon Ljiljanna Ravlich is the only person who cannot read the election commitment that we made that the bill would be introduced in this term of government, which has more than 12 months to go yet. From the number of people who are involved in the development of this legislation it is absolutely clear that people in the mental health area are not concerned because they are all very much involved in either the expert group or as consumers in developing a consumer charter of rights. The Royal Australian and New Zealand College of Psychiatrists and people working in health are involved in aspects of it. A lot of work is taking place around this act at the moment. Notwithstanding that the review of the act was completed in 2002 and reported on in 2004, in the four years right up until 2008 the previous government was unable to get a draft bill into the Parliament, in this term of government, the Liberal–National government will certainly get that bill ready and introduce it into Parliament. The legislation has required a substantial rewrite. It has involved changes establishing the Mental Health Commission, the Office of the Chief Psychiatrist and other matters; changes to the Council of Official Visitors and other advocacy roles; changes to the Mental Health Review Board; changes to the way electroconvulsive therapy is undertaken and the requirements for safeguarding people with a mental illness in involuntary care. It has involved writing into the legislation information about what we do in the case of an advance health care directive when it relates to an involuntary patient. Overall, I would say that the legislation, which will be out hopefully as a green paper by the end of this year, will be a rebalance and will improve the protection and the rights of people with a mental illness; it will deal family and friends back into the picture, which has been sadly lacking over the years.

**Committee interrupted, pursuant to temporary orders.**

[Continued on page 7855.]

*Sitting suspended from 4.15 to 4.30 pm*

**QUESTIONS WITHOUT NOTICE**

DEPARTMENT OF MINES AND PETROLEUM — AUDITOR GENERAL'S REPORT

**835. Hon SUE ELLERY to the Minister for Mines and Petroleum:**

I refer to the Auditor General's report "Ensuring Compliance with Conditions on Mining".

- (1) Does the minister support all the findings and recommendations in the report for the Department of Mines and Petroleum?
- (2) If no to (1), which does he not support and why?
- (3) Will the minister commit to provide sufficient personnel and resources so that departmental officers can adequately monitor and inspect to ensure compliance with environmental conditions?

**Hon NORMAN MOORE replied:**

I thank the member for the question.

- (1)–(3) As the member may well know, when reports of the Auditor General are tabled, that is the first time the minister sees it—that was about two hours ago. I actually have not gone through every aspect of the report to determine what the government's position will be in respect of these matters. I think some of the conclusions reached have been reached as a result of some confusion about the way in which environmental compliance is being undertaken by the Department of Mines and Petroleum. We are getting away from a prescriptive regulatory system of environmental compliance to a system much more related to risk management. If I can put it in simple terms: that means we identify the most risky environmental areas of the industry and put resources into making sure those environmental issues are dealt with first. There are some mine sites that are far less environmentally sensitive than others. By going from this prescriptive regulatory system to a risk assessment system we are changing the way the department manages compliance in respect of environmental matters. There has been a little confusion in the process of the Auditor General looking at what the department has been doing and what it intends to do in the future. I am also a little perplexed at some of the conclusions that have been reached bearing in mind some of the commentary in the report itself. I will quote a couple of comments that seem to be a little different from the final conclusion. The report states, for example —

We found no cases of significant environmental harm that had occurred without DMP's knowledge.

That statement suggested it did not know what was going on, but the Auditor General could find no evidence of environmental harm. Similarly, in respect of enforcement of environmental issues, the report states —

DMP's approach to environmental enforcement is appropriate and potentially successful.

The “potentially successful” comment relates to the risk assessment process we are going through. I am a little confused about some of the conclusions that have been reached in respect of this report and what is actually contained within it. However, as always, I will take on board the recommendations of the Auditor General. I will sit down with him, and sit down with the department, to work our way through this. What really matters at the end of the day is that the department is operating effectively, efficiently and appropriately, and that we are managing the environmental aspects of mining in a proper way.

In respect of more resources, if there are more resources necessary, I will seek to have those provided. Can I just say this—the previous government had the same problem—environmental officers are very rare. Indeed many mining companies, because they have to find environmental officers themselves to get their applications in the system, are in fact pinching people from government agencies who have those qualifications. That was the same with mine safety, but I have put in place a system in which mine safety inspectors get paid a lot more money than they used to so we can be competitive with the mining industry. It may be necessary to give some thought to that in respect of environmental management in the mining industry. The point I make is that of course I will take on board the recommendations of the Auditor General. I have not had a chance to read through it in any great detail yet. One of the problems with this system is that as a minister I do not know what is in this report until it is tabled. We will put in place any changes that are necessary to meet the requirements of the Auditor General.

PARLIAMENTARY INSPECTOR OF THE CCC —  
REPORT INTO EXCESSIVE USE OF FORCE BY POLICE

**836. Hon SUE ELLERY to the minister representing the Minister for Police:**

I refer to the parliamentary inspector’s report on allegations of excessive use of force by police outside the Esplanade Hotel in Fremantle in November 2008.

- (1) Has Sergeant Caldwell filed a use of Taser report in relation to the incident?
- (2) How many times did Sergeant Caldwell discharge his Taser into male person A and female person B?
- (3) In Sergeant Caldwell’s report, what was his claimed justification for tasing person A and person B?
- (4) Does the state government endorse the inspector’s report that, in evidence, Constable Clarke admitted that the action of the sergeant who tasered person A and person B may have been an inappropriate use of the Taser in the circumstances?

**Hon PETER COLLIER replied:**

I thank the honourable member for some notice of the question.

- (1)–(4) Following the release of the parliamentary inspector’s report, WA Police wrote to the Corruption and Crime Commission to refer allegations with respect to the matter described as “the second incident” for further investigation. The investigation materials and files are with the commission. All the honourable member’s questions relate to inquiry-sensitive issues that may be subject to the commission’s further investigation. Until such time as the commission formally considers its position with respect to further examination of the police investigation, it is inappropriate for WA Police to comment on questions that may be subject to further examination by the commission.

OCCUPATIONAL SAFETY AND HEALTH REPRESENTATIVES

**837. Hon KATE DOUST to the Minister for Commerce:**

How many occupational safety and health representatives were elected and trained in Western Australian workplaces in —

- (a) 2008;
- (b) 2009;
- (c) 2010; and
- (d) 2011 to date?

**Hon SIMON O’BRIEN replied:**

I thank the honourable member for notice of the question.

Records of the number of elected safety and health representatives is reliant on the person conducting the election informing the WorkSafe Western Australia Commissioner, so it is not possible to be certain that department records include every elected safety and health representative. Department records indicate the numbers of elected safety and health representatives registered with WorkSafe as follows —

- (a) In 2008, 3 578;

- (b) In 2009, 3 147;
- (c) In 2010, 4 068; and
- (d) In 2011 to date, 3 082.

The records for the number of people receiving safety and health representative training are provided by registered training organisations and are maintained on a financial year basis and show the following —

- (a) In 2007–08, 3 862;
- (b) In 2008–09, 4 259;
- (c) In 2009–10, 4 077; and
- (d) For 2010–11, the data has not yet been supplied by the registered training organisations.

#### PERTH MAJOR SPORTS STADIUM — SUBIACO AND BURSWOOD

**838. Hon KEN TRAVERS to the Leader of the House representing the Premier:**

I refer to the Premier's claims on radio today that the new stadium proposed by the Carpenter government at Subiaco would have had car parking under the playing surface.

- (1) Can the Premier table a document or concept drawing produced prior to September 2008 that supports this claim?
- (2) In the proposal for a stadium at Burswood considered by the major stadia task force, was there any car parking located under the playing surface?
- (3) Will a new stadium at Burswood require any special treatments under the playing surface due to the geotechnical conditions of this area?

**Hon NORMAN MOORE replied:**

I thank the honourable member for some notice of this question.

- (1) All drawings and concept plans for the various options considered by the major stadia task force are available in the task force report, which is a public document.
- (2) The task force concept for the stadium at Burswood included car parking beneath the stadium.
- (3) The playing surface at any stadium requires appropriate preparation to meet the required performance criteria of the sporting codes.

#### TIMBER WORKERS — REGISTRATION

**839. Hon GIZ WATSON to the minister representing the Minister for Forestry:**

I refer to part 2 of the Forest Management Regulations 1993, "Registration of timber workers".

- (1) How many workers are registered to engage in —
  - (a) timber harvesting in a state forest or timber reserve; and
  - (b) the transport of log timber harvested in a state forest or timber reserve?
- (2) How is the department monitoring compliance with part 2 of the Forest Management Regulations 1993?

**Hon ROBYN McSWEENEY replied:**

I thank the honourable member for some notice of this question.

- (1)
  - (a) The number of workers is 307.
  - (b) The number of workers is 53.
- (2) As a routine practice to ensure compliance with relevant legal requirements and the Forest Product Commission's Australian Forestry Standard certification, the FPC checks that employees engaged by timber-harvesting companies have current timber workers' registrations.

#### MICHAEL THOMAS — DISCHARGE FROM FREMANTLE HOSPITAL

**840. Hon LJILJANNA RAVLICH to the Minister for Mental Health:**

I refer to the death of Michael Thomas following his discharge from Fremantle Hospital, and the statement that the minister read out in this place on 8 September 2011.

- (1) Did Mr Thomas's discharge planning involve all members of the multidisciplinary treating team; and, if not, why not?

- (2) Who was on the multidisciplinary treating team?
- (3) Was Mr Thomas's primary care and/or support agency included in the process of discharge planning; and, if not, why not?
- (4) Why was Mr Thomas discharged against his family's wishes?
- (5) Has the hospital admitted its systems failed 56-year-old Michael Thomas, and has it subsequently altered its procedures; and, if not, why not?

**Hon HELEN MORTON replied:**

I thank the honourable member for some notice of this question. Once again, this is one of those situations that is really quite traumatic and tragic, so I intend to answer this question in the best way, sensitive to the fact that the man was buried yesterday.

- (1) No. Mr Thomas was initially admitted under a medical team in Fremantle Hospital. As per hospital protocol, Mr Thomas was then referred by the medical team to the psychiatry ward consultation liaison team. Upon realising that Mr Thomas was a current Alma Street patient, Mr Thomas's Alma Street centre multidisciplinary team case manager was notified. Mr Thomas was seen that same day, at 1500 hours, by his case manager. Mr Thomas remained medically unfit for discharge and remained on the medical ward and was assessed by the psychiatry registrar of the multidisciplinary team.
- (2) The multidisciplinary team members were a case manager/social worker, a psychiatry registrar and a consultant psychiatrist. Of note, there was also input and consultation between the medical team staff and the ward psychiatry liaison multidisciplinary team.
- (3) Yes. The medical team and Mr Thomas's case manager consulted with Mrs Thomas in relation to discharge planning.
- (4) I am advised that Mr Thomas was assessed as having no immediate risk of suicide. Mr Thomas denied ongoing intent to suicide; he agreed to attend follow-up appointments and confirmed that he was well supported in the community.
- (5) No. The health service uses a system of continuous improvement and quality monitoring to ensure contemporary evidence-based service delivery.

However, I am concerned about the issue of discharge planning and the need to involve families in these very difficult decisions, and I will be talking to all chief executives of all area health services to see how best to improve the processes involved in ensuring that people with a mental illness leave hospital with a comprehensive and effective discharge plan.

DENTAL OCCUPATIONAL GROUPS — REVIEW

**841. Hon MATT BENSON-LIDHOLM to the minister representing the Minister for Health:**

I refer to the minister's commitment on 2 June this year to a six-month review into the classification structures of all dental occupational groups in Dental Health Services, with the aim of establishing a sustainable classification regime.

- (1) What are the time frames for the review?
- (2) Has the Department of Health made an initial proposal to the Minister for Health; and, if not, when does the Minister for Health expect to receive it?
- (3) Has the appropriate union been informed of the Department of Health's proposal in relation to the submission; and, if not, when will it be informed?
- (4) Will dental occupational groups have an opportunity to comment on the proposal before the completion of the six-month review?
- (5) Given that the process has so far not involved consultations with staff, does the minister anticipate the completion of the review by the due date for implementation by 27 December 2011?

**Hon HELEN MORTON replied:**

I thank the honourable member for some notice of this question.

- (1) The Department of Health is seeking to have the review finalised prior to 27 December 2011.
- (2) No. The full submission will be provided by 27 December 2011.
- (3) No. The Department of Health has not finalised the submission for the various dental occupational groups.
- (4) Yes. This will be provided via the working group.
- (5) Yes. There has been extensive consultation with the union and staff.

JAMES PRICE POINT GAS HUB —  
DEPARTMENT OF STATE DEVELOPMENT RESPONSE TO ENVIRONMENTAL ASSESSMENT

**842. Hon ROBIN CHAPPLE to the Leader of the House representing the Minister for State Development:**

I refer to the Environmental Protection Authority's formal environmental assessment of the strategic proposal for the Browse liquefied natural gas precinct at James Price Point.

- (1) Has the Department of State Development, representing the proponent, provided a response to the public submissions as promised?
- (2) If yes to (1), will the Minister for State Development table the response?
- (3) If no to (2), why not?

**Hon NORMAN MOORE replied:**

I thank the honourable member for some notice of this question.

- (1) Yes.
- (2) This information now forms part of the Environmental Protection Authority's consideration and will be released to the public as soon as its assessment report is made available, as is the normal practice.
- (3) Not applicable.

SOUTH WEST CHILD AND ADOLESCENT MENTAL HEALTH SERVICE

**843. Hon ADELE FARINA to the Minister for Mental Health:**

I refer to the South West Child and Adolescent Mental Health Service.

- (1) For 2010–11 and 2011 to date, how many referrals, by letter, email or phone call, were received by South West CAMHS?
- (2) For 2010–11 and 2011 to date, how many of those referrals were assessed as requiring treatment by South West CAMHS?

**Hon HELEN MORTON replied:**

I thank the honourable member for some notice of this question. Providing the information in the time required is not possible. In order to ensure the integrity of the data, South West CAMHS will need to run extensive reports and then physically count each referral and admission to differentiate between referrals by letter, email and phone call. As such, I request the member to put the question on notice.

LICE — SHEEP FLOCKS

**844. Hon HELEN BULLOCK to the minister representing the Minister for Agriculture and Food:**

- (1) When will the Minister for Agriculture and Food introduce legislation to reflect a regulatory application to enhance the control of lice in sheep flocks?
- (2) Has the minister engaged any stakeholders, including grassroots farmers, in the development of the legislation; and, if not, why not?
- (3) Will the minister immediately commit to fund the eradication of this infestation that is costing the state and farmers hundreds of thousands of dollars?

**Hon ROBYN McSWEENEY replied:**

I thank the honourable member for some notice of this question.

- (1) There are no current plans to introduce this legislation.
- (2) No. The minister for Agriculture and Food has been advised that previous regulatory systems have been failures in Western Australia.
- (3) No.

ROE HIGHWAY EXTENSION PUBLIC ENVIRONMENTAL REVIEW

**845. Hon LYNN MacLAREN to the minister representing the Minister for Environment:**

- (1) Is the minister aware of the reports "Aboriginal Cultural Heritage Survey of the Proposed Roe Highway Extension" and "A Desktop Aboriginal Survey of the Roe Highway Extension within the City of Cockburn, in Perth, Western Australia", which were commissioned by South Metro Connect?

- (2) Why were these documents not included as appendices in the Roe Highway extension public environmental review?
- (3) Is the minister aware of the former report's finding that the majority of Nyoongah people consulted were opposed to the project?
- (4) Is the minister aware of the latter report's finding that the North Lake area is an important site complex and that SMC should redesign the highway alignment to avoid the three Aboriginal heritage sites that lie directly in the proposed corridor?
- (5) What action has SMC taken to address these concerns?

**Hon HELEN MORTON replied:**

I thank the honourable member for some notice of this question.

- (1)–(5) The proposal to extend Roe Highway is currently the subject of an environmental impact assessment by the Environmental Protection Authority. The public environmental review document was released in June 2011 for a 12-week public review period. During this time, a number of submissions were received, some of which raise concerns about impacts on Aboriginal heritage. All environmental issues raised in submissions will be taken into consideration by the EPA as part of its assessment of the proposal. The proponent will also be required to prepare and submit an adequate response to these submissions.

EARLY LEARNING AND CARE CENTRES — DARCH AND MIRRABOOKA

**846. Hon LINDA SAVAGE to the minister representing the Minister for Education:**

I refer to the allocation of \$114.5 million by the federal government in the 2008–09 budget to establish 38 early learning and care centres, including five in Western Australia. When will the early learning and care centres in Darch and Mirrabooka be completed and open to accept students?

**Hon PETER COLLIER replied:**

I thank the honourable member for some notice of the question.

I am advised that the construction of the Darch care centre—Ashdale Early Learning and Care Centre—is planned to be completed by mid-January 2012, with the centre opening for enrolments in late February or early March 2012. The construction of the Mirrabooka care centre—Warriapendi Early Learning and Care Centre—is planned to be completed by April 2012, with the centre opening for child care enrolments in May–June 2012.

WESTERN AUSTRALIAN PRISONS — STAFFING LEVELS

**847. Hon ED DERMER to the minister representing the Minister for Corrective Services:**

I refer the minister to the current levels of staffing in Western Australian prisons and ask for each Western Australian prison —

- (1) Is the prison fully staffed with staff employed by the Department of Corrective Services and staff employed by other government agencies?
- (2) Does the prison currently have a superintendent on staff?
- (3) Which commissioned officer has overall responsibility for the daily operations within the prison?

**Hon SIMON O'BRIEN replied:**

I thank the honourable member for some notice of this question.

- (1) Yes. Each WA public prison is fully staffed with staff employed by the Department of Corrective Services. Acacia Prison is privately run and staff are employed by the private operator, Serco.
- (2) Yes. Each WA public prison, with the exception of Acacia Prison, has a superintendent on staff. Serco at Acacia Prison employs a director, which is the equivalent of the superintendent position in the public prisons. The position is currently occupied on a permanent basis.
- (3) It is unclear what is meant by “commissioned officer”. However, the person responsible for the daily operations of all public prisons in WA is the designated superintendent. The daily operations of Acacia Prison are under the responsibility of the private contractor, Serco Australia Pty Ltd. The director at Acacia Prison has overall responsibility for operations at the facility.

PRIORITY WATER MANAGEMENT AREAS — LICENCE CONDITIONS

**848. Hon ALISON XAMON to the minister representing the Minister for Water:**

I refer to the answer to my question on notice 4443 regarding water licence conditions requiring metering and reporting of water usage, and the response that the department is currently re-evaluating its metering policy.

- (1) Why is the metering policy being re-evaluated?
- (2) On what criteria will the policy be re-evaluated?
- (3) When does the minister anticipate that this re-evaluation will be finished?

**Hon HELEN MORTON replied:**

I thank the honourable member for some notice of the question.

- (1) It is to improve the management of water resources in Western Australia.
- (2) The criteria are yet to be finalised,
- (3) In 2012.

SENIORS CARD ELIGIBILITY — BUDGET ALLOCATION

**849. Hon SUE ELLERY to the Minister for Seniors and Volunteering:**

How much of the 2011 budget allocation for extending the eligibility of the Seniors Card of \$149 000 in 2012–13, \$1.359 million in 2013–14 and \$2.839 million in 2014–15 is “new money”, and how much is money previously underspent?

**Hon ROBYN McSWEENEY replied:**

I thank the honourable member for some notice of the question.

The budget allocation for extending the eligibility of the Seniors Card of \$149 000 in 2012–13, \$1.359 million in 2013–14 and \$2.839 million in 2014–15 is currently funded from existing appropriations for the cost-of-living rebate.

SYNERGY — PROCUREMENT AND INFORMATION AND COMMUNICATIONS TECHNOLOGY SERVICES — AUDITOR GENERAL'S INQUIRY

**850. Hon KATE DOUST to the Minister for Energy:**

I refer to the Auditor General's recent inquiry into Synergy's procurement and information and communications technology services that found the utility had a poor ICT plan and had glaring holes in its procurement processes and gift registry.

- (1) Has the minister demanded an explanation from Synergy; and, if not, why not?
- (2) What action has Synergy taken to address these issues?
- (3) Has the minister taken any action to ensure these issues are not prevalent within the government's other three energy utilities; and, if not, why not?
- (4) If yes to (3), will the minister agree to table the resultant reports?

**Hon PETER COLLIER replied:**

- (1) Yes.
- (2) Synergy has implemented a new contract and procurement system—CAPS—to provide ongoing management and oversight of procurement activities; established a project investment council—PIC—to establish strong and effective project gatekeeping; implemented a comprehensive restructure of the organisation, including the recruitment of a new chief information officer who will report directly to Synergy's new chief executive officer; commenced development and implementation of a new ICT strategy, an ICT operational plan and an annual performance report; established a more centralised approach to contract management; improved and increased training of specific personnel to enable more vigorous contract and project management and governance; and implemented a new gift disclosure policy and register and conflict of interest register.
- (3)–(4) Through my regular monthly meetings with the chairs and chief executives, the boards of the electricity corporations are well aware of my requirement that all policies and procedures be adhered to in a transparent manner.

KIMBERLEY — NATIONAL HERITAGE LISTING

**851. Hon ROBIN CHAPPLE to the Leader of the House representing the Premier:**

I refer to statements made by the Premier in the Legislative Assembly on Wednesday, 31 August 2011, in reply to question without notice 517, asked by Mr Vincent Catania, on the national heritage listing of the Kimberley.

- (1) Does the Premier accept that the Environmental Protection Authority first identified Gourdon Bay to the south of Broome, not James Price Point, as the least environmentally constrained of the 43 Kimberley sites considered via its preliminary desktop study?

- (2) If no to (1), why not?
- (3) Is the Premier aware of the full extent of research that has been done into the dinosaur trackway on the Dampier Peninsula coast to the north and south of James Price Point?
- (4) If no to (3), why not?
- (5) Is the Premier committed to protecting the globally significant Dampier Peninsula dinosaur trackway described in the Kimberley heritage listing?
- (6) If no to (5), why not?
- (7) If yes to (5), how will the Premier ensure its protection if a liquefied natural gas precinct is approved for James Price Point?
- (8) Given that Woodside's proposal for the construction of an LNG precinct at James Price Point is still subject to an EPA assessment, what is the basis for the Premier's claim that the Browse LNG joint venture partners will be in a position to make a final investment decision in the second half of 2012?

**Hon NORMAN MOORE replied:**

I thank the member for his succinct question! I just wonder what he has against energy really.

**Hon Ljiljanna Ravlich** interjected.

**Hon NORMAN MOORE:** I am sure Hon Ljiljanna Ravlich does not agree with him either. The answer is —

- (1)–(2) In 2007 and 2008, the state government's northern development task force conducted a process of stakeholder consultation and consideration of over 40 candidate sites for a liquefied natural gas precinct to process Browse Basin gas reserves. The sites were considered by the northern development task force against environmental, technical, economical and cultural criteria. The sites ranged across the Kimberley and included consideration of alternatives in the Pilbara and in the Northern Territory.

The candidate locations were narrowed down to 11 sites, and then a short list of four sites. In 2008, the Environmental Protection Authority issued advice under section 16(e) of the Environmental Protection Act 1986 on the relative environmental issues of four sites in the Kimberley proposed for an LNG precinct. That advice did not comprise a formal assessment but provided the EPA's view at the time, based on the information then available.

The four short-listed sites considered by the EPA were Gourdon Bay, James Price Point, North Head and Anjo Peninsula. At that time the EPA concluded that —

**Based on the available data, the EPA considers that Gourdon Bay is the least environmentally constrained of all four short-listed sites for a gas processing precinct.**

The EPA went on to state —

**Based on the available data, the EPA considers that the James Price Point area is the least environmentally constrained of the two short-listed sites on the Dampier Peninsula for a gas processing precinct.**

The EPA further stated that —

The environmental impacts and risks of locating a precinct in the James Price Point area are likely to be manageable. The risk of future expansion being significantly constrained is likely to be low.

- (3)–(4) All published information on research that has been undertaken was accessed for the assessment of impacts in the strategic assessment for the Browse LNG precinct.
- (5)–(6) The state government is committed to complying with the requirements of the Environment Protection and Biodiversity Conservation Act 1999 in relation to national heritage-listed values.
- (7) Following the completion of further surveys by international experts, their reports will be provided to the EPA and the commonwealth Department of Environment, Sustainability, Water, Population and Communities. Subject to their findings, it is anticipated that any management requirements will be applied as part of any approvals granted in accordance with relevant legislation.
- (8) It is anticipated that the EPA's assessment will be complete at the end of this year with subsequent approval processes to occur during early 2012.

DEPARTMENT FOR CHILD PROTECTION — ANNUAL REPORT

**852. Hon SUE ELLERY to the Minister for Child Protection:**

I refer to the annual report of the Department for Child Protection, which includes the annual report of the Parental Support and Responsibility Act.

- (1) Does the minister concur with the findings of the independent reviewer that the report contains material that is unclear, lacking in evidence and includes some unevidenced statements?
- (2) Will the minister accept the recommendation that a comprehensive evaluation be undertaken?

**Hon ROBYN McSWEENEY replied:**

I thank the member for the question.

- (1)–(2) Yes, I believe it is time that we had a review of the Parental Support and Responsibility Act. I think that when the legislation went through Parliament, it did not really do what it is meant to do now. I think 890 parents have gone through on, not the responsible parenting orders, but similar to the agreements. So I am very happy to look at that and to see whether we can streamline the responsible parenting act.

**Hon Sue Ellery:** Do you agree with the reviewer that the report itself that is in the annual report was unclear, lacking in evidence and included statements that were unevidenced?

**Hon ROBYN McSWEENEY:** I have just told the member that I would look at having a review.

**Hon Sue Ellery:** That's the second question that I asked.

**Hon ROBYN McSWEENEY:** Yes, and that is what I am telling the member; I am quite happy to have a review of that act.

**KARARA MINING LTD — WATER LICENCE APPLICATION  
LOT 800, ALBANY HIGHWAY — DEVELOPMENT**

*Questions on Notice 4553, 4554 and 4559 — Answer Advice*

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [5.02 pm]: Pursuant to standing order 138(d), I wish to inform the house that the answer to question on notice 4553 asked by Hon Alison Xamon on 30 August 2011 to the Leader of the House representing the Premier will be provided tomorrow.

Further, pursuant to standing order 138(d), I wish to inform the house that the answer to question on notice 4554 asked by Hon Alison Xamon on 30 August 2011 to the Leader of the House representing the Minister for State Development will be provided tomorrow.

Finally, pursuant to standing order 138(d), I wish to inform the house that the answer to question on notice 4559 asked by Hon Alison Xamon on 30 August 2011 to the Leader of the House representing the Premier will be provided by Thursday, 20 October 2011.

**QUESTIONS ON NOTICE — HON LJILJANNA RAVLICH**

*Questions on Notice 4568, 4569, 4572, 4573 and 4575 — Answer Advice*

**HON HELEN MORTON (East Metropolitan — Minister for Mental Health)** [5.03 pm]: Pursuant to standing order 138(d), I wish to inform the house that the answers to questions on notice 4568, 4569, 4572, 4573 and 4575 asked by Hon Ljiljanna Ravlich on 30 August 2011 to me, the Minister for Mental Health, will be provided on Thursday, 20 October.

**BEN'S ADMINISTRATION COMPANY — EVALUATION CRITERIA**

*Question on Notice 4557 — Answer Advice*

**HON HELEN MORTON (East Metropolitan — Minister for Disability Services)** [5.03 pm]: Pursuant to standing order 138(d), I wish to inform the house that the answer to question on notice 4557 asked by Hon Alison Xamon on 30 August 2011 to me as Minister for Disability Services will be provided on Thursday, 20 October 2011.

**FIRE AND EMERGENCY SERVICES AUTHORITY CHIEF OPERATIONS OFFICER —  
CRAIG HYNES — RESIGNATION**

*Question without Notice 815 — Answer Advice*

**HON DONNA FARAGHER (East Metropolitan — Parliamentary Secretary)** [5.04 pm]: Yesterday — Several members interjected.

**The PRESIDENT:** Order!

**Hon DONNA FARAGHER:** Thank you, Mr President, I am getting unruly interjections from over here.

Yesterday Hon Sue Ellery asked question without notice 815 on behalf of Hon Ed Dermer. I advised at the time that the information could not be provided in the time available and that the answer would be provided at the next day's sitting. I now seek leave to have the response tabled and incorporated into *Hansard*.

Leave granted. [See paper 3899.]

The following material was incorporated —

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**I thank the Hon. Member for some notice of this question.**

- (1) Mr Hynes is employed under a contract of employment as per section 56 of the *Public Sector Management Act 1994*. There are no specific termination clauses within the contract, termination provisions of the *Public Sector Management Act 1994* apply.
- (2) Yes, in accordance with Section 59 of the *Public Sector Management Act 1994*.
- (3) \$196,008 gross.
- (4) The compensation payment comprises \$160,260 salary, \$18,831 superannuation and \$16,917 motor vehicle entitlement.
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**COMMITTEE REPORTS AND MINISTERIAL STATEMENTS — CONSIDERATION**

*Committee*

Resumed from an earlier stage of the sitting. The Chairman of Committees (Hon Matt Benson-Lidholm) in the chair.

*Mental Health Review — Statement by Parliamentary Secretary — Motion*

**Hon HELEN MORTON:** This is probably the third stage of this discussion that I have had! At this stage I was responding to the concerns expressed by Hon Ljiljanna Ravlich that people were unsure about when the mental health bill would be introduced into Parliament. I was making the comment that a number of people are involved in various aspects of that. Given that people with a mental illness, carers, people who work in this sector, the new WA association of mental health carers, the Royal Australian and New Zealand College of Psychiatrists, the Department of Health, the Council of Official Visitors and the Mental Health Review Board are all involved in different aspects of the bill, there could be only one person left in Western Australia who was unaware of what stage the development of that new legislation is up to. It was and is going to meet the election commitment to be introduced into Parliament in this term of government.

Another comment that Hon Ljiljanna Ravlich made in this discussion was around a consumer voice and how consumers are being involved. She was lamenting that we have only recently established the Western Australian Association of Mental Health Consumers. The comment I make about this area is that consumers have been involved in a huge number of ways in the development of not only the legislation but also the policy, which is the subject of this ministerial statement. I think I mentioned at the beginning the number of community forums that have been held all through the regional areas of Australia as well as in the metropolitan area. Apart from that, we have now appointed a consumer policy adviser, Ms Louise Howe, who was the previous CEO of the organisation called Grow and who is now working for the Mental Health Commission. The mental health advisory committee was established a good number of months ago, with consumer representation. There has been a new initiative, which I was not that familiar with until about three weeks ago, called Allies in Change. That is a fantastic initiative that the Mental Health Commission has put in place. People with a mental illness, carers, people who work in the non-government sector, people who work in the government sector and people from across a range of different disciplines—I might add that these people came from regional sectors of Western Australia from Esperance, Albany, Bunbury, I think, and other areas—who were determined that mental health reform would go ahead one way or the other have taken on six months of training to be advocates for mental health reform. I do not doubt that at some point in time when I do something that is dreadfully inappropriate or that they do not like, this very initiative that we are funding will be brought back onto me. Nevertheless, I think that is a small price to pay for ensuring that consumers and people in Western Australia who are interested in mental health reform have a voice and are able to make use of it.

Other comments were about putting the Mental Health Commission in place and that somehow or other this would be looking after the bureaucrats and not looking after people with a mental illness. I can be absolutely clear that having the Mental Health Commission in place is fundamental to the enactment of all the reforms I have been talking about. It is about ring-fencing funding specifically to people with a mental illness so that that funding is appropriated directly from Treasury to the Mental Health Commission. The Mental Health Commission then has the ability to use those funds as leverage to effect better or different outcomes from what is currently happening. That has been a most amazing outcome in just 18 months. Hon Ljiljanna Ravlich also said that the Mental Health Commission is not established by statute and that it is just a state department. There was some suggestion from the other side of the house that the commission is a section of the Department of Health, which could be no further from the truth. It is a separate state department, just as the Department of Health is a state department. If Hon Ljiljanna Ravlich were here, I would ask her if she is also aware that the Department of Education is a department of state. Departments of state are the means by which government actually establishes agencies so they can go about their business independent of one another as necessary, notwithstanding that such organisations have to work inextricably with other agencies across the state.

I do not know why, but Hon Ljiljanna Ravlich continues to be confused about the three Aboriginal mental health initiatives that have been progressed in this state. The Aboriginal social and emotional health services are a \$22 million initiative; funds for this year have been allocated and services are being delivered as we speak. The statewide specialist Aboriginal mental health service is a separate \$22 million initiative that is currently rolling out, and funds have been allocated across all regions for this year, with the exception of the Kimberley; an agreement for that region is being negotiated. It has been quite a complex process to get an agreed position in place. The Western Australian Country Health Service and the Kimberley Aboriginal Medical Services Council work jointly to deliver that program in a very collaborative manner. That initiative is being finalised and is now off and running. The third initiative that Hon Ljiljanna Ravlich frequently gets mixed up is the statewide suicide prevention strategy, which has specific funding for the Kimberley. It obviously has a major capability of reducing suicide in Aboriginal communities. Additional funds have also been directly allocated from the Mental Health Commission to the stand-by suicide response team in the Kimberley.

I will talk a little more about the suicide prevention strategy. It is a two-pronged strategy, with more than 50 communities now involved and about 23 organisations that have signed up to implement suicide prevention strategies throughout their organisations. I would like to make mention of one such organisation. During the National Suicide Prevention Week about two weeks ago, Brookfield Multiplex—the construction company that is working on Fiona Stanley Hospital—in conjunction with the Construction, Forestry, Mining and Energy Union and other organisations, held a suicide prevention get-together at the hospital site. I asked the head honcho at Brookfield how he had advertised this initiative to people in the construction industry, and he said that the company had just sent out a message to everybody, and more than 1 000 people turned up to that get-together on a construction site. The actual initiative is called Mates in Construction. Members should never underestimate the impact that organisations can have on people working in their industry when they take on suicide prevention as a culture within their organisation. As I said, around 23 organisations have signed up to commit to suicide prevention in some form or another.

I will finish off by saying I am thrilled with the Mental Health Commission's work, and I remind members that this organisation has been up and running for only 19 months. In that time it has established itself by recruiting staff and negotiating contracts with more than 80 agencies, and negotiating the new national mental health reforms with the commonwealth government. It has taken on that work while staff have been changing positions and moving from one position to another, so it has been absolutely amazing to see that the Mental Health Commission has undertaken the range of services that it has. It really is making an impact across government agencies. It now has contracts with the Department of Sport and Recreation as well as working with the police, justice and housing. The impact the commission is having across these agencies is what we intended to happen.

Since Western Australia has established a Mental Health Commission, New South Wales has also decided to establish one. It might be a different model from ours, but it is a mental health commission. The federal government has also decided to have a mental health commission. The federal commission will have nine commissioners; unfortunately, one of them has already resigned.

Criticism has been levelled at the Mental Health Commission for the amount of preparation work that has gone into creating a foundation for some significant changes that are being developed at the moment. The other day I referred to Hon Ljiljanna Ravlich as the “Queen of Quick Fix”; I guess I am saying that it is not that easy to put things like this in place if we want them to stick, to be successful, to last and to have the impacts that they are designed to have. If those things have to happen, the amount of work that needs to be done, needs to be done.

**Hon Ljiljanna Ravlich:** We can't wait for four years!

**Hon HELEN MORTON:** I can understand how Hon Ljiljanna Ravlich, the failed minister of OBE, tried to roll out the new strategy without the groundwork —

**Hon Ljiljanna Ravlich:** It had already been rolled out for 10 years! It had the opposite problem, if you knew anything!

**The CHAIRMAN:** Members, there is ample time. If members wish to make a contribution, all they need to do is seek the call, and I will certainly give it to the first person who does.

**Hon HELEN MORTON:** The failed minister of OBE tried to roll out a new strategy without doing the consultation with key stakeholders and without doing the groundwork, and it failed. We do not want to have that happen after the amount of work we have progressed in mental health.

**Hon LYNN MacLAREN:** I will make some very short comments on this ministerial statement that arise from a meeting that I went to on the weekend, which was an alliance of the gay and lesbian lobbyists' groups—in particular, Rainbow Labor; GALE, which is a gay and lesbian electoral lobby; the Uniting Church Network; the Chameleon Society; Pride WA; and me, representing the Greens. I believe that a couple of other organisations might have attended that meeting at which the issue of youth suicide was raised. Youth suicide is one of those invisible issues in the state. Often when a person commits suicide, the reason for taking his or her life is not

reported. This marginalised community, especially in the case of young people, tends to be undervalued. One of the concerns raised at the meeting was that a member of the gay community took his life only a couple of weeks ago. There are very few services that can cope with the complex issues involving a young person who is coming out. The development of the state mental health policy and strategic plan is an opportunity to address that, as are programs in our schools that address people of diverse sexuality and gender and the issues they face. I want to bring to the attention of the Chair and the Minister for Mental Health the very serious issues facing young lesbian, gay, bisexual, transgender and intersex youth and the high rates of youth suicide, which I do not have in front of me but about which I have written to the minister. I would like to see this strategy produce a proactive approach that addresses that matter and helps to reduce the rates of youth suicide among that very vulnerable group.

**HON HELEN MORTON:** The One Life Team—the state suicide prevention strategy team—approached Gay and Lesbian Community Services and asked it to participate in the statewide suicide prevention program and submit a proposal, which the group did. Unfortunately, the first proposal sought a level of funding that was very administratively cost-heavy and so I asked it to provide a revised proposal. I gave clear guidelines on the revision that needed to take place to reduce the administrative costs to a level that was consistent with the strategy and with the other organisations that we were asking to participate in the strategy. The group came back with a second proposal, the administration costs of which make up more than 75 per cent of the total cost of the strategy, which is not acceptable in my view. I have indicated to the One Life Team that I would like to personally meet the representatives from Gay and Lesbian Community Services in my office and assist them in putting together a proposal that is more consistent with the types of proposals we are seeking to fund through the strategy. I am convinced that we will come up with a proposal which will work and which the group will participate in. However, we cannot go down the track of providing more than \$112 000, more than 75 per cent of which would go to administrative costs, when we really want the group to fund the actual services and activities in the community action plan. I am certain that I can assist the group in that process if and when I can organise that meeting.

**Question put and passed.**

*Standing Committee on Environment and Public Affairs — Twenty-first Report —  
“Shack Sites in Western Australia”*

Resumed from 14 April.

*Motion*

**HON BRIAN ELLIS:** I move —

That the report be noted.

In moving this motion, I thank the members and staff of the Standing Committee on Environment and Public Affairs for this comprehensive report that was undertaken by that committee and for the time they put in. What started out as a short, sharp inquiry turned out to be a much larger inquiry than we had expected. There are 11 shack sites throughout the state. The committee’s terms of reference required the committee to inquire into and report on —

- (1) information and issues to help inform government in the development of policy and the regulation of shack sites on public land in Western Australia; and
- (2) any other relevant matter.

During the inquiry the committee received 117 submissions and conducted hearings with representatives from the Wedge Island Protection Association, the Grey Conservation and Community Association, the Naval Base Holiday Parks Residents’ Association, the Department of Environment and Conservation, the Shire of Dandaragan, the City of Cockburn and the Lower Donnelly River Conservation Association. In addition, committee members personally visited the shack sites throughout the state. The committee found that there are shacks and there are shacks. As can be seen in the photographs in the report, the shacks range from what I would describe as almost luxurious to what most people would understand to be a shack. That is probably why the committee has found that a one-size-fits-all policy does not apply in this situation. There are varying degrees of shacks. The committee also found that there were 1 060 shacks at the 11 sites, and that they could be broken down into having various types of management. The shack sites managed by the Department of Environment and Conservation are located at Wedge Island and Grey, where there were 450 shack sites situated on unvested reserves, and D’Entrecasteaux National Park has 63 shacks, 43 of which are located at Donnelly River. These shack sites are situated on land vested in the Conservation Commission of Western Australia. There are 33 shacks in the Dampier Archipelago that also are vested in the Conservation Commission.

The squatter policy does not apply to reserves vested in the Conservation Commission of Western Australia. However, the other shack sites that are managed by and vested in local government have lease arrangements that

predate the squatter policy. The shack sites that are managed under this set-up are Peaceful Bay, with 203 shacks under the responsibility of the Shire of Denmark; Naval Base, with 178 shacks under the City of Cockburn; at the blowholes in Carnarvon there are 42 shacks under the Shire of Carnarvon; Lucky Bay has 31 shacks under the responsibility of the Shire of Northampton; there is one shack at Israelite Bay under the responsibility of the Shire of Esperance; there are 40 professional rock lobster fisher shacks at Cliff Head under the Shire of Irwin; and at Coolimba there are 20 professional rock lobster shacks under the Shire of Carnamah. As I said, the original squatter policy was put in place and applied only to unvested reserves. The squatter policy was instigated in 1989 and has been endorsed by previous Labor and coalition governments, with 678 shacks being removed from Dongara to Wedge Island. There were 138 shacks removed from the Shire of Coorow, 240 shacks from the Shire of Carnamah, 130 shacks from the Shire of Irwin and 170 shacks from the Shire of Dandaragan, near Jurien Bay. The Shire of Dandaragan was the last local government in the central coast to formally adopt the squatter policy. With the exception of Wedge and Grey Islands, all shacks in that shire have been removed. The most recent removal of shacks was in 2001, when 170 shacks were removed from Jurien Bay, which I mentioned. This enabled the development of the popular Sandy Cape recreational park, which provides basic amenities for camping, caravan and day visitors. The removal of shacks on unvested reserves in Western Australia has largely been achieved, with the exception of shacks managed by the Department of Environment and Conservation. The committee also found that some shack sites have a long history of formal regulation, particularly shack sites vested in local governments, while at other sites, such as Wedge and Grey, there was no regulation. In the committee's view, a significant principle in the shack site policy is that public land should be available for members of the public to access and use. In the committee's view, an important principle is that public land should be managed for the public, not a select few. As indicated by its recommendations, the committee was of the view, as I said, that a one-size-fits-all policy was not appropriate, but equity was a major consideration.

I would like to mention fisher shacks, which is a separate issue. The committee took no issue with the fisher shack policy as such, but felt it was time an audit was done on fisher shacks to establish which shacks are being used by commercial fishermen and by others. Although the committee had no issue with the fisher shack policy, it recognises there has been quite a reduction in the number of commercial fishermen up and down the state's coast, so it is probably an opportune time for the relevant minister to do an audit on those commercial fisher shacks and to review the policy. It was the committee's view that, following the audit, those shacks which are not being used as expected under the fisher shack policy or which have been abandoned should be removed.

I do not intend to speak about all the shack sites as members can read about those in the report, but I will make some comment on the Wedge and Grey Island sites, as members would know that these are probably the two most contentious sites. In so doing, I am pleased to note statements in the media by representatives of the Wedge and Grey communities that they felt as though they had a fair hearing from the committee and took no issue with the committee. They may not have appreciated some of the committee's recommendations, but at least they felt they got a fair hearing.

I have a couple of points to make about the Wedge and Grey sites. I advise members once again, so that they understand, that the squatter policy applies only to unvested reserves. The Wedge and Grey communities are located on an unvested reserve that is the responsibility of the Department of Environment and Conservation. The committee considered that where shack sites are vested in and managed by local government under a lease arrangement, local government should continue to manage the shack sites as it deems appropriate. Recommendation 8 reflects the unique circumstance applying to the blowholes at Carnarvon. But, as I said, shacks on unvested reserves are the responsibility of the Department of Environment and Conservation, and there is an expectation by communities in the Dandaragan shire that perhaps successive governments have not taken their responsibility under the squatter policy as seriously as has the Dandaragan shire. I have to say that the Dandaragan shire has been quite patient in its expectation that successive governments would apply the squatter policy, because, as I pointed out earlier, it has instigated the removal of shacks under its control on unvested reserves. Coming back to equity, those people who have had their shacks removed have been putting pressure on the Dandaragan shire, and, understandably, the communities in Jurien Bay and Cervantes are wondering about the equity position when shacks at Wedge and Grey are still in place and they cannot access those sites.

The other issue that has brought to a head the situation with the Wedge and Grey sites is the opening of Indian Ocean Drive. After its opening, the traffic count increased to something like 4 500 vehicles each way a day. An issue has been reported back to me, particularly from the Dandaragan shire, that because access to these sites is a lot easier than it used to be—in some cases it is only a couple of kilometres' drive—people are pulling off the road and expecting to be able to camp at these sites, which is creating issues for the management of those sites. The Dandaragan shire does not remove rubbish, nor does it have any management protocols or principles in place because it is the Department of Environment and Conservation's responsibility. These two sites are highly significant tourism sites. I can understand why people want to go to these sites and why shack owners would like to stay there and why they enjoy the sites of Wedge and Grey. However, the problem from the point of view of

access from the new Indian Ocean Drive is that more and more people are putting pressure on these sites, hence the recommendation of the committee. The committee found that some shacks are permanently occupied. That was never intended, but I personally blame successive governments for allowing that to happen. That is why the committee found that the removal of those shacks and relocating those “permanents” is partly the responsibility of government because successive governments allowed that to happen. The committee also found that the government should assist in any relocation of those permanents because it is partly the fault of governments for allowing those people to stay there.

The Dandaragan shire has been patient. It has in place a Wedge and Grey plan that the committee found would be a suitable plan for those sites. It consists of low impact accommodation and camping sites such as they have at Sandy Cape. That would cater for these people who have easier access to those sites. The expectation of being able to stay at these sites would be catered for under a similar plan. The committee agreed with the Wedge and Grey master plan concept.

In conclusion, as stated in the terms of reference the committee’s aim was to assist government in determining the shack site policy. I am encouraged by the government’s response to the committee’s report in accepting all the recommendations of the report, even though there is one qualification in relation to Wedge and Grey. I hope that when the final decision is made on the future of the Wedge and Grey sites, the government takes into account the recommendations of the committee so that all Western Australians have access to these sites and not just a privileged few. I commend the report to the house.

**Hon HELEN MORTON:** As has been indicated, the Standing Committee on Environment and Public Affairs tabled its twenty-first report entitled “Shack Sites in Western Australia” on 14 April 2011. I note the committee made 52 findings and eight recommendations following a thorough assessment of all issues surrounding shacks in Western Australia. The committee considered 117 submissions from a broad range of interested parties including shack owners, local government authorities, fishing industry representatives, planning, tourism, heritage, and Aboriginal organisations and government agencies. The committee conducted hearings and took further evidence from individuals representing many of these organisations. The committee found that a one-size-fits-all policy, as Hon Brian Ellis said, is not appropriate and that decisions regarding a particular shack site should reflect the circumstances relevant to that site.

On 30 August 2011 the Minister for Environment tabled the government’s response to the standing committee’s report on shack sites in Western Australia. The government has accepted seven of the standing committee’s eight recommendations. The government recognises that there are a number of shack sites throughout the state in different circumstances and with different histories. The Department of Environment and Conservation and local governments manage more than 1 000 shacks at 11 sites in Western Australia. These include key sites managed by DEC at Wedge and Grey and D’Entrecasteaux National Park, and Peaceful Bay, which is managed by the Shire of Denmark. In line with the standing committee’s report, the government will review its policy on professional fisher shacks and consult with the Shire of Carnarvon over the blowhole shack site.

In relation to the huts at D’Entrecasteaux National Park, the government will work with the Lower Donnelly River Conservation Association with the aim of retaining the huts for use by the public and members of the association. The committee’s recommendation on the shacks at Wedge and Grey has been accepted, with qualification. The government has extended the current shack leases at Wedge and Grey until 30 June 2012 while thorough consideration is given to the options for public, low impact, nature-based visitor facilities and accommodation in these areas. As part of this, the government will continue to consult with the Wedge Island Protection Association and the Grey Conservation and Community Association to examine the suitability and possible incorporation of upgraded shacks as a component of any future public facilities and accommodation. This requires an examination of the planning, environmental, safety, health and building requirements for the sites, and an assessment of the current standard of the shacks. Any abandoned or newly erected shacks will be removed.

The government thanks members and staff of the Standing Committee on Environment and Public Affairs for the time and effort they have put into preparing a very comprehensive report.

**Hon LYNN MacLAREN:** I would like to speak to this report as a member of the committee that has lived with this for some months. As Hon Brian Ellis mentioned in his summary remarks, this petition was tabled way back in November 2009. It took us a long time to get to this very substantial report. That is because we decided that we would be contributing to the government’s decision making around how to deal with these shacks. Members will note that in the appendix we have provided a long list of all the people who gave submissions. It was a substantial list of individuals who had interests in shacks, including the departments that might have something to do with them. This was a very comprehensive inquiry on the part of our committee. I am proud of the report we have provided to the government, through this chamber, for consideration. What I found really fascinating about shacks is that this 1989 policy has really not changed. It has been reviewed over the years and been upheld at each review. The squatter shack policy, which called for the removal of these illegal shacks way back in 1989,

actually gave them a fairly generous grace period of six years to move on. In 2011, we still have not managed to implement the shacks policy. That is why we took some care at looking at why not, what is the issue here and what are the challenges.

In my view one of the issues that arose was that the policy is a sound policy that should be implemented. I question whether there were any avenues to pursue to look at penalties for the neglect of government to not act on that policy. Why did the government choose to not act on that policy? As Hon Brian Ellis highlighted, inequities resulted over the years because some people thought, "That's the law; let's move from our shacks", and other people just hung on until this point in time, and will continue to hang on, particularly at Wedge and Grey. As the Minister for Mental Health has told us, the government has given them extra time. There has been inequity in how this policy has been implemented. Coming from the perspective that I bring to the Parliament as a Greens member, I looked at the environmental impact and the risk associated with these people living on the coast at a time when there will be sea level rise and sea level impacts. The coastal vulnerability in these areas is one of the factors that should have been given more consideration. Those people need to be protected as a public safety measure. That is part of the reason we should pull back from the coast. If we permit people to live on the coast, we need to provide basic services. The reason why we have a planning system and why we locate our towns and cities in the places they are located is that we can provide people with the basic services of sewerage, clean water and electricity, and access, if they need it, to those areas. These shack sites do not exist in that way. In fact, the government planning policy titled "Professional Fisher Shack Tenure along the Central Coast of Western Australia" states —

A professional fisher shack site that will be subject to a transitional lease, will comprise an area occupied by a maximum of three shacks, together with sheds and storage area associated with the fishing operation. All structures and the storage area must be in close proximity.

It makes sense to me that fishermen who need access to the ocean have shack sites. But clearly the shack sites that we are talking about here are very rarely used by fishermen. One of the recommendations that the committee made was that the Department of Fisheries look at these sites to see which ones are currently being used by fishers, and then that we try to preserve that, to make sure that fishers can still have access to these shack sites, because that is why they are there.

The other issue that Hon Brian Ellis has raised is public access to the coast. We felt that in some places, shack sites could provide an opportunity for the public to access the coast. That could perhaps be done by managing them in such a way that they become town sites. But, by and large, we believe that most of these shack sites should be removed. There are 1 060 shacks in 11 shack sites throughout Western Australia. When we first looked into this, it was surprising, I think to all of us, to find that so many shacks had survived over this time period of trying to implement a shack sites policy. I commend the good work of our research officer, Suzanne Veletta, who provided quite a bit of documentary evidence of shack sites, as well as her expertise in putting together a massive amount of information from all the submissions that we had received. We surveyed those submissions and found out where those sites existed, and then we invited people to come and talk to us. What we learnt is that there is no one-size-fits-all approach. That is because all these sites are different. Some of these sites are managed and some are not managed. In my own electorate of South Metropolitan, we have the Naval Base shacks. These shacks are really city shacks. The metropolitan area surrounds them. So we asked, "How are we going to deal with this?" In fact, over the course of the inquiry, several things happened. One thing is that Indian Ocean Drive was opened, and that caused extra pressure on Wedge and Grey. The other thing is that the City of Cockburn finally said that it would look at its shack sites policy and decide what it is going to do with the Naval Base shacks. The City of Cockburn used the inquiry as an opportunity to review that. This has become a very hot political issue in the City of Cockburn, and it will continue to be, until the city decides how it is going to adequately manage those shacks and which ones it is going to remove.

I have a particular love of the lifestyle in Western Australia. There is a tradition in Western Australia of holidaying by the coast that I value strongly. I love the fact that Western Australians like to get out to the coast and live rough and enjoy themselves and have fun in these shacks. Many people wrote to us of their experiences throughout their childhood, in spending time with their grandparents in these shack sites, and then, when they were grown up, in just having time to enjoy the wild environment. That is a very important value that we need to acknowledge. There did not seem to be any opportunity to do that in the squatter policy. How do we actually measure the heritage value and the cultural value of these places? The National Trust and the Heritage Council both gave us submissions that went some way towards trying to articulate the social values of these shack sites. I would encourage the government, in its implementation of our recommendations, to review those assessments from the Heritage Council and the National Trust to determine whether there is some way that we can preserve some of the cultural history in those areas, particularly Wedge and Grey. The National Trust was very strongly of the opinion that there were heritage values that should be considered in any future use of those sites.

At this point, I want to quote from the Wedge and Grey submission. This is from Peter Marr, who is one of my constituents, and who came in to see me after the report was tabled. Peter said in his submission that they

believed that we were careful in listening to everyone and trying to come to a way forward in this matter. He said also —

We do not wish to put our head in the sand and hope that everybody leaves us alone, we accept that we have a responsibility to upgrade our shacks to required standards, we accept that affordable accommodation should be provided and available for the general public. We hold true to the point that the Wedge environment should be protected and nurtured.

However, we also believe that we have a well established social heritage with a strong community and sense of place and it can be retained and co-exist with any future development.

I think members will find that, in our recommendations, we tried to take that into account, acknowledging, too, all the differences that exist throughout the various submissions that were made to us.

As Western Australia's population grows, the pressures along the coast are going to increase. We do need to manage these areas. Wedge and Grey are a prime example of that, with the opening of Indian Ocean Drive and more visitors going there to enjoy those areas. We looked at the need for low-cost tourism accommodation in coastal areas. Members will find from the report that we went some way towards exploring those ideas. Perhaps the government might find some way to re-use some of these shacks for holiday accommodation. I personally think that if we are to have quality ecotourism in Western Australia, this is one of the opportunities that the shack sites present. We need to ensure that we can provide low impact, affordable family accommodation if we are to honour some of the cultural values that can be found in the shack sites. There are also Aboriginal heritage sites that are located on or in close proximity to Wedge, and there may be Aboriginal heritage sites located on or in close proximity to other shack sites. That should be an important consideration when we are looking at whether we are going to remove or retain some of these shack sites.

Many people are very attached to these sites. Mr Chairman (Hon Matt Benson-Lidholm), I wish you could have seen the passion and the deep attachment to place that particularly the Donnelly River community has. My heart went out to them. They are farmers. They can access the Donnelly River site only by boat, and they have to go well out of their way. They have created another sense of community there, a holiday community, and they saw that this inquiry might threaten that sense of place and that enjoyment that they have in getting off their farms and going to the coast. I hope that this report is seen by them to be positive step forward. Hon Donna Faragher went to Donnelly River and visited that shack site, and I know that the people there were most appreciative of the efforts that she put in as the minister at the time to learn about what they would potentially be losing. We did not want these people to feel that this is some one-size-fits-all approach. We need to ensure that building and safety regulations are met in these managed places. That particular shack site is quite remote, so it does not suffer the same pressures —

**Hon Donna Faragher:** It is a different circumstance entirely.

**Hon LYNN MacLAREN:** Exactly. It is the other extreme of potentially Wedge and Grey. So I would hope that the people from Donnelly River who came and talked to us will respect the decision that we have made and the recommendations of the committee.

**Progress reported and leave granted to sit again, pursuant to temporary orders.**

*Sitting suspended from 6.00 to 7.30 pm*

#### PAPERS TABLED

By leave, papers were tabled by **Hon Norman Moore (Leader of the House)**.

#### METROPOLITAN REDEVELOPMENT AUTHORITY BILL 2011

*Third Reading*

**HON HELEN MORTON (East Metropolitan — Minister for Mental Health)** [7.32 pm]: I move —

That the bill be now read a third time.

**HON LYNN MacLAREN (South Metropolitan)** [7.32 pm]: I will not be supporting the third reading of this bill. It will come as no surprise to any member of this house that the Greens oppose this bill. We have been very clear. I do not want to rehash the debate that we have just had over the last week, not only because I do not want to, but also because it is not appropriate to do so in the third reading debate.

I advise members that I tried 84 times to make this bill acceptable to us by putting forward amendments, and on 83 occasions the government chose another way. We have certainly worked hard to try to make this bill acceptable. The problems were accentuated to me on the weekend when I ran into a local councillor from the City of Belmont, who said, "Oh, I want to talk to you about that metropolitan redevelopment bill." I said, "It's too late, mate." He said, "Oh, but we're getting a briefing on Thursday!" That is exactly my point. My point has always been that local government has not been adequately considered in the development of this bill.

Unfortunately, the bill does not have the strength that we would like to see to be able to develop an urban vision for Western Australia. It creates too many powers for one authority, which does not have enough elected representation on it. I think the bill is weaker because it has not taken into account the views of that local government authority or, in fact, of all local government authorities. It has taken into account the views of the redevelopment authorities that will be wrapped up into it. As I have said, we do not oppose the policy of the bill. We do not oppose the idea of a Metropolitan Redevelopment Authority or the way that we are capturing the skills and wisdom of those individuals who have tried in their various redevelopment authorities to deliver better planning outcomes for this city. However, it is my responsibility when legislation comes before us in the upper house to examine and review whether it is delivering what it promises, and the Metropolitan Redevelopment Authority Bill does not deliver what it promises. Its shortcomings are many, as was expressed in the 84 amendments that I moved. A key weakness in the legislation is the lack of sustainability goals. If only we could have put into this bill a hard code requirement to deliver better sustainability outcomes, that would have been a good outcome for the bill, but no, we have failed in our mission.

Another point I want to bring to members' attention—it might have escaped their notice—is that on 25 September it was the fortieth anniversary since Kelly's Bush was saved. That was the first green ban in New South Wales. Those who have followed the development of planning rules throughout Australia know that in the early 1970s, to protect Sydney from widespread destruction due to bulldozers destroying heritage and precious urban bushland, the citizens of New South Wales rose up alongside members of the Builders Labourers Federation and worked hand in hand to stop inappropriate development. If we do not heed the call of Western Australians for the need to develop Perth sustainably, we may run the risk of that type of uprising. I have spoken often about the Beeliar wetlands, which are precious to my own electorate in the South Metropolitan Region. We need to have good planning principles in this place that are reflected in our legislation so that the people of Western Australia will have faith that we will deliver what they want for the future of the city and for their children. That is what we have tried to do in this bill. I hope that we do not go down the road of anarchy and chaos that resulted from the 1970s green bans in New South Wales, but we do run that risk when we cut the entire local government sector, apart from a couple of representatives of the Western Australian Local Government Association, out of the planning process. WALGA has been very clear about its concerns with the bill. We even tried to send the bill to a committee for a week or two so that those concerns could be taken on board. We know that they have not been taken on board, based on the evidence that was presented during the committee stage. I do not support the third reading of the Metropolitan Redevelopment Authority Bill.

**HON HELEN MORTON (East Metropolitan — Minister for Mental Health)** [7.38 pm] — in reply: I will respond very briefly to the third reading of the Metropolitan Redevelopment Authority Bill 2011. I appreciate that Hon Lynn MacLaren has indicated her support for the policy and intent of the bill. The government and I have more faith than the member in the bill's ability to deliver on the policy intent and direction. I have indicated already that the development of this bill has been ongoing over the past two years and that the level of consultation that has come about in the last little while is in addition to the consultation that took place prior to that. No-one is unaware of the direction of the bill. Considerable attempts were made to provide briefings on specific clauses that people were not aware of originally.

I want to thank everybody for their contribution to this debate. I have one bit of unfinished business that I will clarify for *Hansard*. During debate on clause 8, I undertook to clarify for Hon Adele Farina the circumstances in which a corresponding section of the East Perth Redevelopment Act 1991 had previously been used. Section 18A of the act was used on one occasion on 3 July 2005, when the East Perth Redevelopment Authority was given approval by the Governor to provide services to the Public Transport Authority. The services provided included options analysis on the costs and benefits of undergrounding bus and rail infrastructure, business case assessment and master plan considerations and advice on potential regeneration benefits of the project area now known as the Perth City Link. That is the only time that that section of the EPR act has been used and there is no corresponding provision in any other redevelopment authority act. I again thank members for their contributions and commend the bill to the house.

Question put and a division taken, the Deputy President (Hon Col Holt) casting his vote with the ayes, with the following result —

Ayes (28)

Hon Ken Baston	Hon Ed Dermer	Hon Adele Farina	Hon Norman Moore
Hon Liz Behjat	Hon Kate Doust	Hon Philip Gardiner	Hon Helen Morton
Hon Matt Benson-Lidholm	Hon Wendy Duncan	Hon Nick Goiran	Hon Simon O'Brien
Hon Helen Bullock	Hon Phil Edman	Hon Alyssa Hayden	Hon Ljiljanna Ravlich
Hon Jim Chown	Hon Sue Ellery	Hon Col Holt	Hon Ken Travers
Hon Peter Collier	Hon Brian Ellis	Hon Robyn McSweeney	Hon Max Trenorden
Hon Mia Davies	Hon Donna Faragher	Hon Michael Mischin	Hon Linda Savage ( <i>Teller</i> )

Noes (3)

Hon Giz Watson

Hon Alison Xamon

Hon Lynn MacLaren (*Teller*)

Question thus passed.

Bill read a third time and returned to the Assembly with amendments.

### PROFESSIONAL COMBAT SPORTS AMENDMENT BILL 2009

#### *Third Reading*

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [7.45 pm]: I move —

That the bill be now read a third time.

In doing so, can I take up the time of the house for one moment to respond to a question asked by Hon Philip Gardiner last night? At the time, I did not have a response. The State Solicitor's Office has advised that the Corporations Act 2001 does not apply to the Professional Combat Sports Commission as the commission is a public authority and, therefore, is specifically excluded from the definition of "corporation" under the commonwealth law. Effectively, Hon Ken Travers was right in what he advised the chamber yesterday, as much as I hate to admit it.

**Hon Ken Travers:** Can I ask that Hansard be required to take that down!

**Hon NORMAN MOORE:** It has been taken down, I hope.

The common law case precedent and, specifically, cases not determined under commonwealth law point to the definition of a meeting being a meeting of the minds, not necessarily a meeting of the bodies. Furthermore, the SSO has reiterated that the Interpretation Act 1984 mandates an "always speaking" approach to statutory wording. This means that the wording of a statute needs to be interpreted according to modern developments and the prevailing technology of the time. Therefore, the definition of a meeting under the combat sports legislation cannot be construed as being simply a face-to-face meeting and needs to be construed as a meeting convened using any of the technologies available today to facilitate a meeting of the minds. That is the response to a question asked by Hon Philip Gardiner. I thank Hon Ken Travers for his wisdom in this matter.

Question put and passed.

Bill read a third time and passed.

### CAT BILL 2011

#### *Second Reading*

Resumed from 21 September.

**HON LJILJANNA RAVLICH (East Metropolitan)** [7.47 pm]: I rise to support the Cat Bill 2011. I want to take the opportunity to make some comments about the provisions contained within the bill and also about cats, because this can be, and is seen to be, quite a contentious issue among some members of the community. Indeed, this is a very important bill. It is important irrespective of whether people do or do not support the legislation, because it is the sort of bill that can fire up both sides of the argument.

I thought I might start by putting on the public record that the opposition supports the Cat Bill. We have a number of concerns with this piece of legislation, but we will deal with most of those concerns during the committee stage of the bill. It seems eminently sensible that this bill is to provide for the control and management of cats, to promote and encourage responsible ownership of cats and for related matters, and we will deal with those related matters a little further down the track. No-one would argue that there is a need for effective management, control and responsible ownership of cats.

I thought I might share with members my experience with cats, because I have had an experience with a cat.

**Hon Max Trenorden:** Am I old enough to hear this tale?

**Hon LJILJANNA RAVLICH:** It is just a true story of what happened with me and a cat a long, long time ago. It was not long after we had come here from Croatia. We settled in Midvale, and I was going to the local primary school. We did not have any pets in Croatia, apart from goats on the mountains. When we came to Australia, it seemed that people had pets. I was in about grade 4 at the time, and I had made friends with a girl by the name of Ann Pascoe. Her family lived near the fire station in Midland. As it worked out, the cat that she owned had a litter, so I asked my father if I could go and collect one of these kittens. I went to collect the kitten, and unfortunately it was not a particularly healthy kitten, because it had something wrong with one of its legs. So I took this kitten home. We had a spare cot in the bathroom in those days—goodness knows why—and I made a little bed for the kitten, and I tended to the kitten, and over a number of months the kitten got well and he became

my pet. Then one day, Mr Benn, who lived two doors up, was on his pushbike, going to work at the Midland Workshops, and I remember the knock on the door, and I answered the door, and he appeared there and he said, “I hate to tell you this, but your cat”, which was named Pussy —

Several members interjected.

**Hon LJILJANNA RAVLICH:** We gave all our cats the same name! We did!

Several members interjected.

**Hon LJILJANNA RAVLICH:** It must have been the migrant experience! We probably did not know; we just thought they were all that!

**Hon Peter Collier:** Pussy 1, Pussy 2, Pussy 3; so when you said “Puss, puss, puss”, they all came?

**Hon LJILJANNA RAVLICH:** We had Pussy 1, Pussy 2 and Pussy 3 for all the cats in the household.

**Hon Ken Travers:** Do you know that, in the movie *Goldfinger*, the other character in that movie was Pussy Galore!

**Hon LJILJANNA RAVLICH:** Yes, yes!

Anyway, I was very stricken with grief when we had to go and pick the dead cat off the road—Hon Sue Ellery is crying over there! Please do not cry! It is not that sad; it was many years ago. The upshot was that I asked my mum if I could have a big, old white sheet, and she said yes I could. I remember rolling this kitten up in the sheet and digging a big hole under the huge fig tree we had in the backyard and making a cross with sticks, and burying this little kitten in this hole, putting the cross on, and going to visit this dead cat for a number of months thereafter.

I have to say, following that, that I never had a pet again. I was so hurt by the experience of having loved something so much, only to have it taken away from me, that I never again had a pet of my own. My mother, however, occasionally got a cat—Pussy 2, Pussy 3 and so on and so forth—but I never really connected with cats again. However, here I am, some 40-odd years later, connecting with cats again through the Cat Bill, and I have to say it has brought back some memories for me.

I do believe that pet owners need to be responsible. If pet owners are not going to be responsible, perhaps they should not have a pet. So this is good legislation from that point of view. The concept of regulating pet ownership and legislating for responsible ownership of cats has been in the pipeline for quite some time. This has been talked about for a long, long time and here we have before us, finally, the legislation that will put the appropriate laws in place to ensure that the objects of this bill are achieved.

A decision paper was put out in January 2011 for domestic cat control legislation, although work had been done previous to that. The decision paper had been informed by earlier work in which the Department of Local Government and Regional Development had put its proposal out to the broader community to seek feedback through engaging community response to the proposed legislation. It is interesting, because people might have been a bit surprised that there was a lot of support for the legislation. The overarching objective of the legislation is to try to reduce the number of stray or unknown cats in Western Australia. It is hoped that through the implementation of cat control legislation across the whole state, this will be achieved through responsible pet ownership and a change of behaviour by members of the community who own cats. There is no doubt that one of the issues that drives this is that some 5 000 cats are euthanased each year, and that is way too many.

The impact of stray cats on the natural environment and on wildlife has also been of considerable concern. I am sure that when members of the Greens speak, they will elaborate on that. There is no doubt that we hear in this place and throughout local communities that feral cats are problematic to the environment. We need only travel through the north west and speak to some of the locals to get their view about the negative impact of feral cats economically and environmentally. There is no doubt that, with this legislation, and the requirement for identification in the form of microchipping, collars and tags and registration and sterilisation, it will be much easier to identify cats to make sure they are contained within certain areas and so forth. I understand that in the consultation process undertaken by the Department of Local Government and Regional Development some 600 submissions were received from the community. As I said, overall, the majority were supportive. That is not to suggest that some members of the community may have supported the legislation generally, but had concerns about some aspects of it. That may well have been about cost or the right-of-entry provisions that will enable an authorised officer to go onto private property and confiscate a cat or do whatever is required. Nonetheless, there is no doubt that, by and large, the vast majority of the submissions were supportive. Some of the feedback obtained from those people was considered prior to the drafting of this bill. I think that is a positive thing.

This is a bill to encourage responsible cat ownership, to reduce the number of unwanted cats being bred and to allow cats found in public places or on private property to be seized and, if required, to be disposed of. I guess that is pretty straightforward. When we get into the detail of this legislation and go through it clause by clause,

we will see that some provisions are questionable. Just about every clause in this bill carries quite significant penalties. We have been advised by the minister's advisers that the penalties set down in the bill—they are everywhere—are for amounts up to \$5 000. However, I think the penalties right throughout the legislation are way too excessive and will no doubt impact on those people who can probably least afford it. For example, a pensioner or a disabled person may get into a situation in which for some reason their cat is doing something that it should not be doing or it is somewhere where it should not be. We can imagine situations that could occur in which that pensioner or disabled person might be fined a significant sum—say, \$4 500 or \$5 000 at the extreme—and the sort of cost impost that might have on that particular individual. The costs that are set out in this bill are quite excessive.

When we talk about cats and the way that this bill is structured, we have to recognise that there are different categories of cats. The discussion paper identified subpopulations. First, there are cats that are owned by individuals or households. Generally speaking, if a cat is owned, we would expect that it would be pretty much looked after. It would be a domestic cat so it would be fed regularly, given water and all the rest of it. The life of an owned cat would be a pretty good life compared —

**Hon Giz Watson:** They still hunt.

**Hon LJILJANNA RAVLICH:** Yes, they still hunt. That is probably out of greed or fun or something. I imagine that the life of an owned cat compared with a feral cat might be much more luxurious and comfortable.

**Hon Max Trenorden:** I think you're possibly right.

**Hon LJILJANNA RAVLICH:** Does Hon Max Trenorden think I am right? I think I am right about that.

**Hon Giz Watson:** Some feral cats have a pretty good time.

**Hon LJILJANNA RAVLICH:** We are not going to go there. We are not talking about feral cats. We are just talking about the categories of cats that have been identified as part of the study. There are owned cats and then there are unowned stray cats.

**Hon Liz Behjat:** Alley cats.

**Hon LJILJANNA RAVLICH:** Are they alley cats?

**Hon Liz Behjat:** I don't know.

**Hon LJILJANNA RAVLICH:** I do not know whether they are alley cats. They have no identifiable owner or home but they live in close proximity to humans and they may be accustomed to their presence. They are not entirely feral; they have had some contact with adults. Then we have semi-owned cats and feral cats. When we get to the committee stage of this bill, I will be really interested to explore in some detail —

**Hon Robyn McSweeney:** What detail would you want between a domestic cat and a feral cat? Come on!

**Hon LJILJANNA RAVLICH:** They have been identified as subclasses of cats. They have been identified as that because they have formed the structure of this bill.

**Hon Giz Watson:** Cats are genetically different.

**Hon LJILJANNA RAVLICH:** They are genetically different. Hon Giz Watson is 100 per cent right. All those subclasses of cats are genetically different. We would want to know how the fact that they are genetically different has been accommodated in this bill.

**Hon Michael Mischin:** You're kidding me!

**Hon Peter Collier:** I can't believe you said that.

**Hon LJILJANNA RAVLICH:** Members should not laugh. That is a very important question. We will perhaps ask Hon Robyn McSweeney to explain this in her response to this house. She might be able to answer that question for us, so I hope somebody has written it down.

One of the other issues driving this reform—this will give Hon Robyn McSweeney a bit of time to think about the last question—is that for quite some time local governments have been trying to work out a solution to the regulation of domestic cats. When I was Minister for Local Government and Regional Development, I found that councils were attempting to deal with this issue, as there was no doubt that the behaviour of somebody's cat was sometimes an issue that gave rise to a complaint from a neighbour. So, for the last 10 to 15 years local governments have been grappling with this problem and trying to come up with a solution. Some have found that the easy way to do that is to put in place regulations and so on and so forth. I understand that about 20 or so councils have in fact gone down the path of trying to manage the cat issue. The only problem is that over time those councils are doing their own thing. Some local governments are taking measures that run across all local government authorities, but the measures in others have huge variations. The way in which local governments

deal with this issue, in the absence of proper legislation and regulation for all cat owners across all local government authorities, has now become a bit of a mishmash. There are significant variations in the regulations for cat ownership between one local government and another. There are differences in the way in which cats are registered by a local government that has a requirement for it. There are variations in the number of cats that can be kept. There are variations in the restrictions about where cats can roam, and so on and so forth. Members can see that if the government were to bring a bill into this place to deal with the issue in the long term, we would probably end up in a very confusing state indeed with all those variations between one local government authority and another. I think, therefore, that it is a good thing to have this legislation that provides for the control and management of cats, and promotes and encourages responsible ownership of cats.

I have already touched on the issue of the excessive penalties in this legislation, so I will not say a lot more about that. Clearly, the consultation process has been extensive. A range of groups have been involved in that consultation process, including local governments across the board and cat and animal welfare groups. I understand, given the role that veterinarians will play in controlling and managing cats, that they too have been involved in the consultation process, as they will implant the microchips. One issue that has been raised with me, which I would also like a response to because I still do not understand it, is why a cat that has already been microchipped must also be registered at the local government authority. The legislation requires a person to in fact pay twice: one payment for microchipping by the vet and another payment for the registration process that occurs after that. It may well be that there is a very logical explanation for that—I do not know—but it would be very good to find out.

Earlier, I made the point about the responses of respondents, even those who felt that they supported the legislation. There were some varied opinions on the parts of the legislation they were not particularly happy about. I went to the Department of Local Government and Regional Development website to look at some of the comments, and they ran into pages and pages—I think something like 350 pages—of the collation of the views of respondents to the Cat Bill 2011. I will not go through the names or whatever, but I just wanted to signal some of the issues that some of the respondents raised. For example, one of them did not agree with confinement or trapping, and suggested that there should be help for low-income earners if sterilisation becomes compulsory, raising the question of cost. Another one said that it places a significant burden on local government, and would impose significant costs regarding resourcing, education, staffing, and holding facilities. Basically, the argument was who is going to pay for this, and that perhaps the amount that will be paid to local government, or received through the registration process, will not be sufficient to cover all the costs associated with implementing this legislation.

Resources will be required to educate the broader community on what this bill means to them, so that they are well informed and do not breach the provisions of this legislation. There will perhaps be a requirement to put on additional staff to deal with the issue of holding facilities. When an authorised person goes out and collects cats, they may not be collecting one cat at a time; there may be a house with a person in it who may have a cat fetish or something and that person may have hundreds of cats. Of course, if someone has to impound hundreds of cats, they have to be accommodated somewhere, I suppose; there would have to be a holding facility at the local government authority. There is no doubt in my mind that local governments are getting their heads around all these issues and how they will deal with them.

Another respondent said that there should be a ban on pet shop sales, and that licensed breeders should be the only ones able to sell kittens. The argument there was that often kittens are bought on impulse, because somebody is walking by a pet shop and they say, “There’s a pretty kitten. My niece, Mary, is having her fifth birthday. What a lovely thing it would be; I think I’ll buy her a kitten”, and they buy the kitten. Of course, the child eventually grows out of the kitten, and basically nobody wants to look after it and so on and so forth, and it becomes a problem. Quite a few people shared the view that perhaps licensed breeders should be the point of sale, rather than pet shop owners.

There was a view by some that the laws were just too much trouble, and that the government should give vouchers for 50 per cent off sterilisation. Other people felt that this legislation will not help the feral cat problem at all and that, in relation to the feral cat issue, it was a waste of time. Other people said that they were not opposed to the legislation, but they did not think there was sufficient resourcing backing it up in order to ensure compliance. As I said, I do not really want to go through all of the responses. There were 360-odd pages of views of respondents; therefore, everyone had a varied view. The only point I want to make is that although a lot of people agreed with the legislation, a lot were concerned about certain aspects of it.

I have already expressed concern about the cost associated with the bill and the right-of-entry provisions that are contained in it. They are two of my major concerns; however, it will be interesting to go into the provisions contained in this bill in some detail. It is an interesting bill on the face of it; it is a very good bill. Time will tell the effectiveness, or otherwise, of this legislation, as it always does, but I certainly hope that it achieves all that it intends to. Having said that, the Labor Party supports the bill.

**HON MAX TRENORDEN (Agricultural)** [8.16 pm]: I rise to speak on behalf of the National Party on the Cat Bill 2011. I think we would say that we see this bill slightly differently, but we support the bill. Being a country person, I would think of a feral cat differently from the way most people in this place would think of a feral cat. As a young person growing up on a farm and as a young man on a farm, I regularly went out fox shooting and cat shooting, because, basically, we loved the native animals. Anyone who has spent nights in the Wheatbelt listening to a curlew knows it is wonderful. It reminds me of the song about the nightingale in London. The call of a curlew is something pretty special and cats and foxes are major problems for curlews. I suspect that anyone who has lived in the Wheatbelt would have a special feeling for ground larks, plovers and other birds that are just lovely things under extreme pressure from cats and foxes, but in particular cats.

Seeing that Hon Ljiljanna Ravlich told a few stories, I will tell a few stories too, but mine might not be as amusing. Like most farmers, we had two sheepdogs and the two sheepdogs would work in tandem to kill foxes. One was an older dog and one was a younger dog. The younger dog would basically head the fox off and the older dog would just very efficiently kill the fox, but I can tell members that that does not happen with feral cats. Feral cats get to such a size and to such ferocity that the dogs cannot handle them. When a dog is game enough to take on a feral cat, a feral cat attaches itself to the bottom side of the dog's head and viciously attacks the dog to some substantial proportions. Personally, I have never seen a feral cat lose a fight. Feral cats grow to substantial sizes. I will not go into the stories of the south west. The Deputy President (Hon Col Holt) is better off going into the stories about cats in the forests of the south west and other matters that get talked about, but I can tell members that feral cats can get to surprising sizes.

Not that many years ago I read an article that stated that someone guesstimated—I do not know how people do that; they must sit up with a torch and count—that cats kill some 200 million Australian species a year. I find that a rather frightening statistic, if it is true, and there is no way to say that it is true; nevertheless, there is no doubt at all that cats are very efficient hunters and very efficient killing machines. For my own sake, living on a half-acre block in the town of Northam, I have a dog that is 50 per cent Rhodesian ridgeback and one of the reasons that I really appreciate that dog is that cats do not come into my yard. When cats do not come into my yard, I have willie wagtails full-time and geckos in large numbers in my yard. Before I had that dog, I did not have willie wagtails and geckos, and members all know why. I can recall some years ago sitting outside on a chair in my courtyard watching my neighbour's cat. I have to say, I love my neighbour dearly; she is a wonderful lady, and she put a bell on the neck of her cat. I watched this cat crawl along a branch after a bird for some minutes until I decided that the cat was actually going to get the bird. The bell made absolutely no difference to the cat because the cat moved so stealthily and carefully that the bell did not ring, so I stood and disturbed the bird. To those people who love cats—my mother was one of those people who just loved cats—and are passionate about the fact that bells save birds, I argue strongly that cats are so efficient that that is not the case. I also have farming friends who quite happily tell me—I could not believe I was listening to this story—that when they go on holidays, they put the cat out the back door and when they come back in one, two or three weeks, they let the cat back in. I do not know what they think the cat has lived on for one, two or three weeks, but they do those sorts of things.

As the previous speaker said, we now finally have cat legislation. I do not intend to go through the provisions of the Cat Bill. I have the provisions before me because one of our staff members has worked hard to put all the provisions together, but I will do the usual thing and totally ignore all her good work. I do not think that it matters much if I do that because we are now in a situation in which there will be capacity for councils, on a regulated basis, to administer an act that has a substantial chance of working. Some eastern states councils have had cat acts for decades, so it is not as though we are introducing legislation that has not had a fair amount of time to work in practice. Many people are very aggrieved that they cannot keep cats out of their properties, because of not only the things that worried me but also cats fighting and cats sitting on fences, like in the famous show *Cats*, making all the noise that cats can. Cats are disturbing for a range of people.

For me and the National Party, the desexing of cats is important because of the process that we have already heard about of people who love cats picking cats up. If people do not desex their cats, the numbers grow extremely quickly. I have a minor concern, which I do not think anywhere nears the level of concern to make it a negative, that in country towns it will be very hard to police every cat owner. That is just not quite possible, so there will always be people who have cats that are not desexed.

Going back to my mother who was a lover of cats, she never bought a cat in her life; she just befriended the ones who turned up at the back door. Although she did that for many, many cats, she did not have a lot of cats at the same time. However, there will still be people who own cats on an ad hoc arrangement and not from going to a pet shop to buy a cat. At least people who are aggrieved by cats—I suggest that a lot of people these days are not that fond of cats—will have legislation that allows for the legal entrapment of cats and the legal disposal of cats; that is pretty important. As Hon Ljiljanna Ravlich has got back, I will say that our next-door neighbours used to call their cat Ceefa and their dog Deefa. In many instances, there are stories about cat and dog names, but I will not go into all that.

It is important to have a Cat Bill. We have already had some good humour about it, but the straying of cats is a menace to the community and especially to the environment. I understand that some people get really passionate about their cat that has never killed anything—ever. I have heard that debate and we feel for people who really love their animals. Nevertheless, it is important that we have a cat act, and the National Party supports the bill.

**HON LYNN MacLAREN (South Metropolitan)** [8.25 pm]: I start by expressing my appreciation to the Minister for Local Government and his departmental staff for the very useful briefing that they provided me on the Cat Bill 2011. I have been working on this bill for quite some time—not this exact bill, but cat legislation. Over that long period of research, I heard from many stakeholders involved in animal welfare. I had a conversation with the RSPCA, and I consulted with Animals Australia and many of the people who advise Animals Australia. I had a briefing with the Western Australian Local Government Association and many others. I do not know how many members are getting emails from people, but Western Australians are interested in this bill and many people emailed me once they heard that I was dealing with it on behalf of the Greens. This is a hot topic in Western Australia.

I commend the government for finally bringing this cat legislation to the upper house and for demonstrating leadership in the control, management and welfare of cats. Good on the government for doing that. The process of consultation that the member for Jandakot undertook over many long months, and holding stakeholders meetings, was commendable. It shows that this government knows how to get out there in the community and consult and listen to what stakeholders have to say.

**Hon Nick Goiran** interjected.

**Hon LYNN MacLAREN:** That is the other side of the coin, is it not?

As mentioned by the minister in the other place in his second reading speech, approximately 5 000 cats are euthanased in Western Australia every year, most of which are strays or unwanted kittens of owned cats. In addition, many cats are abandoned every year and augment the number of feral cats. The current estimate is 650 000 feral cats. Cats are very accomplished hunters, and both domestic and feral cats take an enormous toll on our native animal and bird populations.

I suppose I should confess at this point, since we are talking about cat stories, that I am a cat person. I grew up in a dog-person family, but when I lived out in Caversham in the table grape-growing area, I needed a cat for the rats. I made my first visit to the Cat Haven and Cleo joined my family. Cleo was in my family for 11 years and served well as a ratter. When Cleo left me, I had Mr T. Mr T passed on only last year. So I have had two cats in the time I have lived in Australia, and I have known them to be excellent companions. I know that they would be proud of me standing here in Parliament and speaking in favour of this legislation that will stop the unnecessary deaths of so many of their kind.

**Hon Ljiljanna Ravlich:** Do you think there is a cat heaven somewhere?

**Hon LYNN MacLAREN:** I think there is a Cat Haven.

**Hon Ljiljanna Ravlich:** No; do you think they go to heaven?

**Hon LYNN MacLAREN:** Potentially.

For the reasons I have just introduced, I think the bill is a very important piece of legislation from an animal welfare and an environmental perspective. Many members of the house will recall that my colleague Hon Giz Watson presented a bill of this type some years ago. I bet she will share that experience with us soon. I make the point that I was one of the researchers who worked in Hon Giz Watson's office over the years collecting information about what people wanted and what could be delivered in a cat bill. We in the Greens have a bit of history in this area.

It is important legislation from a social perspective, given that companion animals play an important role in the lives of their owners. I want to talk at length about that. Statistics show that cats and other pets can be a vital element in the health and wellbeing of their owners. The RSPCA Australia website refers to pet ownership —

... we have one of the highest rates of pet ownership in the world. In fact our pets are such positive influences on our lives that one study found Australian ownership of cats and dogs saved approximately \$3.86 billion in health expenditure over one year.

Other benefits of owning a pet include:

Owning a pet means you have lower blood pressure and lower cholesterol levels—reducing your risk of cardiovascular disease.

This is good news, because it is fewer visits to the doctor. Furthermore —

Pet owners suffer from less depression and are able to cope with grief and loss better than non-pet owners.

Research has shown that teenagers who owned pets have a more positive outlook on life and report less loneliness, restlessness and boredom.

You'll be more active than those who don't have a pet—particularly if you own a dog. Plus, you'll feel safer when walking alone if your dog is with you.

**Hon Giz Watson** interjected.

**Hon LYNN MacLAREN:** You could be behind or in front of the dog; it depends on the dog.

They enhance your social skills—and who knows who you might bump into on your walk!

I could not have said that if we were in the same chamber as former Democrats senator Andrew Murray! Some people get that joke —

For children, it has been shown that growing up with pets (particularly dogs) during infancy helps to strengthen the immune system and reduces the risk of allergies linked to asthma.

Children who have pets including dogs, cats, fish and birds are also less likely to miss days of school.

Members have heard it here from the RSPCA website.

**Hon Michael Mischin:** I recall about a year ago there was a program of prisoners in Bandyup adopting cats as pets as a therapeutic process.

**Hon LYNN MacLAREN:** How did that work?

**Hon Michael Mischin:** I think it was working quite well. I do not know whatever came of it, but I am pretty sure it was at Bandyup where they were trying out having some of the female prisoners look after an animal.

**Hon LYNN MacLAREN:** That is very interesting. Maybe we could hear more about that later. In my contribution to the debate on the second reading, I just want to confirm that the Greens are going to support the Cat Bill. However, as members will note, I have some concerns that the bill does not go far enough. I will flag that I will propose some amendments to this legislation that I will seek members' support for.

There are a number of important respects in which the bill is not yet settled, given that regulations will subsequently be passed for any matter under division 2—that is, clause 76—and that local councils will have the power to make local laws under clause 79. The bill provides a coherent framework within which local laws must be made, but specific guidelines for those regulations and local laws would be beneficial. We have seen many disallowance motions on local laws that have been attempted in this area of cat control. That is why this state legislation is critical and important to fill the gap that local councils have been trying desperately to deal with over many years.

My concerns about the Cat Bill 2011 include the right age for the desexing, microchipping and registration of cats. I will also comment on ear tattoos, because when else can we talk about ear tattoos? I believe that the bill contains too much stick and not enough carrot. I will also discuss the retrospective aspect of the legislation because that is something my constituents are very concerned about. Other concerns I have include half-owned cats and foster cat owners who look after cats while trying to find a home for them, the role of local government and measures to test whether the legislation that I hope we pass will have been effective.

Firstly, I will talk about the appropriate age for desexing. The Greens (WA) support the registration of cats that have reached six months of age, as is stated in the bill. However, I will propose that the specified age for sterilisation and microchipping be reduced from six months to 10 weeks. That is based on the scientific evidence that cats can breed at 10 weeks. The reasons for the change are compelling. Cats can become fertile from that young age and by the time they are six months old, if members can forgive the mixed metaphor, the horse may well and truly have bolted! Contrary to some opinions, there are no adverse health consequences for cats from early desexing unless the animal had a pre-existing medical condition. That could easily be dealt with by issuing a vet certificate exemption. I will quote briefly from a report that was commissioned by the Queensland department of Primary Industries and Fisheries and written by Professor Jacqui Rand and Corinne Hanlon in 2008. Queensland was obviously considering similar legislation. The authors of the report made the point —

... there are no significant health concerns with early age desexing in kittens. Instead, there are significant health and behavioural benefits. Therefore, mandatory desexing of cats implying *de facto* early age desexing should be investigated further as a strategy for reducing unwanted cats.

In addition, the age at which approved breeders normally transfer ownership of kittens to new owners, as anyone who has waited for a new pet to arrive knows, is usually 10 weeks. Someone who looks at purchasing a nice kitten from a breeder must wait 10 weeks before the kitten can be taken home. That certainly is much earlier than the six-month period at which the bill recommends desexing should occur. The transfer of ownership provisions in clause 23 of the bill provide that if the cat is not sterilised prior to transfer, a voucher must be given to the

purchaser to enable the purchaser to have the cat sterilised at a later date by a veterinarian at no cost to the purchaser. According to the research conducted in the Australian Capital Territory by one of the nation's most respected animal welfare specialists with whom I had the privilege of serving on the executive committee of Animals Australia way back in the 1990s, in between 40 and 60 per cent of cases, the failure to sterilise cats is because owners just do not get around to it. Members can see why that might happen. That is one of the reasons that legislation in other jurisdictions has not been as effective as it might have been in reducing cat numbers. It was recently reported in the media that a criticism of the bill was that if it was not effective elsewhere, how could it be effective here? One of the reasons that it has not been effective elsewhere is that the owners did not get around to sterilising their cats. If the onus to sterilise the cats is clearly on the cat breeders, the compliance rate will be far higher. I am flagging the amendments that I have on the notice paper and will move when we get to the committee stage.

I will talk briefly about ear tattoos. For the record, Mr T would not wear a collar. The only way I could identify that he was mine, in case he got lost, was by the ear tattoo he got when I had him microchipped. He would find ways to take off his collar. I think he was a dog in a cat suit. He was a very clever guy. I think it was a mistake to agree to delete the provision that required sterilisation to be evidenced by an ear tattoo. The tattoo is immediate and obvious visual evidence that a cat has been desexed and it would assist local government in targeting resources where they are most needed, which is mainly the unsterilised animals that we have talked about—the feral animals that are out running wild.

Although a registration tag also provides such evidence, cats are notorious for losing their collars. I used to worry if they were climbing a tree that their collar might get caught on a branch and they would have difficulties; that is why the collars have those elastic bits. I never thought collars were a good idea. Instead of removing the provision, it would have been preferable to have an exemption for cats that are already sterilised as at the date of the promulgation of the legislation to avoid the necessity for a special trip to the vet for a tattoo.

The other point I want to make is that this legislation has too much stick and not enough carrot. The penalties are high, with \$5 000 for failure to comply. The Greens want to talk about subsidies, educational incentives and other ways that we can encourage responsible cat ownership. The bill contains a number of penalties for noncompliance, but not enough incentives to encourage that compliance. One of the specific dangers of this approach is that people who miss deadlines or whose cats have accidental litters, say, in the first six months before they have been desexed, may simply hope that they remain under the radar, and rather than risk being caught for failing to desex their cat or going late to register their cat, they will run that risk of being penalised that \$5 000. It is not clear whether an accidental litter would breach clause 35, which states, "A person must not breed cats unless the person is an approved cat breeder." What happens if a cat gets out at 11 weeks and gets pregnant? Will the owner be noncompliant with the cat laws? We need to relook at the circumstances in which a person acquires a cat that then has kittens before she is six months old. That is another reason why I put that 10-week point for sterilisation.

I am going to hope that local governments will not be too draconian in their approach to enforcement. Nevertheless, the penalty-based drafting of the bill is not conducive to achieving maximum compliance, as we have learnt from other states. I strongly suggest that there should be guidelines in the bill for regulations and local laws on the issue—for instance, that amnesty will be given in certain prescribed circumstances, such as the one I have just explained of a cat slipping out and becoming pregnant before she is six months old.

Other disincentives to compliance are, as Hon Ljiljanna Ravlich has mentioned, the costs of sterilisation, microchipping and registration, and the practical difficulties of fulfilling these requirements, especially for people who are elderly, disabled or socially disadvantaged or who might have a fixed income or who just might not like going to bureaucratic offices simply because they have a cat; they might find that a bit too onerous. The minister has said that he will offer subsidies for sterilisation, and I welcome that, but no details have been provided at this stage. We will be following that up when the budget comes down later.

I will refer to a fundamental weakness in the bill. According to the statistics, 93 per cent of domestic cats are already sterilised, and for the corresponding 93 per cent of cat owners, compliance poses little problem; however, there is that seven per cent. How are we going to get that seven per cent to comply with registration, microchipping and desexing? They need practical and financial assistance in order to get that happening. In my view, there should be a subsidy for low-income earners to defray the cost of compliance, and grants should be provided to the Cat Haven, to which we currently do not provide any grants, and to the RSPCA, which we do fund. We should consider that this is a new law and it is going to be costly, and that these organisations that bear the most cost for desexing and microchipping are going to need some help in that initial transition period.

In the Australian Capital Territory, animal welfare organisations contact people who advertise kittens for sale or as free to good homes to ensure that those informal breeders are adequately funded and that they sterilise and microchip the kittens prior to transfer. If these organisations are adequately funded, they can provide subsidised sterilisation and microchipping themselves. If such or similar measures are not implemented in Western

Australia, the number of cats which are seized or disposed of under the legislation or which are abandoned by owners who are unable or unwilling to comply with its provisions is likely to be significant, and then we will miss the boat in trying to control and manage the cat population. In this regard, I should mention that, although funding to the RSPCA was doubled in the last budget to \$500 000, the organisation still raises more than 90 per cent of its costs. The impost on local governments, if they are to provide the same service, to implement and enforce this legislation will be considerable and they will need to get all the help they can from animal welfare organisations. We have noted that often they work in conjunction with the RSPCA or other organisations in different local government jurisdictions. This is going to be forthcoming only if those organisations have the resources to provide those services. In addition, there should be a program to encourage the veterinary fraternity to participate in achieving the important objectives of this bill by providing discounted prices for microchipping and sterilisation.

There will be a transition period of approximately two years to November 2013 for the implementation of phase 2 of the legislation, but it is not clear to what extent the legislation will apply retrospectively from that date. It would be good to get that on the record. I have been advised by the minister's office that, as of 1 November 2013, cat owners will be able to register any cat owned and receive a permit for that cat. This would mean that no cat would need to be destroyed if the local government subsequently introduced a local law restricting the number of cats per household. That comment might be a bit difficult to follow at this time of night, but if a person has two cats and they move to a local government that permits them to have only one, what will they do? They will have to get a permit. There has to be a system to accommodate that kind of transitional circumstance. I do not believe the government intends that people who have cats now and who are looking after them will have to give them up to be euthanased. That is not the point. The point is to change the culture over time so that as people acquire new cats, they consider what is required for their management and they manage them well.

That is why I want to talk about foster homes. The bill has a very rigid approach to cats being either owned or not owned. In reality, that is not the way it works. Sometimes people find themselves feeding a cat in the neighbourhood. It is not their cat; they think it is someone's cat, but they are not sure whose cat it is. Or maybe someone is trying to find a home for a cat that belongs to their friend who has gone to Brisbane, for example, so it is not their cat, but they are trying to find a home for it. These foster cat owners must have some sort of coverage under the bill. If such a system as has been proposed in the bill were applied to dogs, the iconic Red Dog of the Pilbara would have been liable to be impounded and destroyed, and then we would not have had that great movie that is showing all around the country. As cat lovers know, cats belong primarily to themselves, and they are rather wanton in accepting the odd favour from neighbours down the street—who we would term foster parents—who feed them but who do not have the means or the wherewithal to take full responsibility for them. I appreciate that the legislation will prevent this, but I wonder whether there is some middle ground, for instance, whereby local governments could issue permits for such foster arrangements if conducted under the auspices of an approved animal welfare organisation such as the Cat Haven or the RSPCA. I would be very keen to hear the minister's comments on that.

How will we measure the effectiveness of this bill and whether it has achieved what we want it to achieve? I trust that the minister will provide an assurance that this legislation will be monitored and reviewed on a regular basis to provide Parliament and the community with information about its effectiveness, including records of the number of cats that were euthanased and cat populations after its introduction. To a large extent, that will be an onerous task, I think, because it will be happening all over the state, not just in the Cat Haven and the RSPCA. Therefore, to a large extent the success of this legislation will depend not only on the implementation of its provisions, but on an effective education and public awareness campaign. Once again, the involvement of animal welfare organisations will be critical to the success of this bill.

Naturally, the role of local government is fundamental to making this legislation work. I understand from the Western Australian Local Government Association that it was consulted on the government's proposal to introduce statewide cat control legislation and is generally supportive of the bill. However, it did not see a green bill. It did not see this bill before it was tabled in the other place. I think WALGA might have had some comments to make that might have improved the bill. I just want to make that known, and respectfully suggest that this would be a good practice in the future.

Clearly, WALGA will need to be consulted about the regulations to the bill and local laws. A number of shires already have registration requirements in local cat laws. Those registration requirements will need to be consistent with this legislation. That is why the bill provides for a period of transition of two years before things will need to get going for real. In order for local governments to implement the legislation effectively, they must be properly resourced, with staff, training and equipment. That equipment could be just a microchip reader that they do not currently have. They may also need additional infrastructure for cat pounds, because cats cannot be kept with dogs, as Hon Max Trenorden has reminded us. This will place a significant cost burden on local governments, which they would expect to recoup, or at least partially recoup, from the registration fees. However, at the current levels at which registration fees are set for both dogs and cats, the figures just do not

stack up. I have a list of the local governments in which cat local laws are in place at the moment. They are City of Albany, Shire of Ashburton, Town of Bassendean, Shire of Bridgetown–Greenbushes, Shire of Busselton, City of Canning, Shire of Capel, Shire of Carnarvon, Shire of Donnybrook–Balingup, Shire of Exmouth, Shire of Kent, Shire of Mundaring, Shire of Northam, Shire of Shark Bay, City of Stirling and City of Swan. Sixteen local governments have local cat laws in place at the moment. When I made my submission to the consultation process, there were 19. So, three local governments might have let their local laws slip or something. What we have is a problem of transition. I know that the Department of Local Government is aware of this and has made some allowance for it in the bill. Local governments will need to build effective partnerships with animal welfare organisations, which will themselves need to be resourced by government to ensure maximum effectiveness.

I have had a quick look at the registration fees that are set throughout Australia. The fees vary quite widely; they range from \$20 to \$50 a year for a desexed cat or dog. This is another matter that we will need to look at when considering this legislation. Will the rate be uniform, and will local councils get to recoup some of that? What about local councils that happen to be near the RSPCA, for instance? They may incur less of a burden, and registration might be cheaper.

I made a submission to the Department of Local Government on the consultation paper for this bill way back when. In that submission, I reminded the Department of Local Government, and the minister, who was asking for our advice on this bill, that —

The Greens are committed to raising the status of animals, respecting their rights, and to working towards ending their exploitation through community education and greater protection under the law. Humans have a responsibility to minimise any physical, psychological and emotional suffering of animals caused by human activities, and to maximise their quality of life. Animals are sentient beings with intrinsic worth separate to the needs of humans.

The main objective of this proposed legislation, to reduce the number of stray (unowned) cats and to encourage responsible pet ownership is one that I both appreciate and encourage.

The Greens support the bill.

**HON MATT BENSON-LIDHOLM (Agricultural)** [8.54 pm]: I, likewise, rise to make some comments and observations about this Cat Bill. I have certainly enjoyed the contributions thus far from the members who have spoken. But I have to say, after listening to Hon Ljiljanna Ravlich—I seek members' indulgence for another cat story—that my first cat was a cat named, of all things, Malcolm. That had nothing to do with Malcolm Fraser, but we had him at about that time. It certainly was not Malcolm Turnbull; he came a bit later. I wish the Clerk was here, because earlier this evening I was talking to him about the faults and failings of the Perth Football Club. A previous coach of theirs we happened to mention was Malcolm Atwell, so I will leave it up to members' imagination about what sort of a villain or a ratbag my cat Malcolm was. I have to be honest, though; what he used to do would not be allowed today, because he just roamed free, ran amok and terrorised the other local cats and wildlife and, basically, enjoyed himself. Somehow he survived and did not get skittled on the road or suchlike. He was a bit of a tough customer.

Unlike Hon Ljiljanna Ravlich, I did not have another cat until my wife and I bought an Abyssinian cat in the 1980s. My wife, however, was allergic to the cat so we passed it on. But then in a moment of madness, in a real twist, we bought a boarding kennel and a cattery. We still own it to this day but, obviously, we do not run it. I think I have some sort of idea about cats. I say that because I need to declare an interest in this whole thing in relation to the management and care of cats. I will say this, though: the people who utilise catteries and kennels—I do not put any of the cats in the kennels; that might be asking too much—certainly look after their cats and do the right thing by society. I suppose the reason for saying that is that, as a country-based member, I am not all that concerned about how this bill will necessarily affect people's thinking in the metropolitan area. I am particularly concerned, as I will point out in a while, about feral cats.

Hon Ljiljanna Ravlich touched also on an issue that concerns me greatly, and that is the issue of impulse buying from pet shops. As a breeder of pedigree Rhodesian ridgebacks and whippets, one thing members will never see is one of our puppies sold out of a pet shop. I would like to think that pedigree cat owners would behave similarly, but I do not believe we will ever stop people breeding moggies to be sold in pet shops. It is something I would love to see one day, but I think I will well and truly have gone to the Promised Land when that happens.

Hon Max Trenorden made a few very interesting remarks. I am very pleased he has a Rhodesian ridgeback, albeit a cross. I can probably inform him that Rhodesian ridgebacks were originally called the lion dog of Africa, not that they ever went too close to lions or big cats of any description because they would have been torn to bits. Hon Max Trenorden made the point about feral cats and the issues they present in rural and remote parts of Western Australia. He talked about the fact that they do not lose fights. The size of these animals found in the wild is quite staggering. They are certainly not something we would necessarily try to befriend or take into our house because they are just not that sort of an animal. About the best thing we can do with a feral cat is put it down.

Basically, my focus in discussing this bill is to look more at the issues that I see prevailing in regional, rural and remote parts of the state. Having said that, I certainly agree with the objectives of this bill—that is, to reduce the number of strays being euthanased in various clinics and the like. I agree with encouraging responsible cat ownership; better management of the negative impact that cats can have on the natural environment and the community generally; developing a culture of responsible pet ownership, which, as I have indicated before, is something that I have seen quite a deal of but that is not to say that we cannot improve it; and eradicating, as I have indicated before, as best as possible, the growing number of feral cats. That is the bush perspective that I have already referred to.

I have come across some interesting facts in my readings in support of the need for such a bill, again focusing on the feral cat issue. Only two continents never had cats naturally. One of those is Antarctica and the other one is obviously Australia. The ecosystems that we see in place in Australia have evolved over hundreds of thousands, if not millions, of years. We do not have an ecosystem that is conducive to cats living in our natural environment. When they get into our environment—when we introduce cats—the results invariably are quite devastating, be it on the mainland or on some of the islands. I am talking about issues that go way back in time to perhaps the seventeenth century when Dutch explorers visited remote areas off the north west coast and cats escaped. Cats being cats and doing what they do, they bred and the impact upon the local native fauna was disastrous. In the 1850s, feral cat colonies had been established in the wild on the mainland. This is probably more of an issue, as I have said, for the bush rather than for the cities. Just to give members some idea of the magnitude of the issue that we are dealing with, statisticians would have us believe that there is about one feral cat for every one to two square kilometres of Australia. Given that the area of Australia is nearly 7.7 million square kilometres, there is one heck of a lot of feral cats running around out there.

**Hon Ljiljanna Ravlich:** How come you never see them?

**Hon MATT BENSON-LIDHOLM:** That is a good question. Perhaps that is the nature of the beast. They are not going to go looking for humans. Because the previous figure is the average, that does not mean that we will always find one or two every square kilometre. There will be significant concentrations in areas in which there is quite a biomass.

**Hon Robyn McSweeney:** I've seen them at night when I've been driving down to Albany.

**Hon MATT BENSON-LIDHOLM:** I am also told that if we go to the back blocks of Denmark and Nannup, where they are referred to as tigers, there are plenty out there. I think that might also have something to do with what one might consume the evening before, but that is another story!

**Hon Robyn McSweeney:** I think it's an urban myth.

**Hon MATT BENSON-LIDHOLM:** Has the minister seen a few herself?

**Hon Robyn McSweeney:** Not the tigers—feral cats.

**Hon MATT BENSON-LIDHOLM:** Fair enough. This destruction that feral cats get up to is quite staggering when we consider the small mammals, birds, fish, amphibians and reptiles that they tend to destroy. Given that feral cats breed something like twice a year, the potential for destruction of our natural fauna is quite staggering. The only real dangers, apart from mankind—as I said, we would not want to get too close to some of these beasts—are dingos and wild dogs, perhaps foxes and occasionally wedge-tailed eagles. Apart from their capacity to wipe out these examples of native fauna that I have mentioned, the other issue that is a real problem is that feral cats carry disease. If something like rabies was ever to be introduced into Australia—having travelled throughout the Kimberley and the Northern Territory over the past 20 to 25 years, that is a distinct possibility—and it got into feral cat populations, we would have significant issues in the bush. The feral cat problem would then prove even more disastrous if they were carriers of that disease.

I will quickly talk about the social and economic impacts of unwanted cats. I suggest that the social and economic impacts are prevalent in the metropolitan area of Perth. Hon Lynn MacLaren said that about 5 000 cats are euthanased in WA every year. That is a quite staggering figure. I do not know whether I am right in saying this, but I recall that the annual figure may well be increasing. It is therefore a serious concern for us to see this waste. Most unwanted cats are strays, they are entire, they are not sterilised and they frequently fall pregnant. It is an ongoing problem, and people do not necessarily care about it. Cats and kittens get dumped regularly. I can honestly inform the house that about 10 to 15 years ago—my business is on about four acres—some of my workers found around 10 cats with kittens. A number, obviously pregnant, had been dumped in the back paddock and had decided to take up residence there. That is what tends to happen with unwanted cats. That is the problem, therefore, that we are dealing with. One member mentioned the need to educate the community. I think education is an important thing, although I do not believe that educating the sorts of people who would do that type of thing would prevent them from doing it. However, that is an example of this issue. Of course, had those kittens left there been able to survive and grow, no doubt they would have turned feral in due course. I can only hope that this bill will address those sorts of issues.

There are three key elements contained in this bill that I want to quickly mention, and they are all very significant elements. Again, this is more of a metropolitan issue. When I say “metropolitan”, I include also the main towns in regional centres. The sorts of measures such as mandatory identification, sterilisation and registration can and need to be done thoroughly yet expeditiously, because the issues I have mentioned at this time need to be addressed and dealt with very quickly. I can foresee that communities in regional parts of the state as well as the city need to address the issue of responsible pet ownership and perhaps reduce the number of strays—as I said, I do not think it will do much to change the feral cat population.

I do have some other serious concerns, however, with the bill. The concerns focus on the key issue of providing for local governments to be able to move onto people’s properties to seize cats. That is my principal concern. I have a concern, particularly as a person who owns a business—again, I do not run that particular business—that people running a similar sort of business may well find that local authorities deem it appropriate to go onto their property to perhaps scrutinise a business such as a cattery. There are enormous responsibilities on cattery owners to make sure that animals are looked after, fed, exercised and the whole lot. I ask the minister whether the government has thought of the implications of local government officers, given the sorts of freedoms they will have to check out domestic cat owners, going onto such a business premise and inquiring of the owner–operator whether an animal is sterilised, is registered and has a microchip in it. Those sorts of issues are perhaps things that not many people would have given any serious consideration to, given that, for instance, in my home town of Albany I think there are something like four catteries, but there might be—who knows—4 000 cats. I do not have the foggiest idea how many cats there are. But, obviously, if somebody is the owner of a cat and they entrust it to the responsibility of a businessperson, and then somehow or other the local authority gets wind of the fact that that person’s cat is in someone’s cattery and it is not sterilised—not that I am saying that that is —

**Hon Robyn McSweeney:** They have to be sterilised, don’t they, to be put in a cattery?

**Hon MATT BENSON-LIDHOLM:** I do not know; I have not seen that sort of information in the legislation, minister. Maybe that is something that the minister can confirm. I am pretty sure the minister can understand the situation I am presenting. Maybe this is part of the education thing; maybe through various associations or chambers of commerce and industry these sorts of issues can be explained to the broader public and businesses such as mine.

During the committee stage I will mention microchipping and registration, because I think we all need to give serious consideration to the costs that they will impose, particularly on pensioners and the like. I also understand that people across Western Australia have been hit with significant increases in all sorts of other costs and charges over the last year or two, and adding the sorts of extra costs required to look after a cat in the way legislated for in the Cat Bill 2011 are the sorts of things that we really need to give some serious consideration to. There are issues associated with the extra costs involved, and we will talk more about that later.

I am also very concerned about the differentiation between hobby breeders and, if members like, professional cat breeders. I want to know how the minister defines the difference between those; are they registered and authorised, and by whom?

Another issue that has already been mentioned, I think, is that of people, having entered into the registration process, having their names and addresses made available to anyone in the community. That causes issues as far as I am concerned, particularly if the name of the owner and the identity of the cat are revealed. There are issues for marketing people, because obviously people’s cat or pet ownership is going to be well and truly known. I think consideration on when to desex has already been canvassed in other members’ questions thus far.

To finalise my comments, my big concern with this bill is that when it becomes an act, it will more than likely have little impact on stray and feral cats. I think that is one thing we need to take further in the fullness of time. We could get this bill in place, but down the track that is something that we as a society will certainly need to address. I need the minister to explain to me whether that is going to happen, and whether that is the sort of thing that is on the government’s agenda. I also have other concerns, particularly with some of the more remote communities, about the capacity, perhaps, to assist remote communities to address or deal with their stray and feral cat problems. Are feral cats already in the bush simply going to continue to breed? With two litters a year from these cats, no controls, and the problems associated with things such as a possible future rabies outbreak, as I see it the battle in the bush is just never going to be won. This is where, ecologically, most damage is going to occur and, being the fragile state and continent we are, this is a real issue that we need to give serious consideration to.

I look forward to making some contributions at the committee stage, and I have flagged my intentions to go down the pathway of understanding more about where the government is in relation to feral cats.

**HON LINDA SAVAGE (East Metropolitan) [9.14 pm]:** I would like to speak tonight in support of the Cat Bill 2011, which, as I understand it, is to introduce measures to ultimately reduce the large number of stray cats being euthanased every year, to encourage responsible cat ownership and also to provide for better management of the unwanted impacts of cats on the community and the environment. Referring to the second reading speech, I note

that the key features of the bill are providing for all cats that have reached six months of age to be microchipped, sterilised and registered with local governments; providing for all cats to also be microchipped and sterilised prior to sale or transfer; providing for local governments to administer and enforce the provisions of the bill; providing for local governments to be able to seize cats; and providing for local governments to create local laws for the control of cats within their districts. As I said, I rise tonight to speak in support of the bill. I am aware that a great number of responses have been received to the original discussion or working paper that went out. Particularly influential for someone like me are the comments of the Cat Haven. I read on a news website that it said it receives around 10 000 unwanted cats and kittens every year. It said that it describes most of the poor animals as unwanted additions to the family, because owners did not want to spend the money sterilising their pets, and that the majority of these animals were euthanased. As someone who has had a number of cats from the Cat Haven, I am aware of the work that it does. Although I am not a cat lover—I would not describe myself as a cat lover; I am just the parent of children who have at certain periods in their lives been cat lovers, or certainly kitten lovers—I have always admired the work of the Cat Haven. As I recall the process when we got our kittens, the kitten does not come to its new owners until they have undertaken that it will be sterilised and have the immunisations. When people go to the Cat Haven it is a delightful scene, of course, with often many, many kittens in their cages, but the reality is that very few of those kittens will find a home. A bit later I might tell a cat story, depending on how the time goes.

I would like to talk about some of the people who have contacted me about this bill, because quite a few people got in touch with me, which just goes to show, I think, the concern that people have for cats and the place that they have in people's lives. In particular, I will talk about what I suppose we would call domestic cats, although, obviously, I would like to perhaps also make a few comments about feral cats. I received quite a lot of emails—I may not have been the only member—from Broome in support of the Cat Bill. There must have been some campaign in Broome, because I received, I think, about 15 emails, all from people asking me to support the Cat Bill. They were usually very brief, but I understand that someone in Broome had been very active in encouraging people to get in touch with members of Parliament because of their strong feelings about stray and feral cats. I received a letter too—one letter in particular—and will read a bit of it into the record, because it is one thing to send a brief email; it is another thing for someone to take the time to write in more detail. This letter about the cat legislation came from Margaret Pearce in Lesmurdie. I understand from the letter I received that she is in support of the legislation but in her letter to me she said that there was one component missing from the bill. She states —

Unless the Government is prepared to back the legislation with a realistic subsidy towards sterilization costs for cats owned by low-income families and those in crisis, then the opportunity to stem the breeding of cats will be lost. It will, in fact, lead to greater numbers of cats being abandoned. Legislation will make no difference if people can't afford to pay the costs, they will ignore it and nothing will change.

In its present form the proposed legislation it is all about fines, fees and penalties, with no encouragement or incentive for people to sterilize their cats. Whilst some Councils give subsidies, some are very low—no low-income family is going to spend \$200 or more for a rebate of \$20.

I would like to say a bit more about the letter, but just in response to that—this is something that I will pass on to this constituent—I refer to the briefing that I attended. I thank the officers who provided that briefing. One thing that they talked about was the cost of sterilising and microchipping and they referred to the Cat Haven, which I understood them to say, is currently offering sterilising and microchipping for \$100, which will be an incentive. Although that is still a lot of money for some people, it will not be \$200, at least for the time being. Of course, it raises the issue of how people would necessarily get their cat to the Cat Haven, if they did not have a car, which may be an obstacle if it is offered only at the Cat Haven. The letter goes on —

I have been working in animal welfare for thirty two years, and for the last seven have been heavily involved with a charity group working throughout the Perth Metropolitan area, encouraging and subsidizing the sterilization of both dogs and cats. We offer a subsidy towards costs, but there are many families within the welfare system for whom the costs are prohibitive.

In fact, in talking about sterilising and microchipping the letter goes on —

Many of these people in crisis —

Or on a low income —

do not even own cars. Our volunteers have used their own vehicles to provide transport to the vet clinics.

Taxpayers are funding advertisements for the anti-smoking campaign, anti-binge drinking and over-consumption of alcohol, seatbelt wearing and other campaigns that serve the community interest. I would suggest that taxpayers should also subsidize the costs for sterilization, in the short term. This would go a long way to cutting cat numbers.

Another concern that is raised in this letter, which I think perhaps another member touched on, is that the introduction of the legislation and the cost—and because some cat owners, I hope just a few, care very little for their cat—will lead to the abandonment of a significant number of cats. As someone who lives in the hills, Margaret Pearce points out that it is in those areas that a lot of cats are already being abandoned. She therefore hopes that the government will work with councils to take some steps if that is the case to act to, I suppose, respond to what she believes and I think others have pointed out may be initially an increased dumping of cats, because people decide that whilst they are happy to have the cat while it does not need to be sterilised, microchipped or registered, that may no longer be the case.

As I said, I am in support of the Cat Bill, but I feel that I must raise some of the concerns that have been put to me about it. I look forward to the minister being able to respond to them so that those people who have raised them can feel reassured about the bill and the effect that it will have. I will not cover some of the issues that have already been raised, but I will talk briefly about the issue of enforcement. It has been raised with me that enforcement will be very, very difficult, which raises a number of issues. I notice that the bill requires cats to have collars with tags on them—that is, over and above microchipping, sterilisation and registration. As I have mentioned, I have some cats, which I do not consider myself close to, and I do not really know whether they are that close to me. They look at me every morning on the kitchen ledge and I know they are looking at me because I am the one who feeds them, unlike the owners of the cats who have either left home or are not awake at that time to feed the cats.

**Hon Ken Travers:** You're going to have to name them because everyone else has.

**Hon LINDA SAVAGE:** I am not going to name all the cats.

**Hon Ken Travers:** You have to name them. It is a requirement of a debate such as this that you name your cats.

**Hon LINDA SAVAGE:** Let me tell members that our four cats, of which two are left, have had their fair share of adventures. Certainly, I have attempted to have our cats, as required, fitted with collars and tags so that if they were lost, they would be returned; I am sure the children would have been very upset if they had not. As many people who have had cats will know, it is very difficult to keep collars on cats. I have tried various types of collars and we have to be careful not to make them too tight, obviously. Often, we have to make cats' collars fairly tight so that they will not be able to get out of them. That is something that I failed in, because, obviously, I have not been able to keep collars and tags on our cats.

**Hon Robyn McSweeney:** What are they called?

**Hon LINDA SAVAGE:** Of the two that we still have, one is called Pandora. I hope that no-one has a child called Pandora. She is quite flighty, as goes with her name. The other cat is called Rudolph, because when he was brought home as a kitten it was Christmas and he spent some time with the Christmas tree. One would have to be a child with a kitten to make that connection between getting a kitten at Christmas and calling it Rudolph.

**Hon Ken Travers:** I'm sorry for making you name your cats!

**Hon LINDA SAVAGE:** I am not naming the other two, which have unfortunately met a very—I should not laugh!—sad end.

It is a real issue and I wonder how many people will be able to comply with that requirement. I understand from what I have read that a collar with a tag is required so that the council ranger will be able to see from a distance that the cat has the tag on and, therefore, will not necessarily feel the need to catch the cat. That raises another problem. I can understand the logic that if a cat has a collar and tag, we would assume that the cat is registered, sterilised and microchipped. However, it is very difficult to catch a cat. Someone on a council raised with me the issue of the capacity for rangers to catch cats on the street. Most cats are home during the day and out at night. I assume rangers will not be out at night, but to catch cats during the day will be difficult to do, because —

**Hon Ken Travers** interjected.

**Hon LINDA SAVAGE:** I do not think the intention in enforcing this is that councils will be trapping cats. I understood that if they have a collar and a tag, cats will be identified as not to be picked up, but if councils see a cat without a collar and a tag, they are more likely to pick it up. I can see Hon Robyn McSweeney nodding. In all seriousness, that will be an enforcement issue for councils—namely, getting a collar on the cat and catching a cat that is not wearing a collar. In practical terms, that could be quite challenging for councils. I will be interested to perhaps hear in a year or two how councils are managing to take on that role.

I said earlier that an issue of concern that has been raised is that initially perhaps more cats will be dumped or taken to be euthanased. That may be an unintended consequence of the introduction of such a bill. That being said, it may be unavoidable for the longer term good.

Another issue one council raised with me was that it did not think that the legislation will actually have much impact on the feral cat population at all. The reason it gave was that there will always be a certain percentage of

cats in people's homes that perhaps will not be sterilised, so there will always be a certain number of strays. What has been put to me is that, if we really want to have an impact on the feral cat population, as Hon Max Trenorden mentioned, feral cats need to be actively killed and also domestic cats need to be confined. Cats, like dogs, would be confined on a property. Gradually, over time, that would mean that domestic cats would not inadvertently become feral or that unsterilised cats would have more litters.

I would like to refer to an article on the ABC news site on 14 July this year, "Fur flies over mandatory cat registration". I will start with a quote from the Department of Environment and Conservation. The article states —

The Department of Environment and Conservation agrees that the legislation will do little to impact on feral cat numbers and strays.

Dr Peter Mawson, principal zoologist with the DEC says cat confinement must become a requirement if unwanted breeding and the impact on native species is to be curbed.

"I have no problem with cats being owned as domestic pets but you have all these problems with unwanted pregnancy, fighting, diseases, accidents and visits to the vet," he said.

"All that would go away if you confine them and eventually, over time, stop the trickle feed into the semi feral population."

Dr Mawson says it's estimated that there are more than a million feral cats in Australia, and that about one in three Australian households owns a domestic cat.

Dr Wilson talks about not only the feral cat population, but also the domestic cat population. The article continues —

"Regardless of how well it's fed, if a cat has access to the countryside it'll bring home 100-150 animals per year—that's what they put on the doorstep, not what they consume,"

Obviously, the cats that have access to the countryside do not live in the city. From time to time, even the cats that I have owned and put a collar with a bell on to try to prevent them from eating birds have brought a bird home. I noticed just this week that there were a number of feathers near the back door. If we are aiming to also affect the feral cat population, I have been told by the local council that it believes a professional exterminator is needed. Taking into consideration that view and those of Dr Peter Mawson, I suppose the best that could be said is that, hopefully, this legislation is the first step to something greater. I know people who have had inward fences built at the top of their fence to confine their cats and I have a friend who walks her cat on a leash. It is not an impossibility that we will move to confining cats and that that is when we will become serious about cats.

It was interesting to read the debate on the Cat Bill in the Assembly. A great deal of the focus of the debate centred on clause 51 and the ability of authorised persons to enter a property and also what they could do when they had entered a property. That issue has been raised already by a couple of speakers in this place. I appreciate that and assume that clause 51 is perhaps directed in particular to people who own a great number of cats. That problem has at times received quite a bit of publicity. I recall two very vulnerable women who perhaps had some mental health issues and whose household situation had got quite out of hand because of the number of cats that resided on their property. I think there were dozens of cats, which I can understand would be unhygienic and very difficult for the neighbours. We will debate clause 51 in committee.

It is interesting what members of Parliament learn when they find themselves considering matters that they had never thought very much about before. Some members might also have noticed the use of the term "cat fancy" on a number of occasions when the bill was being discussed in the Legislative Assembly. I did not find it entirely obvious what was meant by that term just by reading the debates in the Assembly. However, I googled it and found one interpretation, which is that it is the name of a North American monthly magazine called *Cat Fancy* that is dedicated to cat owners and breeders. It was first published in 1965, and since then each issue has been dedicated to a certain breed, and it shows the breed on the front cover of the magazine. It has health tips, editor's notes, stories written by cat owners, cat product information, cat fashions and a cat picture gallery. It has an average circulation of 278 000. It also says that it has an offshoot magazine called *Natural Cat*, which contains information about organic cat food, alternative nutrition and medicine and other feature articles. The reason I looked at that was that the term "cat fancy" was being thrown around in the Legislative Assembly, with some jokes being made. Some of the people I know with cats are very, very devoted to their cats. The point that was made by Hon Lynn MacLaren about companion cats was very important, because I am aware that many people—I have had probably more constituents contact me who do not like cats; in fact, who really do not like cats—are very, very fond of their cats. They no doubt make up the 93 per cent who, it was said in the debate, already sterilise and microchip their cats. Having said that, I will take the opportunity during the committee stage to seek further clarification of some specific issues.

**HON GIZ WATSON (North Metropolitan)** [9.42 pm]: I could not resist the opportunity to comment on the Cat Bill 2011 and to note that perhaps patience is a good thing in this game of politics. It was almost exactly 10 years ago that I introduced a bill of the same name. It was unfortunate that, despite numerous efforts with the previous government, numerous local government ministers, including members who are here with us tonight, declined to progress the bill. I am glad to see that enthusiasm for the legislation has finally been discovered, because in essence this bill does what my bill was seeking to do.

**Hon Ljiljanna Ravlich:** It was better.

**Hon GIZ WATSON:** I thank the member. I thought so too. I congratulate the government for bringing forward this piece of legislation and the member for Jandakot for his persistence in pursuing what I know very well is a very difficult area of legislation. I engaged in a similar lengthy process of consultation on a draft bill, and further consultation. It is a fascinating area in which to consult because, as members have said in this debate tonight, there are some very strong views in the community about cats, one way or the other, with some very particular views based on evidence and quite a few views that are not based on evidence. I think probably the reason that particular piece of legislation failed, apart from not gaining the support of the government of the day, was division amongst local government authorities as to the basic necessity for legislation in this area. It was often quite evenly divided between country local government authorities, which basically gave feedback that they did not think legislation was necessary and it would be a problem for them to enforce, and quite a few of the metropolitan local government authorities, which were really keen for legislation because they dealt with the community anxieties and stresses about cat numbers and cat management. Interestingly enough, it was not necessarily about the impact of cats on native fauna, but often about the nuisance value of cats in their local areas. The larger regional centres of Geraldton, Albany and Bunbury also were really keen to have cat legislation. There was a lot of interest from those areas, as well as from the hills.

Debate adjourned, pursuant to temporary orders.

**PERTH MAJOR SPORTS STADIUM — PREMIER'S COMMENTS  
DEPARTMENT OF MINES AND PETROLEUM — *RESOURCESTOCKS* MAGAZINE RATING**

*Statement*

**HON NORMAN MOORE (Mining and Pastoral — Minister for Mines and Petroleum)** [9.45 pm]: I will be very brief. Last night the Leader of the Opposition raised a matter about some comments made by the Premier in the other house. I just want to inform her that prior to her raising the matter in this chamber, Hon Troy Buswell was engaged in the same debate as the Premier and made this comment —

I want to make a correction, not that I do this very often. I think the Premier referred to Hon Sue Ellery. My recollection is that he should have been referring to Hon Kate Doust.

Without getting into an argument about that, we did hear Hon Kate Doust's comments about the stadium at one stage.

**Hon Kate Doust:** He misquoted me. Hon Troy Buswell didn't tell the truth.

**Hon NORMAN MOORE:** I watched the member on television. Whether bits were left out, which is what television stations do —

**Hon Kate Doust:** No, they weren't. They might have said that themselves, but I never said that.

**Hon NORMAN MOORE:** However, the correction has been made in *Hansard*. Obviously, the Premier was referring not to Hon Sue Ellery but, indeed, to Hon Kate Doust.

Can I just take a moment of the house's time to pay a tribute to the Department of Mines and Petroleum? Today it was the subject of an Auditor General's report which was not all that flattering and about which there is some dispute. However, today was also a day on which *ResourceStocks* magazine made its 2011 survey results known. *ResourceStocks* questions about 1 000 different investors around the world about the risk associated with investing in mining in various jurisdictions in the world. The results are very pleasing indeed from the point of view of the state government. *ResourceStocks* has two surveys. One is for different countries, and the other is a survey within Australia that compares the various state jurisdictions.

In respect to the countries in the world, the jurisdiction that came first, which is in fact the most desirable destination for mining, was Finland. Chile was second and this year Western Australia, South Australia and Nova Scotia were equal third. It is a significant achievement that Western Australia should be equal third in the world as a desirable destination for mining investment. Even more importantly, because that survey does not always compare apples with apples, what is very significant from my point of view is the relationship between the states of Australia and how that has changed over the past couple of years. When we became the government in 2008, Western Australia was last of the Australian states. We were even behind Tasmania, which was quite distressing. I found that embarrassing because Western Australia had for many, many years been seen to be the

preferred destination for investment in the mining industry in Australia. It was embarrassing, to say the least, to become the minister and discover that Western Australia was last. We went about improving the prospectivity of Western Australia as a destination for investment in the mining industry, and in 2009 we went from last to second last, which was moving in the right direction. Obviously, there is no other direction to go in from last! In 2010 we moved to second, behind South Australia. I need to say that in the 2011 survey, we are equal to South Australia, so we are now equal first. That has meant that since this government has been in power, we have gone from last to first in the prospectivity and attractiveness of Western Australia as a destination for mining investment. That is a reflection of the significant work that is being done by the Department of Mines and Petroleum to improve our approvals process, and to get the message out to industry that we are keen for it to invest here. We also have the exploration incentive scheme, which is to encourage exploration in greenfields sites. That is all very good news. I hope that tomorrow we will read in the newspaper not only that there is some criticism of the department by the Auditor General, but also that this particular survey, and the results that have come out of this survey, is very, very good news for the Department of Mines and Petroleum in Western Australia, and I congratulate it on the work that it has done.

### MENTAL HEALTH PATIENTS — HOSPITAL DISCHARGE POLICY

#### *Statement*

**HON LJILJANNA RAVLICH (East Metropolitan)** [9.50 pm]: I rise again this evening on the matter of discharge from Fremantle Hospital and to put on the public record my ongoing concerns about the responses that I am getting from the Minister for Mental Health in respect of the discharge of both Ruby Nicholls-Diver and Mr Michael Thomas.

Today in question time, I asked a question about the discharge of Mr Michael Thomas, whose funeral I attended yesterday. A key part of the series of questions that I asked involved questions (4) and (5), which were —

- (4) Why was Mr Thomas discharged against his family's wishes?
- (5) Has the hospital admitted its systems failed 56-year-old Michael Thomas, and has it subsequently altered its procedures; and, if not, why not?

In response to question (4), the minister said —

- (4) I am advised that Mr Thomas was assessed as having no immediate risk of suicide. Mr Thomas denied ongoing intent to suicide; he agreed to attend follow-up appointments and confirmed that he was well supported in the community.

In response to question (5), the minister said —

- (5) No.

Here we have a death by way of suicide following discharge from a hospital, and the minister claims that there has been no failure of the system to protect Mr Michael Thomas. The minister went on to say in her response to question (5) —

The health service uses a system of continuous improvement and quality monitoring to ensure contemporary evidence-based service delivery.

That to me just sounds like a whole lot of gobbledegook. It is designed to mislead people. It is designed to ensure that people do not know what is going on.

I have to say to the minister, first of all, on the system of continuous improvement and quality monitoring, that there is no system improvement, and I am not convinced that there is any quality monitoring. The reason I say that there is no system improvement is that every time there is an accidental death or an unexplained death at Fremantle Hospital, or indeed at any other hospital throughout the state a root cause analysis is done. When I first started asking questions about a root cause analysis, I thought that that would be an investigation into exactly what had happened at the hospital level between the clinicians, or anybody else—family members, et cetera—which possibly should not have happened to a person in the care of the hospital, and which ultimately may have contributed to a set of decisions that then had some impact in that the person had left the hospital and, in the case of Mr Thomas, is no longer with us. But instead, we find that a root cause analysis really is an internal instrument designed to assess and improve the practices and hospital processes; and, therefore, at the end of the day, no-one is ever held to account for anything.

Quite frankly, I have to say that there has to be some level of accountability in hospitals when they are dealing with patients. It is not good enough for us to accept that just because a doctor is a doctor or a psychiatrist is a psychiatrist, it is okay for them to make decisions or not make decisions that result in people being discharged and taking their own lives. I want to put on the public record the inpatient discharge report from Fremantle Hospital for Mr Michael Thomas. The date of admission was 31 May 2011 and the date of discharge was 2 June 2011. The discharge ward was the MAU. Mr Thomas was looked at by a consultant, Dr Mahesh Pathmasri

Kandanarachchi—I will leave that for Hansard to get correct—a general practitioner. I do not know much about medicine but I would have thought that somebody who had attempted suicide might be looked at by someone other than a general practitioner. Correct me if I am wrong. The presenting problem in his discharge papers reads —

57 year old man BIBA following a deliberate overdose of his wife’s insulin. Mixed reports from the patient and his wife suggest he took 1–2 pens of long-acting mixed insulin. Patient initially told staff in ED that he took the insulin because “he felt like wanting to end it all” however subsequently denied having a suicidal plan and said he “just wanted to see what it would do.”

Patient is known to the Cockburn Community Psychiatric team and was admitted to Alma Street for 4 weeks in January 2011 following a failed suicide attempt

Principal Diagnosis	Insulin overdose
Other Conditions	Depression Anxiety
Complications	Hypoglycaemia

On the next page it states —

Management / Progress	Patient admitted to ward for monitoring of BSLs and serum potassium. Given IV 10% dextrose and potassium supplementation. Reviewed by consultant liaison nurse. Cockburn Mental Health Case Manager Andrea and psychiatric registrar while on ward. Psychiatric registrar and case manager report that whilst patient —
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Get this, Mr President —

is at chronic risk of suicide self harm due to his depressive symptoms and impulsivity, there is no acute risk at present and as such would not benefit from a psychiatric admission. Patient to be seen by consultant psychiatrist on 8/6/2011 for regular follow-up in outpatient clinic. Patient encouraged to contact MHERL or triage if feeling unsafe following discharge, to which he was agreeable. Blood sugars stabilised over course of admission and patient discharged home on regular medications

Social Issues	Psychosocial stressors contributing to current mental state. Chronic risk of suicide/self harm but no acute risk at present
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I have to say that when somebody presents and his discharge papers say “chronic risk of suicide/self harm but no acute risk at present”, and that person was discharged against his family’s wishes, it raises very, very serious questions for me. It is about the application of the precautionary principle; it is about a duty of care; and the minister advises that as far as she is concerned, the hospital system has not failed 56-year-old Mr Michael Thomas. Well I say to the minister, I think that the hospital system has failed him very, very badly and, as his wife, Moira, said to me, suicide is suicide, whether it is chronic suicide or any other type of suicide risk, the bottom line is that suicide is suicide. This notion that we can have one sort of suicide risk and another sort of suicide risk, and at the end of the day one suicide risk may cause harm and the other suicide risk may not is an absolute furphy. I am disappointed in the minister’s response that the system did not fail Mr Michael Thomas. To all intents and purposes, I believe it did fail him very, very badly and it did fail his family. Unless this matter is addressed, it will continue to fail the community and the people it is intended to serve.

## REDRESS WA — ABUSE VICTIMS

### *Statement*

**HON COL HOLT (South West)** [10.00 pm]: Apologies, Mr President, for not indicating earlier my willingness to speak. I rise tonight in support of some constituents who came into my office the week before last. Three gentlemen—a couple about my age and one a little younger—told me their story about living at St Andrews in Katanning and the abuse they suffered from one of the masters, Dennis John McKenna. I am sure that some members are aware of the story. I would like to acknowledge those gentlemen for coming in and sharing their story with me. As a relatively new member of Parliament and someone who has come from a fairly sheltered background, it was quite confronting to hear their story and difficult to know what to say to them. Interestingly, I could really associate with the two gentlemen who were about my age. I boarded at Swanleigh at about the same

time they were boarding at St Andrews. I could definitely see what they were talking about in terms of being victims without a voice in that sort of situation in which the master of the facility was so well trusted by everyone within the facility and outside. This guy was a citizen of the year in Katanning three times. It was absolutely astounding that that charade or masquerade could continue at such levels that no-one believed what was going on in the boarding house.

I would also like to acknowledge their bravery in accessing the services of Redress WA and why they were very disappointed at the amount of money they received from Redress. Obviously that access to Redress has led to charges being laid against that gentleman and a court case is pending. In telling me their stories, the impact of what those gentlemen have been through has been extensive and at a high level. Although those guys have been brave enough to come forward, there are probably many others who have not. These gentlemen certainly need some assistance with counselling and I think they are getting it in most cases, or at least that is what they have told me. In some of those situations, when we ask whether everything is okay, they say that everything is fine and they are accessing counselling but we probably have to ask about five times before we get the truth about how they are travelling and how they are going. At one point one guy said to me that he did not think his mate was going so well.

I do not think we quite understand the impact on our society of the abuse that occurred at St Andrews. It went on for fifteen years, and a lot of people were impacted. I am talking about people who were children at that time but are now in that phase of their life in our communities where they are taking on parenting, leadership and community civic roles. It would be quite astounding to see how those people are now coping with the ramifications of what they went through 20 years ago. I implore all members to think about how we might support those people who were victims in Katanning. I know they are now spread all over the state. Many are not with us any more but those who are are really suffering. I know that they are looking at ex gratia payments and some sort of court action. I will be supporting them in that action.

I will probably talk more about this matter again in other general debates, but I wanted to flag my interest in those people and my support for them coming forward. I remember that one of the guys brought his son into the office to tell his story; he would have been maybe 17 or 18 years of age. When the guy left my office, I asked him whether he had anything else to say. He said to me, "Listen and believe your kids. Sit down and actually listen to what they are telling you because there may well be a story behind what they are saying in terms of how they are coping with life or what the situations are in their life." I think it would be pretty naive of all of us if we believed that those sorts of things that happened in Katanning 20 years ago were totally non-existent in our society now. I will therefore be sending a message to everyone in my electorate that we need to be vigilant on abuse, we need to listen to our children and we need to pick up some of the telltale signs of abuse. I will be assuring my constituents that, as a responsible government that runs organisations and facilities such as St Andrews, we are on the ball and we are watching what is going on. In closing I want to say thank you to those gentlemen for coming in to see me, for raising this issue with me as a new member of Parliament and for opening my eyes to some of those situations in a bit more detail.

#### PERTH MAJOR SPORTS STADIUM — PREMIER'S COMMENTS

##### *Statement*

**HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition)** [10.06 pm]: I had not planned on rising to speak until the Leader of the House got up and sought to correct the words of the Premier in the other chamber yesterday, and also the comments passed by Hon Troy Buswell. I want to clear up this matter so that people understand the issue. When I found out that both the Premier and Hon Troy Buswell had made comments—I must say Hon Troy Buswell's comments were factually incorrect; he has difficulty dealing with integrity and fact—I trawled back through all the media I had and I listened to all the audio.

##### *Withdrawal of Remark*

**Hon SIMON O'BRIEN:** Reflections on members of another place and saying that they have difficulty with integrity in fact, I think was the expression —

**The PRESIDENT:** Yes, the member on her feet would be aware of reflections on members of another place. The honourable member may wish to withdraw those terms.

**Hon KATE DOUST:** Thank you, Mr President. If that has offended the colleagues on the other side, I will withdraw those terms, but I will say that on this occasion Hon Troy Buswell was factually incorrect in the comments he made about me yesterday.

**Hon Simon O'Brien:** That is fine. That is not to say that we are offended. The thing that is offended is parliamentary standards.

**Hon KATE DOUST:** With all due respect, having had that discussion elsewhere —

**The PRESIDENT:** Order! I think that matter has been dealt with. Let us move on.

**Hon KATE DOUST:** That is absolutely right; thank you, Mr President. I am happy to have that debate another time.

*Statement Resumed*

**Hon KATE DOUST:** I trawled through all the media and listened to all the audio and I could not find one occasion when I personally had talked about scrapping or axing anything. What I had talked about was my concern about the impact upon the consumer that this \$8.5 billion bid by Western Power would bring. Whilst I acknowledge that it is a very important bid, that it is indeed essential to make sure that energy infrastructure is upgraded and supported into the future and that the bid offers a number of challenges for this government to find those dollars, in every interview I provided I talked about the need for government to prioritise what was important to it. In my view—I am sure the Minister for Energy would agree—ensuring that there is appropriate energy infrastructure throughout our state to ensure energy security into the future should be a top priority of government.

There was an article in WAtoday in which the headline referred to “axing” the stadium. I phoned the WAtoday office and tried to speak to the journalist. I said that those statements were incorrect and I had never said those things and I asked for them to correct their headline and the comments in their article. I said to them that at no stage in my press release or in any of my media had I made those types of comments. The journalist I spoke to said she would take it up with her producer and see whether they could make the correction. They did not do that. I do not know whether that has led to both the Premier and Minister Buswell making their comments, but I just felt that I needed to stand and correct them. In fact, if members go back and have a look at the transcript of the discussion I had with Paul Murray, I think on 16 September, I actually said that it is not about cutting back on things like the stadium. In fact, I think I might just go back and find that direct quote so that I am quite clear. I said, “It’s not about saying you can’t have a stadium; it’s about saying get your priorities in order.” Mr President, that is what I kept saying, because this government does need to get its priorities in order, and it cannot go around having a whole range of other things and then saying, “Where are we going to find this money from?” All that will do is place a burden on the taxpayer and the consumer. So, my focus was about getting priorities in order. Not once did I say that the government should delete any of those projects; it is about getting priorities in order. The government needs to work at how it can do that.

I know this is a very important issue, because my question to the minister yesterday was about the number of power poles that had failed and the number of power poles that had to be replaced, and he provided that information. I asked whether or not Western Power had complied with the EnergySafety audit dated 29 September, and he said that it had met virtually all of EnergySafety’s requirements, except for one aspect. Western Power has a substantial job ahead of it, and it would be interesting to find out exactly how extensive the work is going to be to deal with both upgrading and maintaining all power poles throughout this state. Maybe we can ask further questions about this as we go through the next couple of months, because I will be interested in those responses. If the government is legitimate about wanting to ensure—this being probably the single biggest issue in our state—that we have a proper plan for energy and an appropriate security of energy supply into the future, I would have thought that making sure that the government can provide the necessary funding for this infrastructure for Western Power would have been the top priority issue over and above all others. At the end of the day, if the government cannot deliver on its energy infrastructure and supply the energy required by business and residential users, it will have a whole range of flow-on problems. If the costs then flow back to the householder, it will mean that they tighten their belts. I think I did actually make the comment that unless the priorities are right and there is an attempt to reduce householder costs, a lot of people are not going to be able to afford to go to the football anyway—a lot of them are not going to be able to do a whole range of the other things that we would like people to be able to do to enjoy their lives. But at no point can I actually recall ever saying personally “axe” or “scrap”. The journalists may have used those words themselves, but they are not words I have used.

I have found it quite offensive that Minister Buswell goes into the chamber and throws these words around as though there were truth or fact, when they were not. I just get a little bit tired of this government getting away with making these blasé statements or just throwing ideas out into the wind and not being challenged on them.

All I wanted to do was get up and put on the record the things I actually said, and correct the misinformation that was put forward in the other place yesterday.

*House adjourned at 10.13 pm*

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**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.

**FREIGHT AND LOGISTICS COUNCIL — MEMBERSHIP**

4532. Hon Ken Travers to the Minister for Finance representing the Minister for Transport

- (1) Who are the current members of the Freight and Logistics Council?
- (2) How many times did the Freight and Logistics Council meet in 2009, 2010 and 2011?
- (3) Do members of the Freight and Logistics Council receive any payments or fees?
- (4) If yes to (3), how much did each member receive in 2009, 2010 and 2011?
- (5) Will the Minister table a copy of the minutes for each meeting in 2009, 2010 and 2011?
- (6) If no to (5), why not?

Hon SIMON O'BRIEN replied:

The Department of Transport advises:

- (1) Mr Fred Affleck  
Mr Alan Bassham  
Mr Tim Fraser  
Mr Menno Henneveld  
Mr Simon Johnson  
Mr Ian King  
Mr Paul Larsen  
Mr Chris Leatt-Hayter  
Mr Ken Lewsey  
Mr Greg Martin  
Mr Steve Martin  
Mr Martin Mileham  
Mr John Oliver  
Mr Matthew Payne  
Mr Bob Pearce  
Ms Jodie Ransom  
Mr Graeme Sinden  
Mr Rob Voysey  
Mr Reece Waldock  
Mr Peter West  
Mr Graeme Wilson
  - (2) 2009 — 11 times  
2010 — 11 times  
2011 — 7 times
  - (3) Yes, only the Chairman.
  - (4) 2009 — \$13 400  
2010 — \$13 400  
2011 — \$9 328
  - (5)–(6) The Minister is considering the release of this document.
-