

Legislative Council

Thursday, 11 August 2011

THE PRESIDENT (Hon Barry House) took the chair at 10.00 am, and read prayers.

SKILLED LOCAL JOBS BILL 2011

Petition

HON MATT BENSON-LIDHOLM (Agricultural) [10.02 am]: I present a petition containing 62 signatures couched in the following terms —

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

We the undersigned residents of Western Australia say the WA Parliament should pass laws that ensure a greater share of skilled engineering and fabrication work for our major resources projects is performed in Western Australia.

Our major resources projects are increasingly sending their skilled work offshore. Many of Western Australia's fabrication workshops are almost empty and our engineers have to go overseas if they want to help design our LNG projects.

Our natural resources can only be used once and we should use the current resources construction boom to provide training and apprenticeships for our young people, so that they can have a future after the boom.

Your petitioners therefore respectfully request the Legislative Council to support the *Skilled Local Jobs Bill 2011* with the objective of ensuring a greater share of skilled work for our major resources projects is performed in Western Australia.

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

[See paper 3587.]

MANDATORY SENTENCING — MENTAL HEALTH

Petition

HON LINDA SAVAGE (East Metropolitan) [10.03 am]: I present a petition containing 55 signatures couched in the following terms —

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

We the undersigned residents of Western Australia are concerned at the impact of mandatory sentencing on people suffering from a significant mental impairment, their carers, families and their loved ones.

Your petitioners therefore respectfully request the Legislative Council to recommend to the Attorney General that he urgently act to ensure that our courts are able to use appropriate discretion when sentencing people with a significant mental impairment.

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

[See paper 3588.]

PAPERS TABLED

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

RESOURCES SECTOR — LOCAL CONTENT REPORTS

Motion

HON JON FORD (Mining and Pastoral) [10.05 am] — without notice: I move —

That this house condemns the government for its complete lack of accountability regarding the issue of Western Australian jobs from Western Australian resources and calls on the government to show its commitment to local jobs and training by releasing in full, all local content reports held by its agencies.

Before I go into the substance of the debate, I would like to put this matter in context. Western Australia is currently running unemployment levels at about 4.2 per cent. If we assume the population is around 2.5 million,

that is somewhere around 100 000 people seeking work. If that is taken across the nation, that number has exponential growth. For those 100 000 or so people, there is no boom; they are missing out. That is a failure by this Parliament and the government to deliver those benefits to those people. We know that costs are rising for those people. The cost of living is rising, and the ability to get affordable housing is almost non-existent. During June this year I made an application to the freedom of information coordinator at the Department of State Development couched in the following way —

In accordance with the Western Australian Freedom of Information Act 1992 I wish to apply for the following:

A copy of all local content reports in relation to the Gorgon Gas Development on Barrow Island.

That is quite a simple request. In fact, a condition of that state agreement for that project is that they report regularly on local content provisions for that project, and to date eight reports have been delivered to the government. I will go into why this application was rejected. The reply I got on 28 June 2011 states —

Gorgon gas is subject to a State Agreement and is required to provide a local content report.

We know that —

State Agreements requiring reporting are considered confidential.

I do not know why that would be. It goes on —

The information is commercially sensitive as it contains information which if disclosed would cause unreasonable detriment to the owner of the information or another party.

That is an extraordinary statement. I am not asking for trade secrets. I am not asking for contract details or commercial details. I am just asking: how much of the work to be done is being done in Australia, and Western Australia in particular, and how many jobs does that mean? It also goes on to say —

Local content reports contain information about commercial operations of both Gorgon Gas and its suppliers which is commercially sensitive. Gorgon Gas and the suppliers are in a competitive market.

I cannot see how telling us the number of contracts that go to Western Australian and Australian companies and the number of jobs it is estimated they will create can cause detrimental value to the company. It also states —

... Matter is exempt matter if its disclosure ... could reasonably be expected to have an adverse effect on those affairs or to prejudice the future supply of information of that kind to the Government or to an agency ...

The state agreement is law; it has been passed by this Parliament. The Parliament demands that those reports be given and those reports have to be given. What is the point of having a state agreement that asks for local content reports if the Parliament cannot scrutinise them? What is there to hide? Why would anyone reject this? It then goes on in another extract on limits on exemptions, and states —

... Matter is not exempt matter under subclause (1), (2) or (3) —

They are the ones I have talked about —

merely because its disclosure would reveal information about the business, professional, commercial or financial affairs of an agency.

... Matter is not exempt under subclauses (1), (2) or (3) merely because its disclosure would reveal information about the business, professional, commercial or financial affairs of the applicant.

... Matter is not exempt matter under subclause (1), (2) or (3) if the applicant provides evidence establishing that the person concerned consents to the disclosure of the matter to the applicant.

... Matter is not exempt matter under subclause (3) if its disclosure would, on balance, be in the public interest.

I can tell members that it is in the public interest because these resources, this gas, belongs to the people of Western Australia. The Leader of the House actually confirmed on a number of occasions in regard to the debates over the mining tax that these resources belong to Western Australians, and we agree with him. Ultimately, it is this Parliament's job to ensure that Western Australians are getting the best benefit from these resources and these projects.

We do not have to actually rely on that information, because I have received a number of reports and have looked at a number of public releases and I wanted to confirm whether what they said was true. Some are negative and some are false, and I will go through a few of those. As I said, eight reports have been produced to date, the last one delivered on 9 May 2011, with exemptions based on commercial-in-confidence provisions. It is not beyond somebody in the department to just put a white-out marker on any of the stuff that is regarded as

commercial-in-confidence; but, no, the department is just not going to release it. I could have appealed the process, but I do not think that would have any effect as prior appeals have not been successful. In this house the minister, in refusing to give information, has also stated that his and the government's intent is to maximise these benefits, but has talked about matters being commercial-in-confidence. Indeed, on other matters, including asbestos management plans, I have been refused access on the same grounds that somehow it will be detrimental to the business. That is a safety issue, and another issue for another time.

In the early days Chevron put out a press release headed "Australian Industry Participation — Key Facts". Under the "Steel fabrication" section, it specifically states —

Early last year, Chevron worked very hard to structure some of the larger steel packages (Pre-assembled racks/Pre-assembled units) so local companies could bid for the work.

Unfortunately, the local bids were significantly uncompetitive.

In many other sectors (transport, logistics, services, accommodation ... —

I will talk about that —

local companies have been competitive internationally and have secured significant contracts with the Gorgon Project.

These reports are important because we can define what "significant" is. I can tell members that Chevron's idea of significant, my idea of significant and the Western Australian people's idea of significant are very, very different. I want to know why the local bids were significantly uncompetitive, if indeed they were, and what the reasons are for that. Chevron alludes to that in other press releases when referring to other issues and to companies not reacting to those bids, and claims —

The projects will generate almost \$50 billion in expenditure on Australian goods and services and will bolster Government coffers by more than \$60 billion through various tax revenue streams.

Chevron states that it is committed to local jobs and local training. Remember that every single bit of fabrication and every single bit of supply that goes overseas mean that there are jobs for those people overseas, and people in Western Australia are missing out, particularly on training, capacity-building opportunities and gaining their fair share of the boom.

There is a campaign that everybody is aware of called "WA Jobs From WA Resources: What Can Be Made Here Should Be Made Here". On 4 March a press release went out from that campaign headed "\$7.4 billion of Gorgon's local content claims misleading", and states —

In a document circulated to WA media in February, Chevron claimed it had invested more than \$10billion in Australian industry to date. In an accompanying document, Chevron identified just over \$10billion in let contracts with Australian industry participation.

I will refer to that press release and then indicate that what Chevron says is wrong. It states that the value of the KJVG head contract is \$2.7 billion. The claim states —

Vast majority of Engineering, Procurement and Construction Management work done overseas. Major JV partner KBR does majority of work in UK. Despite Clough being a part of the JV, little of this work is performed in WA.

That is a pretty big claim. If we had the opportunity to look at these reports to the Department of State Development, perhaps we could see who is right and who is wrong, but we cannot. We just have to take Chevron's word for it that it is in fact delivering what it says it is delivering.

Hon Simon O'Brien: Whose press release is this? Can you identify the document you are quoting from?

Hon JON FORD: I have already, but I will do it again. It is a media release from the campaign "WA Jobs From WA Resources".

Hon Simon O'Brien: By whom and what date?

Hon JON FORD: I do not have very much time. It is dated 4 March 2011. I am happy to table the document, if the member wants it. I seek leave to table the document.

Leave granted. [See paper 3589.]

Hon Simon O'Brien: Thank you.

Hon Sally Talbot: I can't believe he's not seen it up to now.

Hon Simon O'Brien: It's required under the standing orders for him to identify it; you stupid woman!

Hon Ljiljana Ravlich: Oh, calm down!

The PRESIDENT: Order! Members, this is a very limited, organised, structured debate in which members have certain time to speak and other members have a certain other time to respond. I think it is unfair if a lot of time of any member on their feet is taken up with interjections.

Hon JON FORD: Thank you, Mr President. The claim continues —

LNG Jetty & Marine Structures	\$1 billion	Most of the jetty manufactured in Malaysia and shipped to Western Australia.
Offshore Pipelay	\$1 billion	Steel pipes manufactured in Japan. Finishing in Malaysia.
LNG & Condensate Tanks	\$600 million	Tanks made in Thailand with Japanese steel.
Construction Village	\$520 million	Engineering done in Qatar, fabrication of modules in Thailand.
Installation of Domestic Gas Pipe	\$300 million	Steel pipes manufactured in Japan. Finishing in Malaysia.
Power Systems	\$250 million	Substations from overseas.
Tugs & Barges	\$240 million	Tugs and other vessels manufactured overseas.
Rotary Wing Services	\$200 million	Helicopters manufactured overseas.
Fixed Wing Services	\$165 million	Aeroplanes manufactured overseas.
Telecommunications and Electronic Systems	\$150 million	Electrical equipment coming from overseas.
Concrete Supply	\$120 million	90 cement tankers made in China, with cement being imported from China as well.
Westsea Marine – support vessels for the Leighton-Saipem Consortium	\$100 million	Tugs and other vessels brought in from overseas.
Onshore pipeline installation	\$85 million	Steel pipes manufactured in Japan. Finishing in Malaysia.

The important thing about having access to those reports is to work out who is telling the truth. However, I am leaning towards this report. The reason I am leaning toward this report is that a lot of it is confirmed by press releases either in the media reporting on the award of significant tenders or by Chevron itself. An article by Rebecca Lawson on 15 September 2009 in *BusinessNews* under the subheading “helping business grow” stated —

Clough JV wins \$2.7bn Gorgon contract

...

A joint venture including Perth-based engineering firm Clough has been awarded a key \$2.7 billion contract for the massive Gorgon gas project.

That is the head contract. It lists through all the different parts. It is stated at the bottom of the article —

In a statement, Clough said work for the EPCM contract will be conducted from two main operating centres in Perth and in London, with support centres in the US, Singapore, Indonesia and Japan.

The JV will also use several fabrication yards across South East Asia and Australia to support the planned 250,000 tonnes of LNG modules.

“As an Australian based EPC contractor, Clough is delighted to be playing a major role ...

It is an Australian-based company. I want to know whether the \$2.7 billion is being claimed as Australian content, Western Australian content or overseas content. I want to know what the proportion of that is. I think that Chevron is actually claiming it as Western Australian content.

There is another article; an online article titled “Japan steelmakers to supply pipe for Australian LNG development: Manufacturing: Primary Metal Manufacturing from AllBusiness.com”. The article states —

Japanese steelmakers JFE Steel Corp. and Marubeni-Itochu Steel were awarded a large-volume pipe order for the Chevron-operated Gorgon LNG development in Australia.

This is a billion-dollar offshore pipeline contract and a \$300 million domestic gas pipeline. This is bread-and-butter work and ideal for training. It involves high-skilled welding and it creates good tradespeople with internationally exportable skills. Remember, we are talking about 100 000 people who are not working in Western Australia—if ever there was something we wanted, it would be a great opportunity for those people.

There is a press release from Wasco headed “Gorgon Upstream Project”. The client is recorded as Chevron Australia Pty Ltd located in Western Australia. I do not have the date, I am sorry. The press release states —

Wasco Energy’s Pipe Coating Division has been awarded a US \$162.9 million line pipe coating contract for the Chevron Gorgon Upstream Project.

...

The Wasco Energy Pipe Coating Division specializes in pipe coating and corrosion protection services. The company operates coating plants in Malaysia, China, Saudi Arabia and Nigeria.

What is the missing component in that? It is Western Australia or Australia. This is a coating contract. Members cannot tell me that we do not have the capacity in this country for these sorts of contracts. I know we have the capacity. If we do not quite have the capacity, we have the ability to build that capacity, but we should be attempting to build that capacity in Western Australia, because that is an exportable job. It gets into the supply chain. These companies are successful because, although they do not have the resources, they have the ability to get into the supply chain. That is where we need to be going because, sooner or later, we will run out of the resource. The press release continues —

Wasco Energy Ltd. is an energy services company, headquartered in Malaysia, offering a wide spectrum of oil and gas products and services, such as:

- Pipe coating and corrosion protection
- Pipe manufacturing
- Process equipment engineering and fabrication

Remember that Chevron claimed in its first press release that it would give a heck of a lot of business to internationally competitive Australian companies in regards to accommodation.

An article available at businessreviewaustralia.com, dated 13 January 2011, under the heading “Company Report: Gorgon Construction Village: A Home Among the Gas Fields” refers to a \$529 million contract by Chevron Australia Pty Ltd to build and construct the village on Barrow Island. It states —

Following this, another \$500 million contract was awarded to Thiess in a stand-alone agreement to provide site and bulk earthworks ...

“The objective of the Gorgon Construction Village Project is to provide accommodation for the more than 3,000 personnel constructing the LNG gas trains ...

So this is the lead-up work.

“We’ve got about 550 employees based in Perth and on site accommodated in a fly camp set up on Barrow Island. We have a village design team based in Qatar and also a large team in Thailand to manage Siam Steel who are contracted to fabricate the accommodation modules.”

If ever there was a state that needed to build capacity in its ability to build accommodation, it has to be Western Australia, because, I can tell members, there is a big shortage of accommodation, especially in the regions. It is one of the reasons that we have companies building these construction camps in WA. If we could use these sorts of levers to build local companies, or invest in local companies to build this capacity, they could be located locally and train local people to build those houses locally in the regions. It is a great opportunity. I will not talk about the merits of the project—I think Chevron is a good company—but, as I said, there is a requirement under the agreement act, which was agreed to in this place, that they provide these reports on local content. We have to accept their word if we do not see contracts. The government hides behind commercial-in-confidence. I look forward to the government’s response in explaining to us how it will ensure that Western Australians get the best bang for their buck. As I said before, 100 000 people plus are out of work and these resources belong to Western Australia. It is our job to ensure taxpayers get the best out of their investment.

HON LJILJANNA RAVLICH (East Metropolitan) [10.26 am]: I support this motion. I listened intently to what has been said by my learned colleague Hon Jon Ford. When I hear some of this stuff, it absolutely makes me sick in the stomach. It makes me sick in the stomach that this government has so little regard for the people of Western Australia and for their future. When we have to sit and watch Western Australian jobs go overseas because this government is not prepared to do the right thing and ensure that Western Australian companies and Western Australian workers get their fair share of the benefits of this boom, then I have to say that that is very concerning. I say again, it makes me sick to the stomach when we hear that 100 000 people are not working in Western Australia and the chances of getting work are almost negligible because companies are missing out on opportunities. It paints a picture of a very bleak future.

I want to quickly put on the public record that when the minister for training took on this portfolio and continually got up and said, “I’m not just the minister for training; I’m actually also the minister for workforce

development”, he made a big song and dance out of it. One could have expected the minister to do something about workforce development. An integral part of workforce development of course is a strong local content policy, but this minister does not seem to have any interest in the local content policy. As the minister, he cannot understand why employers will not take on apprentices. The simple fact is employers will not take on apprentices because the employers are not getting the local contracts to get the business to be able to take on the apprentices. It is not rocket science. There is no doubt the Minister for Training and Workforce Development has been an abject failure in the portfolio. First, we see thousands of people suffer from the cold this winter, then we see people out of pocket because of the feed-in tariff, and now it has come to light that basically the minister has just not been training Western Australians to take up Western Australian jobs. When he is put under pressure over the outcomes of his training portfolio, he goes to water and talks about the achievements of his portfolio. He has disaggregated education and training and created a new department. His next claim to fame is that he has rebadged colleges. The key indicator in the training portfolio is the number of people who are trained, the number of people who have upskilled, and the number of people who can use those skills in order to get a good job and have a productive life. The simple fact is he is failing. He has been an abject failure on that account.

Western Australian taxpayers spend no less than \$500 million annually on training. Yesterday I advised the house that in those two key indicators—that is, training effort—the number of people participating in training who are of working age, between 15 and 64 years, has increased by only 13 000 since the minister took on this portfolio; that is 4 300 extra people each year. How hopeless is that for a Department of Training and Workforce Development and a Minister for Training and Workforce Development supposed to be preparing the Western Australian workforce to take on the demands and opportunities that will be presented by the boom? It is absolutely hopeless. In three years the number of apprenticeships and traineeships has increased by fewer than 3 000. That is fewer than 1 000 extra apprentices and trainees trained in this state each year. By any measure that is just shocking. Why are those apprentices and trainees not being given the opportunities? It is simple; the job goes offshore. This minister and this government pay no attention to local-content policy and just sit back and watch Western Australians miss out and the next generation of Western Australians being denied opportunities. When I meet with industry, industry tells me that it has to turn young people, and not-so-young people, away because they simply do not have funded places. I put to the minister that I think he should publicly explain why that is the case. While Western Australians are denied these opportunities, the minister has managed to take himself on a holiday to England and Ireland to source 150 000 migrant workers in preparation to take up jobs by 2017. It just beggars belief.

Hon Norman Moore interjected.

Hon LJILJANNA RAVLICH: The Leader of the House should hang his head in shame; he should not interrupt because his government does not have a leg to stand on when it comes to its training record. The government has spent more than \$500 million a year to produce fewer than 3 000 additional apprentices and trainees in training since 2008. That is a total \$1.5 billion over three years. The Leader of the House wants to interrupt me? He should be ashamed of himself.

Hon Norman Moore: I think you should take a Valium and lie down for a while.

Hon LJILJANNA RAVLICH: The Leader of the House does not like it because it is the truth.

During the global financial crisis up to 7 000 apprentices had to walk away from their jobs because they got sacked. I asked the minister why that happened and he answered that it was because they had all gone on a sabbatical. It is a bit like in a university; people go on sabbaticals! The fact is that 7 000 apprentices got sacked. The out-of-contract register for apprenticeships and traineeships shows a picture in which very little effort has been made to put those apprentices and trainees back into jobs. The reason apprentices and trainees cannot be put back into jobs is that those jobs and training opportunities are not there. Once again, they are not there because local businesses are not picking up their fair share of the contracts—that is, contracts that we would rightly expect to be delivered in the areas of design, drafting, manufacturing, engineering, fabricating and so on and so forth. The contracts are not there; they are just gone. I do not want to live in a society with an emerging underclass. I do not want to live in a society in which the most interesting thing that young people can do is riot because there is a lack of substance in what they can do with their lives. Unless some attention is paid to local content and the importance of jobs, that is the sort of society we will head towards. It is beholden on the Minister for Training and Workforce Development to lift his game and to explain why after spending \$1.5 billion over the last three years on training budgets he has achieved so little—that is, fewer than 3 000 additional apprentices and trainees in training. The total increase in participation in training is only 13 000 people. I do not know what the minister does with the money apart from build up his new office and re-badging, but it is an absolute disgrace.

HON NORMAN MOORE (Mining and Pastoral — Leader of the House) [10.36 am]: I listened to the last two speakers with great interest and I am sorry that Hon Ljiljanna Ravlich is sick in the stomach because it just demonstrates —

Hon Ljiljanna Ravlich: Well, it is getting worse by the minute.

Hon NORMAN MOORE: — once and for all that the member is now getting to a stage of her political life at which she has to exaggerate everything to try to make a point.

Hon Ljiljanna Ravlich: It is not exaggerating.

Hon NORMAN MOORE: It has actually become a bit of a joke because this issue —

Hon Ljiljanna Ravlich: Well, no-one is laughing.

The PRESIDENT: Order! I do not mind one or two interjections, but I make the point, as for the main speaker, that this is a debate in which every speaker has a limited time and it is unfair if that time is eaten up by interjections. Therefore, let us proceed with the speakers on their feet.

Hon NORMAN MOORE: This issue is more about the employment of members of Parliament in the Labor Party than anything else. Every time I hear these speeches being made I say, “This is the preselection speech of the member for so and so.” The Labor Party is just doing the bidding of the union movement, which decides whether party members have a job. That is what this is all about. I have a lot of regard for Hon Jon Ford, but he said that there are 2.5 million people living in Western Australia and that our unemployment rate is four per cent, which means that 100 000 people do not have a job. Of the 2.5 million people, Hon Jon Ford, a significant number are children, babies and people who do not want a job. We cannot just be say that four per cent of the total population represents the total level of unemployment and call that an unemployment rate of 100 000 people. I have to say that is the most ridiculous argument I have ever heard from anyone in this chamber and it comes from someone who generally gets his facts straight. It is the most ridiculous comment I have ever heard and Hon Jon Ford should acknowledge that.

Hon Jon Ford: How many thousand then?

Hon NORMAN MOORE: There are unemployed people in Western Australia, but there are not 100 000. The unemployment rate cannot not be divided into the total population to arrive at the total number of people unemployed; it is simply not done that way. That approach is completely disingenuous; the member knows it and it is plainly and frankly wrong.

The employment situation in Western Australia is quite interesting. There are those who are doing very well, thank you, and those who are not doing very well. I give an example of those who are doing very well. I do not know which members on the other side rely on the Maritime Union of Australia for their endorsement. Does anyone want to acknowledge that they are in this place because of that union? Members might remember that just in the last couple of weeks a company in Pilbara called Mermaid Marine Australia has had to endure significant industrial disputation. Indeed, strikes went on for a number of days; I do not know the exact number of days. There was serious disruption because the MUA said that the company’s offer, which I will give the figures for, was not good enough. The offer is a salary of \$155 000 a year. On top of that is rental assistance of \$59 000 or a north west allowance that would take the total salary to \$176 000. So the choices available to these employees of Mermaid Marine Australia Ltd, members of the Maritime Union of Australia who went on strike because this was not a good enough offer, were \$155 000 without rental assistance, \$191 000 with rental assistance, and \$176 000 with a north west allowance. These workers, who were members of MUA, said that that was not enough. Hon Jon Ford would have us believe that people in Western Australia are being hard done by, and these are the sorts of salaries which are being offered and which are not acceptable to workers in the north west. Of course, what happens is that the companies are forced to pay, so the companies then pass on the additional cost that they have to endure in respect of the other things that they do and the places where they go to get local content. Therefore, they find somewhere else to save a few dollars to make up for these sorts of conditions that they have to pay for.

Hon Ljiljanna Ravlich talked about the underclass. Is this the underclass she was talking about—\$190 000-a-year workers in the Pilbara? Are they the people she was talking about? I am told that welders who weld offshore get \$400 000 a year. Are they have the underclass she was talking about? No wonder an enormous amount of pressure is put on companies to try to save some money somewhere so that they can bring these projects in on time and on budget. We are talking about \$43 billion with Chevron for the Gorgon project—\$43 billion. I am afraid to say that some of the Labor Party union, should I say, controllers do not think —

Hon Ljiljanna Ravlich: Get a life. Don’t be insulting. You’re pathetic.

Hon NORMAN MOORE: I have seen members opposite come into this chamber. They queued up to make a speech on —

Hon Liz Behjat: Puppet masters; that’s what they are.

Hon NORMAN MOORE: They are.

Several members interjected.

The PRESIDENT: Order!

Hon NORMAN MOORE: Members of the Labor Party come into this place and make speeches on two issues, and they all queue up. One is issues such as this and the other is trading hours. We can see them queuing up to make sure that Joe knows what they are thinking and that all the other union heavyweights know what they are thinking so that they can present their speeches when they go to their preselection meetings. That is what this is all about. It was suggested that somehow or other 100 000 people in Western Australia are without a job and that they are the new underclass, when there are people who are members of unions that support the Labor Party and who reckon that \$190 000 a year is not enough. I have just got the figures for Mermaid Marine. There were 16 days of industrial disputation for Mermaid Marine in the Pilbara—16 days. I wonder what effect that had on the productivity of that company and its capacity to remain viable in this day and age when there is huge pressure to deliver the goods that are required to get these projects up and running.

Finally, I will say this: Hon Ljiljanna Ravlich referred to the Minister for Training and Workforce Development's overseas trip as a holiday. What an outrageous statement to make. That is when I interjected on Hon Ljiljanna Ravlich. She made the point—she was just trying to be smart—that if a minister goes overseas, somehow or other it is a holiday. Did the member ever go overseas as a minister? Of course she did. I actually saw her on one occasion, and I have to say that she was an embarrassment. For the member to come in here and raise those sorts of issues just demonstrates that she has no sensitivity whatsoever on these sorts of matters.

This motion, to which my colleague the Minister for Finance will respond shortly, is just another move by Labor members of the upper house to look after their preselection. It is based on a very bad premise, which was the first sentence uttered by Hon Jon Ford, that somehow or other 100 000 Western Australians do not have a job. That is simply fundamentally wrong. If there is a problem with local content, it is because some members of the workforce are getting such high salaries of the sort I have just mentioned in respect of the MUA that these companies obviously have to find somewhere to save a few dollars to make these projects, which could cost billions of dollars, come to fruition. If members opposite do not want them to come to fruition, they should just say so. If they want to take advantage of these companies at a time of significant demand and seek wages of this magnitude, the ultimate result will be that they will go somewhere else. It is time members opposite started to have a good look around at what companies are now doing around the world. When we take into account what the union colleagues of members opposite want to do and take into account what the federal government wants to do, it is no wonder, with the pressures that are now going on to industry in this country, that these companies are all in Africa, South America and Mongolia looking for opportunities there to develop mining activity and for oil and gas exploration. That is what is happening, and the more pressure Labor puts on those companies, the more they will go to other parts of the world.

HON MATT BENSON-LIDHOLM (Agricultural) [10.45 am]: I rise to speak to this motion of Hon Jon Ford, and I certainly thank him very much for bringing the issues to the attention of the Parliament. He certainly made a number of most relevant statements and comments in his introductory remarks, and I will focus on a few of those for a minute or two. Hon Jon Ford certainly made a significant point when he talked about unemployment levels.

Hon Norman Moore: Except he got his facts wrong.

Hon MATT BENSON-LIDHOLM: Leader of the House, we do not have much time to debate things. However, the fact of the matter is that 4.2 per cent unemployment levels in this state —

Hon Norman Moore interjected.

Hon MATT BENSON-LIDHOLM: Hang on. This is my point: 4.2 per cent is a significant figure in this day and age. Going back 20, 30 or 40 years, a figure of 4.2 per cent would have been astronomical. It is still high. In this day and age, it is regarded that we have full employment when we have unemployment levels in the vicinity of 2.5 per cent, or maybe more; I am not sure. I do not necessarily follow that particular science to the extent that I used to. But with a figure of 4.2 per cent, there must be issues. Right from the outset—I will mention this in a while—a comment on the WAtoday website speaks quite clinically about the issues that we have with unemployment levels in Western Australia. That is why that figure is relevant. I do not know whether the figure is 100 000; I did not do any research on that. But I can assure members that 4.2 per cent is a significant rate of unemployment, even though the unemployment rate in the rest of Australia is probably in excess of 4.5 or 4.6 per cent. I cannot recall the figure that I discussed with Hon Jon Ford this morning.

Hon Jon Ford: It was 4.2 per cent.

Hon MATT BENSON-LIDHOLM: A figure of 4.2 per cent in Western Australia is perhaps the lowest, or close to the lowest, in Australia. That is significant, but we are talking about improving society. That is why we are here. We are not here to beat our chests and say what a fantastic job we are doing. If we cannot reflect on what we are doing or what we are not doing, we are wasting our time, because plenty of people can run around beating their chests and say, "Listen; I'm good. This is what I've done; this is what my government has done." The responsibility of members opposite is to improve upon what happened in the past. If the Labor Party was in

government in the past, those opposite should improve upon what we did; and when we make it to government, we will improve upon this government's job. That is what it is all about.

Hon Simon O'Brien: You have a great deal of forward vision then.

Hon MATT BENSON-LIDHOLM: Maybe I do. I am not going to respond, but I can assure members opposite that sooner or later the roles will be reversed. They understand that; I understand that.

Hon Jon Ford also made a few interesting observations about jobs going overseas and not being available here. He also made the point that once those jobs go overseas, the capacity for apprenticeships and traineeships in Western Australia starts to diminish. Why? Because there is no demand. That is an area that this government needs to address, and address quickly.

Hon Jon Ford also made a point about the provision of cement and concrete from China. I can tell members right now that in the Mid West—Geraldton area, a local former City of Geraldton—Greenough councillor came to see me after seeing a number of heavily laden semitrailers travelling south from Port Hedland carrying concrete sleepers, which caused him much angst. Those concrete sleepers all came via ship to Port Hedland to be trucked to the Mid West. Those are the sorts of issues that any government needs to take on board as significant issues. I speak to people in fabrication and engineering workshops and the like, in Geraldton and in the Mid West. I urge members to understand that from my discussions with those businesses, I can see that that is what sticks in people's craws. Those people might not necessarily be supporters of the state opposition; in fact, most are government supporters who are very concerned. That is why these petitions that we present in Parliament are accepted and signed off by people with quite a degree of concern. I urge the minister to go and visit the local chambers of commerce and industry, go and speak to the journalists and the editors of the newspapers and visit these particular communities. I am sure that members opposite will realise that we have significant issues in this state in places closer to home, such as Kwinana.

Hon Phil Edman: Have you been down there?

Hon MATT BENSON-LIDHOLM: Did the member hear what I just said? I expect members such as Hon Phil Edman to visit their own areas. I have already indicated that I have been out to Geraldton and the Mid West. I have been out to the Wheatbelt where there are lots of small scale fabrication workshops. They are also suffering. Why are they suffering? They are suffering because, as Hon Jon Ford said, a lot of the sorts of jobs that we are talking about are going overseas. All the opposition seeks is that the government change its tack and start thinking about the sort of people who are telling us that there are significant issues. I think it was 15 March when we had a protest out the front of Parliament House. Peak industry manufacturing, fabricating and engineering groups stood with us and tried to make the point to the government of the day that we have significant issues, as is reflected in this motion moved by Hon Jon Ford.

Most of the people I speak to are hurting significantly; obviously, they are quite prepared to indicate that. These people also say we must have a commitment to the youth of our communities. Some good apprenticeship and traineeship schemes have been put in place in Geraldton and the Mid West. Many of those kids, if you like, in their late teens or mid-20s, now sell hamburgers, Big Macs or something, or have had to move out of their hometowns and move to Port Hedland to get some sort of labouring work. The future of this country is not about digging holes in the ground. I fully understand that the mining industry has done great things for this country, but we can judge the strength of an economy by its capacity to have a broad cross-section of jobs and industries available to people. If we go down the pathway of relying solely on resource projects, this country is doomed. We need value adding. We need these particular people to work in Western Australia on local projects. These are Western Australia's resources. They do not belong anywhere else in the world. Companies should be required to put those sorts of issues in place and make sure that Western Australians as a whole benefit. I just listened to the Leader of the House lambast Labor over its links to the union movement. Members opposite should understand that if it were not for the union movement, they more than likely would not be where they are. The labour movement, which has developed over the last 300 or so years, underpins the very idea of some sort of egalitarian society.

Hon Linda Savage interjected.

Hon MATT BENSON-LIDHOLM: Exactly; as Hon Linda Savage says, the role of women in society in this day and age can largely be attributed to the labour movement. I am rapidly running out of time. However, I want to quote from this article on WAtoday that I alluded to earlier. The article is dated 4 March and contains a few interesting observations. Please bear with me; I just want to make a few remarks. The article starts off stating —

Australia's resource giants are taking measures to increase the amount of local work on major projects, West Australian Premier Colin Barnett says.

Unions have accused oil and gas giant ... of sending offshore three quarters of the \$10 billion worth ... on its Gorgon liquefied natural gas development it said would be done by Australian companies.

The response —

... Gorgon project ... manager Colin Beckett says about \$9 billion of that work has been contracted out to WA companies.

Here is the crux of the issue as far as we are concerned —

UnionsWA Secretary Simone McGurk said that most of the work contracted out to Australian companies was for earth works, site preparation, catering and waste removal.

My contention is that we need to get involved in skilled jobs for local people; that sort of work should be done here. We should not necessarily do away with those sorts of jobs mentioned in the article, but that is the focus of the jobs that Chevron provided.

[Member's time expired.]

Hon MATT BENSON-LIDHOLM: I had better sit down.

The PRESIDENT: Sorry, you have expired. Well, you have not expired, but your time has expired!

Hon Matt Benson-Lidholm: Please, not yet!

HON SIMON O'BRIEN (South Metropolitan — Minister for Finance) [10.56 am]: I agree that Hon Matt Benson-Lidholm's time has expired, but he is nowhere near being past his use-by date!

The member's advocacy for Western Australian local interests is undoubted and it should not be doubted. I am sure that everyone in this house associates themselves with the sentiment that we need to enhance opportunities for Western Australians, whether in personal or business development, to guarantee the future for Australia and for Western Australians and their families now and into the foreseeable future. That sentiment is not in doubt. That is something that we all agree on. I can assure the honourable member that this government also sees that as one of its fundamental purposes. It should not be necessary to rise to repeat such things, which are self-evident to all of us here and views held by us all. However, this motion is before us and I am wondering: why do we have it? This is Groundhog Day; we have had this matter raised for debate several times. I was looking for some further information to be introduced by the mover, but I did not see a lot of it.

This debate is a rerun of an earlier debate that was held yesterday in the other place. This debate relies on a rerun of a press release from 4 March put out by UnionsWA—the preselection committee of many members opposite. There was not a lot of new information, if any, in the debate. It seems that the ALP is still wedded to this view that it can find some political legs in the tired arguments that it has been producing over the last few months and try to flog up its dead Skilled Local Jobs Bill, which we have debated before, because it seems that the only thing that the ALP has to offer this debate is a resort again to red tape that would harm the economy and Western Australia's international standing. If that is all members opposite have got to offer, and apparently it is, then they do not really have anything.

Hon Matt Benson-Lidholm is right to say that people look to government for leadership on this and other issues. This government has been working to provide that leadership. We have recognised the changed circumstances that the massive resource projects of the day present for local participation of many of our local industries. We have been working hard to engage with local producers, contractors, fabricators and manufacturers to make sure that we understand the nature of this new economy and that we can work as a government to make sure that all Western Australian interests can participate. An easy message to sell publicly is that Western Australians should benefit from and be involved in the positive developments that are happening in this state. Nobody would disagree with that sentiment. Will the opposition please stop pretending that this government does not recognise Western Australia's interests?

Recently, working in concert with others in government, I produced a number of papers aimed at furthering the cause of local content in Western Australia. In May, I tabled in this place a local content report, which for the first time, probably ever, attempted to give members a snapshot of the status of local industry participation in Western Australia to help inform the debate and to make sure that members might have some chance of knowing what it is that they are talking about. I have publicly undertaken to produce and deliver further reports of this nature into the status of local content so that the body of information that Hon Jon Ford demands will be available. It has not been done before and we are doing it. Similarly, a few weeks ago, I gathered together a large representative group of local industry and related interests, including union representatives I might add, to present the consolidated Western Australian government approach to local industry participation in Western Australia. I did that so that people could know not only what it is we are doing, but how they could participate. I believe a document summarising the 10 points of activity was circulated to all members. The reaction from the extended sector was very, very positive on that day. The meeting held at Henderson was attended by hundreds of people and was very well received. In the flow on from that, numerous participants contacted me and I have also written a number of letters to industry inviting the cooperative dialogue that is necessary to source the information the state needs to formulate and deliver policy that will maximise local industry participation. I was

very encouraged to receive feedback, from people previously involved, in support of the rally and the targeting of the marginal seats, which was advertised in the 4 March media release from Unions WA that Hon Jon Ford, the mover of the motion, relied on when making his remarks. The Australian Steel Institute wrote to my office as recently, I think, as last week, to advise that the information it had received was very reassuring and put to rest any lingering concerns about the direction being taken by the department and the state government. Participants are recognising that this government is doing the things that are necessary to assert local industry requirements in the new globalised economy, which is visiting us through so many major resource developments.

I return to Henderson and the presentations that I previously referred to. The invites had already gone out and the member for Willagee, the opposition spokesperson for local content, presumably alerted to the fact by the union people who had been invited to the event, promptly rang up and asked if he could come. My response was, “Absolutely! Sure! If they want to come—let ’em!” I recall that a few hundred people were there on the day. The crowd was very big and very positive. There was quite a buzz around the place. Not only did Mr Tinley turn up, but Mr Logan, the member for Cockburn, and the member for Rockingham also showed up unannounced. They gathered by the door and were so interested in what was going on that when they saw all the people who were there to support the government they turned around and went away without listening to the presentation. That is how dinkum the ALP is. Members can go to the trouble of coming up from Rockingham or going down from Willagee, but when they get there they think, “Oh, heck! There’s not much mileage in this for us.” And so off they go again. That shows how dinkum they are.

Hon Matt Benson-Lidholm featured in the Geraldton local press the other day—admittedly, it was a paid advertisement, but the member has to get his publicity somewhere!—in an ad about local jobs and WA resource projects in which he claimed that Colin Barnett must stand up for local businesses and skilled workers in Geraldton and the Mid West. The good news is: we are! The ad also claims that the Barnett government is sending jobs offshore. I do not know which jobs we have sent offshore. I think the member was taking a bit of licence there! Nonetheless, in the interest of—

Hon Matt Benson-Lidholm interjected.

Hon SIMON O’BRIEN: It just goes to show that it is all about political hyperbole rather than substance! Nonetheless, if the member wants to pay his money to advertise in public he can do that.

Hon Matt Benson-Lidholm: You need to go and speak to those people.

Hon SIMON O’BRIEN: The member can do that if he so wishes. I advise the honourable member that the government is more than happy to talk to people. That is why we are doing it. That is why we talk to everyone. If those people the member is referring to want to talk to us, they are more than welcome to do so.

Hon Matt Benson-Lidholm: You’d better head up to the Mid West.

Hon SIMON O’BRIEN: So much for this advert, which I think is about six months too late and shows us someone who is trying to catch up with the argument. According to my notes, the advert was authorised by Matt Benson, not of Parliament House, Perth or where I think he lives or has his office, but rather Matt Benson of 1139 Hay Street, East Perth. Who lives at 1139 Hay Street, East Perth?

Hon Matt Benson-Lidholm: Have a look at the bottom of —

Hon SIMON O’BRIEN: Is that your residence?

Hon Matt Benson-Lidholm: Have a look at the bottom of the advert. You can’t even read it. It surely says West Perth.

Hon Kate Doust: It is his electorate office.

Hon SIMON O’BRIEN: Is 1139 Hay Street, West —

Hon Matt Benson-Lidholm: Ah! West Perth!

Hon SIMON O’BRIEN: — Perth your electorate office?

Hon Matt Benson-Lidholm: That is my electorate office, minister.

Hon SIMON O’BRIEN: I beg your pardon.

Hon Matt Benson-Lidholm: Thank you very much! Minister, cut to the chase, because we are on the edge of our seats over here.

Hon SIMON O’BRIEN: Okay. Here is our member for Geraldton with his office in West Perth.

Hon Matt Benson-Lidholm: Oh come on! Make it relevant! That is my electorate office!

Several members interjected.

The DEPUTY PRESIDENT (Hon Brian Ellis): Order, members!

Hon SIMON O'BRIEN: I will say now that the honourable member was making references to Kwinana, and Hon Phil Edman will tell him a few things in just a moment. However, if the member wants to come down to see what is being said in Kwinana —

Hon Matt Benson-Lidholm: You check *Hansard* to see what I said.

Hon SIMON O'BRIEN: — come down and check. Because, Mr Deputy President the —
Several members interjected.

Hon Matt Benson-Lidholm: You go and check what I said in *Hansard*.

The DEPUTY PRESIDENT: Order, members!

Hon SIMON O'BRIEN: The Parliament is not going to be informed accurately by this opposition; it is incapable of doing it.

Hon Matt Benson-Lidholm: Go and check *Hansard*.

Hon SIMON O'BRIEN: However, if people like the member for Rockingham and others had come down to Kwinana—I will conclude with this—and bothered to come in to listen to what the government is doing, I would have been able to tell them in part that our interest as a government is long term. In the past, government and project proponents did not need to meet regularly to discuss local content. We have identified the need now. It is no longer the case. Circumstances have changed and the state government will now establish and maintain ongoing dialogue with strategic project proponents on local content. That is something that this government is doing that did not happen in the past. Furthermore, proponents will be engaged and as part of this process—indeed, I am writing to them regularly—will be encouraged to provide the unvarnished truth on supplier standing so that we can clearly understand where Western Australian industry is potentially competitive and where aspirations to supply are unrealistic. We will find the hard information, Hon Jon Ford, that we need to make our decisions, but we will be doing it in a professional way, aiming to get the results that we all aspire to.

Hon Adele Farina: Are you going to make it public?

Hon SIMON O'BRIEN: To respond to Hon Adele Farina's interjection: I have already indicated that I am looking forward to providing further local content reports, as with the first one I have already provided to this Parliament and to the general public, to help inform future debate and to give confidence that Western Australian interests are being protected. The information that we are gathering now will allow us to plan and act to support local industry more effectively so that we will deliver the sort of outcomes that Western Australians want. We will work with proponents to facilitate competitive suppliers' entrance into global marketing arrangements.

I am disappointed, in one sense, that the contributions in the debate today have not produced anything from the movers of the motion that add to the debate; it shows they are stuck in a time warp. But it does give an opportunity for this government to update the house that it is moving forward and is delivering an environment in which Western Australian enterprise can thrive into the future.

HON PHIL EDMAN (South Metropolitan) [11.10 am]: I have to agree with Hon Simon O'Brien that it is a bit like Groundhog Day. This issue was brought up in Parliament on 24 February. I spoke on it then and I am happy to speak again today. On 8 February I had the pleasure of accompanying the Premier and Hon Simon O'Brien to talk with members of the Australian Steel Institute. We also met with Pacific Industrial Company, United Industries WA Pty Ltd and Civmec Construction and Engineering, and we visited the Fremantle Steel Fabrication Co (WA) Pty Ltd factory. Since then a lot has been happening with local content, taking into account that Gorgon is in construction, and Oakajee and the Browse LNG project have not started yet. There are approximately \$176 billion worth of projects, and we have only just scratched the surface. Leaving that aside, since Hon Simon O'Brien and Premier Barnett were down in the Kwinana area, on 23 May 2011 AusGroup won a \$50 million contract for pipes for the Gorgon project and on 29 June 2011 it won another \$12 million contract for fabrication and testing; on 5 July 2011 Roy Hill Holdings won a \$40 million contract to go to WA companies; on 13 July 2011 Civmec won a contract for \$44 million; and on 14 July Chevron Australia awarded a \$2 billion to a WA joint venture, CB&I Kentz JV, which is an electronics projects. That is in a little over a month. I have to say well done to the Minister for Commerce and the Premier for encouraging that work to come into the electorate and for supporting local content.

Further to that, I spoke with James England, the state manager of the Australian Steel Institute. He said that the work is rolling in and he said that the Premier and Minister O'Brien are doing a great job. Obviously, he says that a lot more needs to be done, but he did not run down the government. I do not know how many members opposite, including Hon Kate Doust, have been to visit these steel fabricators in Kwinana, where 90 per cent of them are located. I recently spoke to Civmec's chief executive officer, Jim Fitzgerald. When the Premier, Hon Simon O'Brien and I went to visit that factory, things were bad; it was at three per cent capacity. I have to admit that my jaw did drop. Now it is at 50 per cent capacity. When I visited them on 8 February it only had one apprentice.

Hon Ljiljana Ravlich: Fifty per cent, great!

Hon PHIL EDMAN: It is increasing. Let us talk about apprentices. Civmec now has eight apprentices, an increase from one, and they will be employing two apprentices each month. I asked Jim how long that would go on. He said that it would go on forever. They now have 160 boilermakers and they are going to advertise for more in September. That is what he is saying to me. Members opposite should ring him up and go and visit! I have also spoken to United Industries, another business that the three of us visited. Its capacity is now up to 60 per cent, when it was at 20 per cent; and the company has just brought on four new apprentices and is now looking at taking on some more. I spoke with Fremantle Steel Fabrication's Vince D'Amato—a lovely bloke. He went from 20 per cent capacity when we met with him in February to 50 per cent capacity; and he has taken on 12 new apprentices and is looking for more. I have to say that Minister Collier would have to be pleased to hear what is going on with apprentices.

What about some of our smaller firms, some of the real micro-businesses in the electorate? There is one called AMD Engineering Australia Pty Ltd in Bibra Lake, which employs only five people. They are sustaining their current workload. They have only ever employed five people, but now they are taking on a new apprentice. That is the situation even with the very small companies. Doina Engineering Construction has a workshop based in Kwinana. They told me this morning that they are working at full capacity. At present they have 50 to 60 staff employed in the workshop and have just taken on three apprentices. They are just some of the people to whom I have spoken in the last week. I dare say there is more to be done, but there is still a lot more work that is going to be done up north.

One very interesting gentleman I spoke to was Kevin Hammer from GF Engineering who said that he was really puzzled at the union push for a wage rise in the current climate. He said that he was using labour hire firms and was finding it hard to get good workers because they have been dragged away to the north—not overseas.

I remember back on 24 February when I said that, as a business proprietor, which I have been for 21 years, I had never before seen the unions and business proprietors hold hands and march to the steps of Parliament House to lobby government. I said a number of times that I would have to take a photo of that.

Hon Kate Doust: They have done it a number of times. Where have you been?

Hon PHIL EDMAN: Don't worry, Hon Kate Doust, I remember you! The member accused me of being a Neanderthal in relation to unions. Is it not amazing that just this week, the unions are pushing for a pay rise. An article in the *Australian Financial Review* on 10 August reads —

The union behind a campaign to win more work for Western Australia's engineering workshops has been accused of scoring an own goal by demanding big pay rises from the same companies it sought to help.

The Australian Manufacturing Workers Union is seeking pay increases of at least 15 per cent over the next three years from the state's manufacturing companies.

If the business proprietors were holding hands with the unions, I can tell Hon Kate Doust right now that I guess they will be getting a divorce. That relationship must be completely over. From what Kevin Hammer from GF Engineering has just said, I guess he is puzzled. That sums it up.

Chris Oughton, the director of the Kwinana Industries Council—just so I get a cross-reference with what is happening with local content—sent me an email which reads —

Fabrication workshops and engineering construction and maintenance appear to be experiencing greater activity ... Skill shortages remain in certain areas due to the demand for skilled workers generated by the expansion in the resources sector ... Countering the work being done to achieve increased local content is the very high wage expectations of workers, and this will continue to be a driver for sending fabrication work offshore, thus dampening but not eliminating skill shortage issues.

What we are coming to, now that we all have all got some work, is dealing with the skills shortage. However, it is good to know that these companies are taking on apprentices, and as an apprentice myself once I think that is fantastic.

We are doing the best that we possibly can. It is all right to come into this house and bring on the same debate as that on 24 February, but I have given the facts and some figures, just from some local companies, and I encourage members on the other side, especially those from the South Metropolitan Region who have so much to say, to take a drive and visit these local steel fabrication firms, because they are telling me that they have not had any members opposite down there. I thought that was amazing, especially as it is their electorate I would have thought they would be more interested in local content and would visit the business proprietors and hear it from them. Our government is doing a fantastic job on local content. I believe that the minister, Hon Simon O'Brien, as well as Premier Barnett are doing the best they possibly can, and I congratulate them on their effort.

HON ADELE FARINA (South West) [11.19 am]: Let us recall exactly what this government pledged to the people of Western Australia at the last election. It pledged that if it were elected to government it would be open, transparent and accountable to the people of Western Australia. At every single opportunity the government has been asked to be held to account, it has failed to deliver the information; whether it is through requests in this Parliament or through the provisions of the Freedom of Information Act. At every opportunity that this government has had to be open, transparent and accountable, it has failed. That pledge was made by every single member sitting opposite. They pledged to the Australian people; they gave their word that, if elected, they would be transparent in government, they would provide the public with information, and they would be held to account. We have heard from Hon Jon Ford that his request for documents under the Freedom of Information Act has been rejected. We have heard public comments by the Leader of the Opposition in the other place that requests in the other place to access this information—in fact, requests in this house to access this information—have failed to deliver these reports. The state agreement act actually requires the companies to provide the information on local content. It also requires the companies to report to government when the company considers it necessary to find work overseas because it cannot find it in WA.

If this were an open and transparent government, it would provide that information. The claim that this information is commercial-in-confidence is baseless. There is absolutely no basis for it at all. Furthermore, the Auditor General Act provides when ministers come into this place and refuse to provide information that has been requested, they are required to notify the Auditor General so that the Auditor General can make an assessment about whether the claim of commercial-in-confidence has some basis. The Premier has refused to implement that aspect of the Auditor General Act. He does not believe he is required to be held to account when he says to the Parliament, “Well, this information is commercial-in-confidence.” Hon Norman Moore argues that it is commercial-in-confidence, but produces no evidence to support that. If this were an open, transparent and accountable government, it would observe the laws of this state, which this Parliament enacted and which they as members of this place enacted, and follow through with its obligations under the law.

This government has gone to the people of Western Australia and said, “We will be open, transparent and accountable,” and then refused to do so. It claims that the reason that it cannot provide the information is that it is commercial-in-confidence. It provides no justification for that and then does not comply with the law that requires it to notify the Auditor General that it has provided that information.

Hon Simon O’Brien interjected.

Hon ADELE FARINA: I think that at end of the day, at the next election the government will be judged by the people of Western Australia. I find it also interesting —

Withdrawal of Remark

Hon KATE DOUST: The minister on the other side has alleged that Hon Adele Farina is telling lies. He has said that twice. That is incorrect and it is a dreadful and unparliamentary comment to make. I ask that he withdraw it.

The DEPUTY PRESIDENT (Hon Brian Ellis): I understand that that was an unparliamentary comment, and I would ask the minister to withdraw it.

Hon SIMON O’BRIEN: I do withdraw it. I should have said that the member is mistaken.

Debate Resumed

Hon ADELE FARINA: It is interesting that the honourable member should call me a liar when he has stood in this place and said that three members of the opposition showed up at a public meeting but did not actually attend the public meeting when that is in fact incorrect. I suggest the minister check that information that has been provided and then come back to this place and provide an apology.

Hon Simon O’Brien: We saw them go!

Hon ADELE FARINA: I have only got a minute to go.

The government has come to this place to debate this motion and has not provided one skerrick of information about what is the local content of these projects. It has not addressed at all the issue that is before this Parliament. The only member who has gotten close is Hon Phil Edman, who stood and said, “Well, the fabrication workshops that I have attended are working at 50 and 60 per cent capacity.” I do not see that as anything to be congratulated or celebrated. If they were working at 100 per cent, that would be something to be celebrated and noted, but at 50 and 60 per cent, it clearly shows that there is still an issue. The problem is that we do not have any capacity to hold the government to account on whether that 50 or 60 per cent is a reasonable figure, because it will not provide the information to this place.

Motion lapsed, pursuant to temporary orders.

ESTIMATES OF REVENUE AND EXPENDITURE*Consideration of Tabled Papers*

Resumed from 10 August on the following motion moved by Hon Simon O'Brien (Minister for Finance) —

That pursuant to standing order 49(1)(c), the Legislative Council take note of tabled papers 3310A–F (budget papers 2011–12) laid upon the table of the house on Thursday, 19 May 2011.

HON NIGEL HALLETT (South West) [11.26 am]: Some time has elapsed since the handing down of the 2011 budget, and already benefits are starting to flow through. I would like to congratulate the Treasurer on the presentation of what has been seen as a responsible budget.

It is an entirely appropriate budget for this time of global uncertainty and economic recovery. When we look at the events of the last week or so, we appreciate the strength that this Liberal–National government has been able to secure for Western Australia and that it will continue to build on in the strong economic foundation in this state. It is a responsible budget and we can keep our eyes on the big picture projects, such as the mining, oil and gas projects in the Mid West and the north west of our state. This will increase the prosperity for Western Australians without forgetting the present need for investment in the social infrastructure. This was achieved this financial year with an unprecedented \$1 billion budget allocation to services for those who need them most in our community. It is the first time that this state has made such an investment. It is an investment in the social infrastructure of Western Australia that is to be commended, and it has greatly increased the support for seniors, people with disabilities, social housing needs, children and families, as well as the other support services that were lacking in past years.

Although we have seen falling levels of state revenue due to the global economic conditions and the inevitable increases of basic services such as electricity, gas and water, these are not and cannot be ignored, but they have to be dealt with. We still have good news in the budget for people of Western Australia and particularly for people in rural and regional areas who were long ignored by the previous Labor government. When in opposition I stood and deplored many times the previous Labor government's years of neglect of rural and regional areas. One must compliment the Barnett Liberal government for turning this around and now addressing these issues. They are now well and truly back on the radar and now we are starting to fix Labor's legacy of neglect. We saw years of record surplus budgets, but what was achieved out of that in rural and regional areas? We saw the closure of police stations. We saw nurse and teacher shortages. We saw the downgrading of country hospitals and schools and indifference to the Ord River project. Where did the previous government see food security? It did not see it. We saw education ministers—many of them—fail to realise the importance of agricultural colleges and the vital role they play in ensuring that the next generation of young farmers are equipped with the knowledge and skills to remain at the forefront of global agriculture knowledge and practices, as they are today. On that note I want to applaud the Liberal–National government's decision to allocate a total of \$136 million over the four years through the royalties for regions program to develop the skills and training facilities in regional Western Australia that will result in the Muresk education precinct as one of its initiatives. In my own electorate of the South West Region, I am pleased to see that the allocation of \$25 million, which has been needed for so very long, was announced in last year's budget for the relocation of the WA College of Agriculture–Harvey. I must acknowledge the work that Hon Peter Collier did in coming down, having a look at the college and, with his knowledge of the facilities required for boarding schools, having no hesitation in making that commitment to fund that college if elected to government. One of the first things that he and the Treasurer at the time, Hon Troy Buswell, did was tick off on the agricultural college. It is a fantastic achievement, and something of which the agriculture sector is very supportive.

I am also pleased to see that the WA College of Agriculture–Denmark will benefit from the share of the \$18 million upgrade in its student and staff accommodation. The state of these accommodation facilities overall has to be seen to be believed, and, as I said, Hon Peter Collier had no hesitation in saying, "Let's address these and get on with it."

Whilst on the subject of educational facilities, it is also pleasing to see that Denmark High School and Pinjarra and Collie Senior High Schools will be the beneficiaries of the regional schools plan, for which \$44.8 million has been allocated this financial year to provide new and upgraded buildings for schools in regional WA.

Referring again to Harvey, which is a vibrant town in the electorate, \$1.19 million will be spent on the ongoing redevelopment of Harvey District Hospital in this 2011–12 financial year. This is a classic example of a hospital that the previous Labor government intended to downgrade and make people travel to the centre of Bunbury. When the redevelopment is complete, it will have a new emergency unit, refurbished inpatient care, ambulance services, a general practitioner clinic, and the transfer of aged-care beds to the private sector. It is a great step forward for the people of Harvey—as they have put up with a substandard health facility for a long time—in an area that is rapidly growing in population.

Another step in the right direction for regional health services by the Liberal–National government is the allocation of \$565 million announced for the proposed southern inland health initiative, which will be dedicated to substantially reforming and improving access to health care for all residents of the southern inland area of Western Australia. The package will be funded from July 2011 and will include a \$240 million investment in the health workforce and the provision of health services over four years, which includes \$325 million in capital works over the next five years. This investment in our rural and regional health workforce and services will significantly increase the number of private GPs required to improve the medical resources and 24-hour emergency coverage across the southern inland area. This should result in private GPs coming back into country towns and being engaged in a new way of working towards supporting the district network and the changing nature of the workforce and medical practices. That is something that did not occur under the previous Labor government.

[Quorum formed.]

Hon NIGEL HALLETT: In the South West region, the capital works aspect of this investment fund will now fund the upgrades of Warren District Hospital at Manjimup and Collie District Hospital. I am sure members are aware that the South West region is one of the most rapidly growing areas in this country. The budget will provide the South West with the resources to continue to work on important projects such as the southern desalination plant; \$62.5 million for building and upgrading schools, which includes \$7 million for east Dalyellup primary school; and \$5.3 million for the trade training centre at Busselton Senior High School. When we add to that the \$7.4 million for continuing work on the Goldfields Highway—a road that Hon Simon O’Brien, in his previous role as minister, viewed personally and committed to make safer—\$16 million for continuing work on the Bridgetown water supply, and funding for Millstream Dam raising, we can see that lots of projects are now starting to be developed and impacted on.

The Great Southern part of the electorate that I represent has been allocated more than \$162.7 million to supply infrastructure to support the Great Southern region. That includes \$94.2 million for the ongoing construction of Albany Regional Hospital and \$15.8 million for various water supply works, which includes \$7 million for the Denmark waste water treatment plant. Members may recall that in previous times Denmark was a town that had huge issues with water and lack of power. These issues are all now being addressed under this Barnett Liberal government.

In Peel we see a further continuation of works for construction of the Mandurah entrance road. We see \$3.1 million to upgrade the Water Corporation’s centralised monitoring control systems in Mandurah. It is also a good thing to see that the Liberal–National government has invested \$169 million in the Western Australian agriculture and food sector. While I am talking about agriculture—I will come back to some of Hon Lynn MacLaren’s misinformed comments of a couple of days ago—this investment in agriculture clearly recognises the contribution that agriculture makes to the economy. An amount of \$186.6 million to upgrade the department’s South Perth offices was originally allocated to move the offices to a site near Murdoch University, but will now be used to redevelop these headquarters at South Perth. A further \$48.4 million will be allocated in the 2015–16 financial year to include the Australian Export Grain Innovation Centre. An allocation of \$17 million has been made for the construction of the new Katanning saleyards, which were announced last year, and will also include an upgrade to the saleyards at Boyanup, which are in dire need of redevelopment.

The proposed \$29.2 million water tax licensing fees of the previous government have now been scrapped. One would have to compliment Neil Bartholomaeus from Manjimup. He worked doggedly on this issue for many years when his pleas fell on deaf ears. This water tax was a disgrace. I would also like to make comment on people such as Lyndon Rowe from the Economic Regulation Authority. They just fail to realise the damage their policies do in so many regional areas. It is time these people and their powers were wound back and they were able to provide a balanced outcome in relation to the direct impact on business and consumers in these areas.

I will touch on the live export trade and the outrageous claims made by Hon Lynn MacLaren a couple of days ago. One wonders what they have done, and the damage control they have gone into, to see what they can do to help address it. You wonder: have they put their hands in their pockets to support these families? Have they gone out and found any new markets? Do they think about world food security? These people never cease to amaze me that all they have is this one vision and philosophy of saving the world. If we look at the live animal export issue, Australia has the highest standards of animal welfare in the world. If Australia bans live exports, our trade partners will source their livestock from other countries. We have seen that happen with the Indonesian trade—there are boats coming from South America. These countries do not have the same animal standards that Australia has set. Australia needs to continue to work with its live export trade and trade partners to ensure animal welfare standards are improved. I do not think there is anyone in the sector who says we should not be continually trying to improve animal export standards. There is now 185 000 head of cattle in limbo in Western Australia. I wonder what people like Hon Lynn MacLaren and her group think they are going to do about this. We will see environmental damage and we will see costs to pastoralists in losing a year’s income. They say we can process these animals locally. The cost of chilled meat is roughly three times higher than live animals. The

lower paid sector in Indonesia cannot afford that. They use lower cuts of meat and their standard of meat is not what Australians have become accustomed to. Markets such as Indonesia—the consumer—do not have access to refrigeration. They require freshly slaughtered meat. This is always referred to as a wet market. Brahman cattle that come out of particularly areas in the north west are bred specifically for export. They are not acceptable on our domestic market, so it is not an option to bring them 2 500 to 3 000 kilometres to the metropolitan or south west areas to process them.

If we look at the impact of cutting this trade on our grain growers in Western Australia, we export over 80 per cent of our grain, but our feed barley market could be severely impacted if Indonesia does not continue to take our cattle. One-third of cattle exports to Indonesia are from Western Australia. We meet the protein needs of at least 18 million Indonesians and, once again, I ask this group that Hon Lynn MacLaren is in: what do they think about supplying this group with food? The live export trade is a key element of viability for many northern Indigenous communities—where will their survival be now?

If we look at the financial impact, around \$170 million could be lost as well as 800 jobs as a direct result of the current suspension. Let us bear in mind that today or tomorrow might be the first ship to actually resume sailing with cattle, but we are now going to lose the majority of those cattle that have gone beyond the weight range that Indonesia will take. Global demand is rapidly increasing for high quality, effectively produced food and fibre. We are well placed to meet these demands but we now being seen as an unreliable trade partner. As I touched on earlier, the environmental impact on our rangelands will be quite profound once the season goes into the normal dry term.

I also want to touch on what role the RSPCA should play on this issue. I think it should be independent. We all care about the welfare of animals. The RSPCA is largely a taxpayer-funded organisation. My belief is it should provide a balanced view on the outcome of livestock issues. Today they follow a philosophical line that is in line with Animals Australia. If an organisation is going to accept taxpayers' money, it has to stand back from giving misleading comments and taking a stance that has important down benefits to a lot of small businesses in Western Australia. If Lynne Bradshaw, as president of the RSPCA, cannot control her board or the members of her organisation, she should resign. She should not be part of a forthcoming rally planned for next Sunday in the proposal to ban live export out of Western Australia and Australia.

We have to consider where food comes from. We can cut all these food supplies out, but where will it come from? Australia is now a net importer of food. As a previous grower of livestock and grain, I get totally sick and tired of listening to these misinformed people who —

Hon Kate Doust: Maybe you should get up and talk a bit more often, rather than once a year!

Hon NIGEL HALLETT: Do you want to go and have a happy pill again? You've been pretty good up until lately. Why make a crazy comment like that?

Hon Kate Doust: Why are you being so condescending? Get on with your speech before time runs out!

Hon NIGEL HALLETT: If you didn't interrupt, I would.

Hon Kate Doust: It just gives you a break from reading, I suppose!

The DEPUTY PRESIDENT (Hon Michael Mischin): Order, members!

Hon NIGEL HALLETT: We should be supporting Western Australia's small businesses and livelihoods. We have shown no consideration to the impacts of that.

I think one person who should be thanked is Howard Sattler from 6PR. His support on this issue has certainly been profound. He has been widely covered. He has good support from very well informed people. He has endeavoured to get the right message through, and, as he calls them, make the "mung beans" of this industry who oppose this trade accountable. With those few notes, I would like to finish. Thank you, Mr Deputy President.

HON ALYSSA HAYDEN (East Metropolitan) [11.48 am]: I rise to congratulate the government on a very compassionate budget and in particular to the amount dedicated to our community organisations. I would like to acknowledge a number of community groups within the electorate of the East Metropolitan Region and acknowledge the great work they have achieved amongst our community. The people who get involved in these groups are people with very special talents, and are very caring individuals. The support offered by countless organisations is relied on by so many in our community. The Midland Women's Health Care Place is one of these organisations. It is actually a true treasure in the community of Midland. I first met the very enthusiastic, infectious manager of the Midland Women's Health Care Place, Patsy Molloy, at another organisation in the Swan Valley, the Zonta Club, when she spoke at a Zonta meeting. I was immediately in awe and amazed by this woman. I wanted and needed to find out more about what she did and what she stood for. Since then, I have had the opportunity to meet the extremely hardworking and dedicated staff and board members on a number of occasions at different events and meetings that they have held. I would like to make mention of these very

special women: of course, Patsy Molloy—who I mentioned—Huyen Tran, Madeleine Hicks, Sharon Deslandes, Janet Duff, Sue Hisco, Gayle Dunn and Tricia Mitchell. There are also many contracted counsellors who join this vibrant team, and together they have made a workplace that is not only happy but full of energy. These ladies are of course supported by another amazing group of women, who make up the board of management, all of whom work in a voluntary capacity. Those women are Val Ferguson, Mary Papadopoulos, Gilliam Kaub, Judy Wilson, Alison Robartson, Julie Nelson-White, Mary Gadsden and Rachele Roberts. As I said, all of these women work in a voluntary capacity and support the very hardworking and dedicated staff of the Midland Women's Health Care Place. These women provide a very safe place for women and their families who seek assistance in all aspects of their lives covering issues surrounding physical and emotional health, education, exercise, family and the workplace. Their vision is "healthy women; a healthy community". Holding fun activities is an easy way for women to come forward in the community who otherwise would not, especially women from other cultures, of other nationalities and with financial burdens. The Midland Women's Health Care Place conducts classes for belly dancing, Zumba, meditation and yoga, just to mention a few, which has created an atmosphere in which these women feel relaxed to join in and participate, and hopefully seek further services that the Midland Women's Health Care Place provides. Aboriginal family support is strongly needed in and around Midland, and the Midland Women's Health Care Place has been successful in providing antenatal services to Aboriginal mothers, while also supporting and improving their health services as a whole.

In 2010, with the local member for Swan Hills, Frank Alban, we provided support for the application made by the Midland Women's Health Care Place to obtain funding from the state government to establish a community centre to focus on postnatal depression. Patsy and her team undertook to identify and define measures to improve mental health outcomes for children and their mothers in the Ellenbrook community. Ellenbrook has a rapidly growing number of young families, who are often first-time homebuyers, and, if that is not enough to juggle, there is a considerably high number of new fathers who are fly in, fly out workers. The pressure of a new family and a new home, and the current social pressure to have the latest gadgets and a proud home, is enough to put stress on any woman. But to add fuel to the fire, many lose part of their support system when their husbands leave for weeks at a time to go to work. It is not really a surprise that the Midland Women's Health Care Place identified postnatal depression as a real concern in Ellenbrook. As a resident of Ellenbrook and as a member for the East Metropolitan Region, I was delighted when the announcement was made by the Minister for Mental Health, Hon Helen Morton, that the Mental Health Commission would grant \$250 000 to the Midland Women's Health Care Place. This \$250 000 will allow Madeleine Hicks, the senior counsellor at Ellenbrook, to provide Ellenbrook mothers access to perinatal support services. These services will go a long way to assist mothers experiencing depression, anxiety and loneliness. At the celebration held last week, we heard a very moving story from a mother who felt all these emotions. Luckily for her, she found Madeleine Hicks and was able to turn her thoughts and emotions around. She is now leading a happier life with a very beautiful young daughter and loving husband. The work achieved by these amazing ladies is invaluable to our community. I am proud that our state government has acknowledged and recognised their valuable contribution. These women from the Midland Women's Health Care Place are not stopping there; they have already taken up their next project to assist in developing a suicide prevention strategy for our region. With an allocation of \$13 million from this government to the Ministerial Council for Suicide Prevention, organisations such as the Midland Women's Health Care Place are able to contribute to and assist with suicide prevention around the state, and I look forward to working with these women to develop and achieve this.

Earlier I mentioned another community group in the East Metropolitan Region, and that was the Zonta Club of Swan Hills. For those members who are not aware of Zonta, it is a worldwide organisation of women working towards advancing the status of women around the world. It has more than 33 000 members across 67 countries, an achievement to be very proud of. I have been privileged to support a couple of the Swan Hills club events and I know that my colleague Hon Liz Behjat has also done so with the clubs in her electorate. I look forward to attending their Spring in the Valley breakfast in October. The money that these women raise at these events enables them to assist women and families in need. One of their outstanding contributions is supplying birthing kits to developing countries. These kits cost only \$1.60 to produce and provide basic essentials to improve the conditions in which these women in developing countries have to deliver babies. These kits are a lot more basic than we would imagine. They consist of a one-metre by one-metre plastic sheet for the mother to lie on, a piece of soap, two gloves, three gauze squares, three cords and one sterile scalpel blade. These basic kits help women to deliver their babies in a safer environment. Last year the Swan Hills club, along with Hampton Park Adventure and Morley Girl Guides, made up and supplied 1 000 kits, which they delivered to Nigeria, Uganda and Vietnam. Locally however, the Swan Hills Zonta Club has also supported and assisted many other causes within our region. As I said earlier, one of its main causes was the Midland Women's Health Care Place. It also supported the Koolkuna Women's Refuge, the Young Women in Public Affairs Award, the studies assistance grants, the AIDS Council women's office, the Jane M. Klausman Women in Business Scholarship, Carnarvon flood assistance, breast-care cushions, and, as I just mentioned, the birthing kits. Last year the functions that these women held raised just under \$6 500, and that has gone back into the local community. I would like to take

this opportunity to recognise the women of the Zonta Club of Swan Hills and thank them for their valuable contribution to the community. In particular, I would like to point out and recognise the ladies I have dealt with: Ruth Thomas, Dee Saunders, Barbara Goulden, Faith O'Brien and Nancy Duxbury.

Another organisation that plays an invaluable role in our community is the Western Australian Motor Industry Foundation. This fantastic group of people has been modifying vehicles to assist families with children with disability. Many of the modifications include wheelchair access and hoists, allowing families to feel a part of the community once again. Having these modified vehicles enables these families to do the simplest of activities that we all take for granted every day. Without these vehicles, these families are housebound. Providing wheels to families with children with disability takes away their isolation and feeling of despair. Not only does the foundation provide the vehicles with modifications free of charge to these families, it also maintains, services and repairs the vehicles, with RACWA providing the insurance cover and roadside assistance. These organisations are quiet achievers and do not seek recognition or glory. They are just content knowing that they provide a window of happiness to the most vulnerable in our community. After I attended the foundation's site and joined in on one of the vehicle handovers to a very excited family in 2009, I wrote to the Premier and the then Minister for Disability Services highlighting the great work being achieved by the Motor Industry Foundation and asking whether there was any way our government could support and help its great work. So I must say that I was over the moon when Hon Helen Morton, Minister for Disability Services, announced the allocation of \$1.6 million in new funds over four years from the Disability Services Commission. These funds will go towards modifying 40 vehicles, which will be enjoyed by these very important families. I also acknowledge the dedicated board of directors of the Motor Industry Foundation: Peter Fitzpatrick; Trent Bartlett; Bob Branchi; Gus Irdi; Mark Lauren; Rob Webster; Colin Rockman; a very long-term and good friend of mine, Wayne Phipps; Brian Bowley; Chris Leatt-Hayter; Benita Dowding; and another friend of mine, Stephen Moir. It is good to see that my friends are contributing and putting back into the community.

Without outstanding people in our community, like all involved in the three organisations I have mentioned today, this world would be a sadder place. That is why I am proud of the extraordinary \$1 billion that has been allocated from our state budget to support the most vulnerable in our community.

HON BRIAN ELLIS (Agricultural) [12.01 pm]: Last month, Deloitte Access Economics described Western Australia as the heavyweight champion of the Australian landscape. According to Deloitte's Investment Monitor report, WA leads the way in investment growth volume, with almost \$42 billion in extra investment since March 2010. Trailing way behind in second place is New South Wales, with only \$9.6 billion. As the Treasurer, Christian Porter, noted in his media statement at the time, the Deloitte figures showed that WA accounts for nearly a third of investment throughout Australia. Moreover, Deloitte's analysis shows that only WA and Victoria are predicting net operating surpluses across all years to 2012–13. The Barnett-led Liberal government must be doing something right.

Hon Simon O'Brien: It's doing a lot of things right.

Hon BRIAN ELLIS: I was not being as generous as the minister, and I must say that I think the minister is probably closer to the mark than I am when we take into account those figures.

With \$42 billion in extra investment compared with \$9.6 billion for the second rated state, we certainly are doing a lot more than other states. Best of all for the many thousands of people we represent, the report highlighted that WA is leading the way with social infrastructure investment, both currently and for the future.

How does this translate to the bush? One of the issues closest to my heart as a member for the Agricultural Region is the \$11 million allocated as part of the \$55 million second phase of the drought pilot scheme, which is a joint project with the federal government. Last year—I think it was in October—I went to a meeting of farmers and country businessmen in the bush for a barbecue. When I say “in the bush”, it was well out in the bush. It was a barbecue amongst the trees with men —

Hon Alyssa Hayden: There's a song about that.

Hon BRIAN ELLIS: Is there?

Hon Alyssa Hayden: Yes, *Home Among the Gum Trees!*

Hon BRIAN ELLIS: That is news to me.

Hon Nigel Hallett was at that gathering also. It was organised by the local community for the men of the district to perhaps let off a bit of steam. There was a doctor there also who could advise them on any health issues that they had. I suppose we went along thinking that maybe it would help if they could abuse a few politicians as well! However, as the evening went on, my eyes were opened to the problem that the farming area had been facing during that terrible year of drought and the pressures that were being loaded onto the community, in particular the farmers and their sons and daughters on the farm. One of the things that really hit me was the many men who got up and spoke about what the pressures were doing to them and their families and the amount of

medication that these people were on for depression and related illnesses that had been brought on by the pressure of the drought and its effect on their farming businesses. One of their main concerns, obviously, was for the younger generation of farmers. These people said that their sons and daughters could see no future in farming.

This brings me to congratulate the Minister for Mental Health, Hon Helen Morton, who, in conjunction with the West Australian Country Football League, has introduced an initiative in relation to suicide prevention, which I launched in Mukinbudin. As we know, in the country, suicide amongst 20 to 35-year-old men is more predominant than it is in the city. I took great pleasure in representing the Minister for Mental Health at this launch in Mukinbudin of what is called the “Life Game of the Month”—that is, the One Life Game of the Month. At those games of the month, former footballers Heath Black and Paul Hasleby speak to the community and to the football sides before they play. I must admit that I had to take back what I thought about Heath Black; I thought he was a bit of a dill. I am being quite honest about that, and I told him that as well. However, after listening to his incredible story of experiencing mental illness, seeking help and now managing his illness, I have to say that he really is an inspiration to younger men, and he certainly held the audience of more than 80 people, I think it was, at the time. Also, when we went into the change rooms, young men came up to him and pointed out that they, too, were on medication, but they had not mentioned that to any of their friends before. I think that was the message that he was trying to get across; that is, until a person spoke to someone about the problem, they did not know that there were people out there to help. As I said, it is a great initiative that the Minister for Mental Health has instigated, and I congratulate the West Australian Country Football League also for taking it on board.

A plan has been developed that will reach every country town in Western Australia. With 25 leagues, including 28 junior competitions across 160 clubs, the plan will reach 41 000 players, 875 coaches and 1 100 umpires. Of those clubs, 105 are in rural and remote areas and 65 have a majority of Aboriginal players. It fits perfectly because football and mental health share similar philosophies of communication, teamwork and resilience, which makes football an ideal arena in which to talk about men’s mental health. When someone takes their life, the ripple effect through the family and the community lasts a lifetime. Each year in WA, 260 people take their lives. That is more than the road toll, which is about 190. As I said before, the highest risk group is men aged between 20 and 35 years. Although the suicide rate per 100 000 people is decreasing in WA, it is higher in rural and remote areas than it is in the city. That is why this initiative is so important. We need to make those risk groups aware of what is available. As Heath Black pointed out to those younger fellows out there, “When everything seems to be loading in on you and seems to be too much for you, the world will not be a better place without you.” I have to endorse those words. As I said before, I was quite impressed with Heath Black. Even though I had called him a dill earlier, I went up and congratulated him afterwards and said he was an inspiration to the whole community!

Hon Ken Baston: He who can change his mind is a good man!

Hon BRIAN ELLIS: Exactly. I certainly changed my mind about him. Obviously, the West Australian Country Football League has chosen two inspiring young men in Heath Black and Paul Hasleby.

I turn to the drought. This season the drought has broken with reasonable opening rains across most areas. However, some farmers would not have made it this far without the drought pilot scheme. At the beginning of this month 438 farming families had accessed income support to help meet basic household expenses. A total of 422 farm businesses had also received grants to undertake the farm planning program. Eligible farm businesses that complete the farm planning program can apply for grants of up to \$60 000. Of the 293 applications received, 119 were approved by 5 August. The rural outlook is encouraging but, as those who have been involved in farming know, there is still a long way to go. In some cases, even if this is a good year, it will take another year or two before some of those communities recover in areas that suffered badly over not only last year but previous years. What a shame this cooperation between state and federal government was so blatantly absent in the live trade issue. We can thank the Gillard government for bringing the live cattle trade to its knees. A lot has been said about the live cattle trade. Hon Lynn MacLaren expressed her views the other day in her budget reply speech. Members have already refuted her argument, but I am sure she would be disappointed if I did not say something about her comments.

Hon Phil Edman: We would also be disappointed.

Hon BRIAN ELLIS: I am glad you would.

Hon Lynn MacLaren seemed to promote the view that this government is of the view that animal cruelty does not matter. I would like to point out that the state government has more than doubled funding in the budget to \$1.6 million per annum as part of its commitment to animal welfare under the Animal Welfare Act 2002. The funding will allow the appointment of six additional full-time inspectors and double the annual funding for the RSPCA to \$500 000 under a service delivery agreement.

The transfer of responsibility for enforcing the Animal Welfare Act 2002 to the Department of Agriculture and Food in July will improve the effectiveness and efficiency of administering the state legislation. There will be a clear separation of DAFWA's animal welfare compliance arm from its existing industry extension, education and training arm. DAFWA's wide network, experience and knowledge will provide for a more integrated approach to animal welfare. The transfer of responsibility for enforcing the act brings WA into line with most other states whose primary industry departments are responsible for the enforcement of animal welfare requirements. The Liberal-National government recognises the importance placed on animal welfare by the community and is committed to ensuring that animals, whether pets or on farms, receive an appropriate standard of care. The transfer of responsibility for enforcing the Animal Welfare Act to the Department of Agriculture and Food in July will improve the effectiveness and efficiency of administering the legislation. The department's wide network, experience and knowledge will provide for a more integrated approach to animal welfare.

State government funding for enforcement under the Animal Welfare Act will increase from \$736 000 to \$1.6 million per annum. The budget of \$1.6 million is made up of an extra \$250 000 to the RSPCA, a transfer of \$736 000 from the Department of Local Government, which is made up of \$250 000 to the RSPCA and \$486 000 to the consolidated fund, and an extra \$620 000 from consolidated revenue. Additional resources have been allocated by way of six full-time inspectors, doubling the RSPCA's annual delivery contract to \$500 000. Those additional six full-time inspectors will be appointed and located between Broome and Albany. This brings the department's total number of full-time inspectors to 12, creating a greater presence throughout the state. These full-time inspectors complement approximately 200 existing general inspectors appointed in partnership with other government departments and the RSPCA.

The department's animal welfare compliance arm will be clearly separated from its existing industry extension, education and training arm. A scientific inspector will be responsible for monitoring each licensed research institution to ensure compliance with the "Australian code of practice for the care and use of animals for scientific purposes". The Animal Welfare Act provides the legal framework for animal welfare in Western Australia. It provides for the welfare, safety and health of animals in their relationships with people. The act and its accompanying regulations govern the treatment and welfare of all animals, including livestock animals used for scientific and teaching purposes, companion pets, animals for exhibition and entertainment, and wild animals. The act provides for some of Australia's harshest penalties for animal cruelty. It provides for substantial fines and/or imprisonment. An individual found guilty of cruelty offences can face a maximum penalty of \$50 000 and five years imprisonment. Organisations found guilty of an offence face five times the penalty of an individual. I think this indicates that this government treats incidents of animal cruelty seriously, contrary to what Hon Lynn MacLaren may want us to believe.

To return to the cattle trade: the only thing that I will say about Hon Lynn MacLaren's comments of the other day is that they show her complete lack of understanding of the reality —

Hon Liz Behjat: Now there's a surprise!

Hon Robyn McSweeney: Are you being polite?

Hon BRIAN ELLIS: I am trying to be polite. However, I do not really want to burst the bubble of Hon Lynn MacLaren's utopian view of the perfect world. Killing sheep was the first job I was ever taught on the farm—through necessity. I think that a lot of the people in the city do not realise that we have to kill an animal before we can eat it! That is a reality that some people still have to face up to. If those people who are opposed to the live cattle trade were to visit our abattoirs, they probably would not like what they would see. However, the reality is, if we wish to have a live animal trade and if we wish to eat meat, someone has to kill it.

Hon Robyn McSweeney: Or they can get a bit out of hand.

Several members interjected.

Hon BRIAN ELLIS: I probably do not need that comment from the honourable minister.

I wish it were a perfect world, as Hon Lynn MacLaren would like. She promoted the view that there should be more abattoirs in the north and that we should be killing our own meat and thereby creating jobs. Even if that were true, where are the people to fill those jobs? Even if we could find them, what if the customer does not want the meat when we kill it? The simple case is customers prefer warm meat because in a lot of cases they do not have the refrigeration to take packaged meat. On top of that, if we were to get these abattoirs, who will work for six months, which is the time frame for mustering cattle? Without refuting any more of Hon Lynn MacLaren's argument —

Hon Phil Edman: Misinformed argument.

Hon BRIAN ELLIS: Correct—misinformed argument. I think Hon Philip Gardiner has already refuted or debunked much of Hon Lynn MacLaren's argument.

Hon Max Trenorden: A few weeks ago, I was in Penang speaking to a very senior individual. He was very friendly to me, but he just could not resist saying to me, “What is it about Australians that you think you have the right to remove the food chain from a nation?”

Hon BRIAN ELLIS: Hon Max Trenorden makes a very relevant comment and I agree with him. I do not think many people have given enough thought to the Gillard government’s knee-jerk reaction, which has slaughtered the incomes of many cattle producers and has threatened the overall operation of the live meat trade. The repercussions have not been thought through at all.

I understand that eight months before the Indonesian abattoir video was aired, the federal agricultural minister, Joe Ludwig, was explicitly warned by his own department that the issue could cause a public outcry. If that is the case, there is absolutely no excuse for his government’s rash decision. Those eight months should have been used to find a humane, commonsense and diplomatic solution that protected our animals.

Hon Liz Behjat: That’s the problem; it’s commonsense you are asking for. That is not going to come from the Gillard government.

Hon BRIAN ELLIS: I know that it is a bit of a stretch of the imagination—the member is correct.

However, we could also have preserved our trade relations and provided a sustained income to Western Australian producers. Instead, we have been left with a last-minute Gillard compensation package, which should never have been necessary; has come too late; will not move most of our cattle this season; and will not restore our trade relationships with Indonesia. The cattle industry has been left reeling with 326 jobs lost, and 274 000 cattle stranded—these figures are from *Farm Weekly* and *Countryman*. More than half the affected farmers are out of pocket and many pastoralists cannot justify the cost of keeping cattle in yards ready for export.

One Kimberley station owner estimated that with hay costing an average of \$300 a bale, keeping the cattle yarded would cost about \$10 000 each muster. July is traditionally an extremely busy month for cattle loading out of Broome, from where 80 per cent of the exported cattle go to Indonesia. I am sure that Hon Ken Baston will verify those figures. Last July, 18 000 were exported by Landmark; this July, the same company bought only 2 000 cattle to send south for slaughter. Many cattle are now too heavy for the Indonesian market. It takes months of strategy and planning to get them to the maximum weight stipulated by Indonesia and to get them there at the right time, which would have been June–July this year. One station owner said that 30 per cent of his cattle were now overweight and that he was not sure what he was going to do with them. It is estimated that Wyndham Port will lose more than \$500 000 if an export ship is not able to leave this year. It is also estimated that the interim ban on exports is likely to have a more than 18-month fallout.

In Western Australia there is upwards of 200 000 displaced cattle as a result of the federal government’s knee-jerk decision. Some of these belong to a stud bull Brahmin cattle producer in the southern region—not far from here. I was speaking to him only a week or so ago. He has major concerns because he supplies bulls to Pilbara station owners. He normally sells 60 bulls at the Broome sales and this year he will be taking along 30 bulls, knowing that he will probably not be paid for them. However, he has to continue to supply his customers for the future in the hope that they will get back on their feet. Once again, it is an indication of the repercussions. It is not just about those cattle producers who export; it goes way down the line. The stud producer is well known and he will not receive an income because the exporters, the pastoralists, cannot afford to pay him. However, he still has to offload his stud bulls and he has to keep his customers for the future.

Hon Phil Edman: Good to see Labor supporting local jobs.

Hon BRIAN ELLIS: A good point.

Mr President, one of the most telling comments is that of Michael Percy, who runs 6 000 cattle on Yalleen Station. Michael Percy summed up industry feeling when he told *Farm Weekly* that he welcomed the first Elders shipment, but that the only thing that would make him happier was if some federal government representatives were also put on the boat. He stated —

It would be good if Joe Ludwig was on it and didn’t come back — and the same with Julia Gillard for that matter.

Then he said —

I reckon all the farmers would just about pay for them to go over.

I am one farmer who would not mind chipping in for that.

When I began this speech, I mentioned the praise heaped upon the Barnett government by Deloitte Australia regarding current and future social infrastructure. I would like to highlight just a couple of projects that particularly benefit the Mid West and the Wheatbelt. I am sure Mr Deputy President (Hon Matt Benson-Lidholm) would also be aware of these. I have had some personal lobbying input into a couple of these; one of which is the Gravity Discovery Centre in Gingin. It was struggling for funds to continue. I was pleased to see in

the budget the announcement that the Gravity Discovery Centre in the Shire of Gingin will receive more than \$1.1 million over four years to enable the centre to continue operating. The financial support will enable the centre to continue to develop future funding options. The Gravity Discovery Centre is a public science education facility focused on gravity, astrophysics and cosmology as well as answering the big question—the origin of the universe. That is a bit too big for me to understand! Many schools in the district travel to the gravity centre and find the experience quite rewarding. I encourage those members who have not been there to go along and support the gravity centre.

The other highlight—I suppose I could say—which I mention because I know both sides of the house support it, is the Square Kilometre Array. In its budget the state government announced that \$10.8 million will be invested in new roads and power and optical fibre infrastructure in the state's Mid West to further develop the SKA project and supply high-speed broadband to local residents. The investment would strengthen Australia and New Zealand's bid to host the SKA, and was a win for both radioastronomy and local communities. The state government is acutely aware of the need to invest in projects that will ensure Western Australia remains economically competitive into the future. The infrastructure is critical to the success of the Australian Square Kilometre Array Pathfinder, which is an important precursor project to the SKA. The new roads and power and optical fibre infrastructure will link the Murchison Radio-Astronomy Observatory, the ASKAP and potentially the SKA to the world, while also benefiting the Mid West communities. The route for the fibre installation from the MRO to Geraldton was planned in consultation with the City of Geraldton—Greenough to provide better connectivity for the government buildings, the new technology precinct and the Geraldton airport. The town of Mullewa and three pastoral stations along the route to Mullewa will also gain access to high-speed broadband connections in exchange for housing repeater huts on their properties. The final site decision is approaching and this investment will boost the state's international credibility as the best location to host the full SKA. It is also an excellent example of how strategic decisions can benefit both science and the community. The MRO is a uniquely radio-quiet area located 330 kilometres north east of Geraldton and is the Australia–New Zealand selection site to host the SKA. The \$2.2 billion SKA project will see over 70 institutions in 20 countries involved in the development of the world's largest radio telescope. Two consortia are in contention to host the SKA, Australia and New Zealand, and a group of nine African countries led by the Republic of South Africa. The final site selection will be announced in 2012. Obviously, I believe, and I am sure the Deputy President does too, that we have the best site and I hope that politics do not get in the way and we win that submission.

In conclusion, I would like to quote from a media statement issued by the Treasurer, Christian Porter, on 20 July 2011, which reads—

“During a period of diminishing GST payments, the Government has managed the competing infrastructure requirements of the State's increasing population while sustaining a high level of service delivery. The Government has managed this while maintaining its triple-A credit rating and continuing to deliver strong operating surpluses over this budget period.”

All I can say to that is hear, hear!

HON KEN BASTON (Mining and Pastoral) [12.37 pm]: I stand to speak on the budget papers that were tabled in the house on 19 May 2011. In doing so, I acknowledge the Treasurer's first budget, and I would like to touch on some areas that affect the Mining and Pastoral Region. In the Goldfields, the Kalgoorlie Health Campus has been allocated \$55.8 million. Of course, this project has been around for some time, and that will be gratefully received in that area, with \$20 million allocated in this financial year. Also in Kalgoorlie is the Kalgoorlie Courthouse, which has been discussed for some time but now is scheduled to start in 2011 with completion in 2014. Some \$34 million was made available for that, with \$30 million this year. Some \$2 million has been made available in 2011–12 in the Goldfields for earthquake restoration in Boulder. I have to say, having visited there a couple of times, that there is a lot of work to do to make sure those historical buildings are restored. Many of them were insured, and some were not, and I guess that is where this funding will help.

Moving onto Carnarvon, another justice complex project has been around for some time; in fact, I remember asking questions in this house about that complex in 2006, 2007 and 2008. This complex will be moved to the old Gascoyne Traders site, which is on the way into town, from which a trucking company operated for many years. That development will cost \$52 million, of which \$11 million was in this 2011–12 budget. The government is very serious about that project and realises that it has been a cause of angst for Carnarvon for some time. In doing so, it has set up a community reference group, and a number of members have been selected on that. A press release was put out on 19 July this year. I would just like to give an idea of the representation that is on that committee. I am sure all members will have their hearts in this project, as the courthouse will be at the beginning of the town and will certainly create an entrance statement. Committee members include Melanie Bellotti, a Carnarvon resident who is active on Aboriginal issues; Vince Catania, the local member; Wally Dale; Bluey Dwyer, an old Carnarvon resident; Ron Hartcher, a Carnarvon resident; Heather Hibben; and John Oxenham, who is also a respected Aboriginal elder. The shire and police are represented on the committee as

well. Other members include shire president Dudley Maslen and Tami Maitre from the Gascoyne Development Commission.

Another project in Carnarvon is the hospital redevelopment. That has been on the books since Richard Court lost government. He promised to have that redevelopment done. Finally, I am pleased to say that over the next three years some \$21.8 million will be spent on the Carnarvon hospital redevelopment. I know that is very welcome in that town.

The next one that has been around for a long time is the power station. Interestingly, the Carnarvon power station is finally going to be built; the minister, Hon Peter Collier, went up and turned the first sod for the power station not very long ago. During 2007 I asked four questions in this place on what was happening with this power station. This power station was originally going to be built for a cost of some \$32 million. It is very interesting that the cost is now projected at \$79.7 million, so the delay in not having this power plant built has resulted in an extra cost of some \$37 million. Carnarvon is very fortunate, because it already has a gas pipeline off the main Dampier to Perth pipeline, which comes in from Gascoyne Junction into Carnarvon. It is a gas-fired power station off the main line. That is one positive: it is already there. Moving the power station, which would be out of town for future development, will also release further in the town. Interestingly, when the power station was built—when Wilson Tuckey was on the shire council—it was considered right out of town. Everyone said it was too far away. Now that the power station is right in town, everyone is complaining about the noise factor. That always happens. People buy next to power stations or airports to get cheap land and then complain later and get them moved. And I am not pointing at members.

Hon Norman Moore: That's a very cynical comment.

Hon KEN BASTON: I am sure we will all see it happen again. Also in Carnarvon is funding of \$1.1 million for the Carnarvon boat ramp. That is something else that has been badly needed, because boat access used to be into the same little boating harbour that was used by all the prawn trawlers and all the work tugs that were hauled up from Cape Cuvier and the salt mine. It was always quite a dangerous situation when recreational fishing boats were launching their boats and mixing with the larger trawlers in a very small area. That is very welcome. I believe the boat ramp is just about complete. However, I think there is one small hiccup, which I was told about the other day; that is, the walkway where people launch their boats has been set too low. Somebody made a mistake on the level of the tide. When the high tide comes in, the walkway goes under water. I have not been to see that yet, but I am sure that it will have to be rectified.

Hon Nigel Hallett interjected.

Hon KEN BASTON: That is exactly right, honourable member.

The other thing that was completed this year was the sealing of the Gascoyne Junction Road. This development has been awaited for some time. The last 40 kilometres seem to have taken years. It has been sealed and, basically, bar a once-in-a-100-year flood, it is an all-weather road to Gascoyne Junction. That will mean that eventually, one would hope, this road will be sealed through to Meekatharra to allow access to Mt Augustus, which is the biggest monolith in the Southern Hemisphere. It is bigger than Ayers Rock, and we have not even scratched the surface of opportunities as a tourist destination. For those who have not been out there, I can assure them that it is quite a task. I have done it only once, and I am not going to do it again.

Hon Brian Ellis: Not going back?

Hon KEN BASTON: I will go back to take pictures.

Carnarvon is very much suffering from the recovery of the floods in December 2010. I visited the town recently, unfortunately for a funeral rather than anything else. The town is recovering, but roadhouses are still being rebuilt, and some roadhouses probably will not be reopened. Carnarvon was declared a natural disaster zone, which I was heavily involved in at the time. The damage that was done in the floods was estimated to cost some \$100 million, which includes all the state roads, infrastructure and private residences. Funding of \$175 million in the Gascoyne revitalisation fund covers Exmouth, Shark Bay and that whole area. Some of that funding, I believe, will be used for the flood mitigation works in Carnarvon. Everyone said we had to do the flood mitigation. Just for people's memory, some of the flood mitigation has been done. Carnarvon itself, the actual town, has a levee bank right around it. Therefore, if the one-in-100-year flood broke one of those levee banks, it would be an absolute disaster. The next proposed flood mitigation works, which comes off Brown Range and heads north along the North West Coastal Highway, are designed to stop the water flowing back into the river when the river drops. What happens is that the river rises, and it floods out on the floodplain called Nickol Bay flats. When the river drops suddenly, that water rushes back and gouges out all those plantations along the riverbank. The difficulty for government is the amount of funding for rehabilitating the soil in the plantations and the cost of the flood mitigation work, bearing in mind that the flood mitigation work will not protect all the plantations. The northern side of the river would go underwater in a normal flood. That is the dilemma for government. Governments can keep building levee banks, but how far do they take them? In some instances

growers have told me that a flood actually brings down a load of alluvial soils, and in the next year they end up with a very good crop from their horticulture.

Hon Max Trenorden: That was always the argument of Egypt. That is why Egypt has always been able to grow enough food for itself—the annual floods.

Hon KEN BASTON: I remember that one ruby red grapefruit grower in Carnarvon always said his production doubled in the year after a flood. He had a massive amount of grapefruit trees.

I would like to move on now to Exmouth. I was very pleased to learn from some of my constituents this morning that Exmouth has been having one of the best tourist seasons ever. That is due to the decision that was made to allow in another airline. It was a regulated route; it now has two airlines still under regulation—Skywest and Qantas. That has made a huge difference to opening up tourism, not only due to the cost and putting in some competition but also through the airlines being linked to other domestic airlines within Australia and internationally, as is the case with Qantas. Skywest has linked itself now to Virgin, which I think has probably also helped to get extra tourists into this destination.

I mention also that Exmouth has been World Heritage listed. I would like to mention a gentleman called Mr Barry Sullivan, who used to be the head of the Exmouth Chamber of Commerce and Industry. He got very involved and was instrumental in the whole listing process for Exmouth. He was invited to go to Paris and represent the people of the Exmouth region and the chamber of commerce. It was through that process that the proposed two-kilometre strip along the coast of some 250 kilometres was kept out of the World Heritage listing. If members had been following the process, they would realise that that two-kilometre strip was actually in the area proposed to be listed. I congratulate Barry for his efforts in that process, which were very important in the outcome. I might say that I have never been a supporter of the necessity for World Heritage listing. I believe that the two sites we already have listed—that is, the Bungle Bungle Range and Shark Bay—have not benefited greatly from a World Heritage listing. Any feature that has World Heritage listing basically means that it is in lights for the rest of the world to come and see what we perceive as something special. If that be the case, we need to ensure that there is adequate funding for people to utilise those areas as tourist attractions and for putting them up in lights. It is pretty important to do that.

I was at Exmouth recently with the Minister for Transport to look at the marina. Offshore of Exmouth, of course, is oil and gas, and if we go to the North West Cape where the lighthouse is we can see five oil wells in operation. Western Australia's main source of oil is in that area. A lot of the boats or tenders that service the rigs out there operate out of the marina at Exmouth. Of course, the marina was never designed for that purpose. In fact, it was never even designed for Kailis fishing boats, but they do fit in there. Originally they used to pull alongside and now they have to back in. All these larger craft now come in that were never meant to be in that confined space. The minister and I looked at extending the light industrial area out to where the limestone quarry is, which already has approval to build and extend by some 450 metres. Extending it obviously needs to be done with private enterprise so that the oil and gas tenders can be placed there and have some safe anchorage et cetera for loading on the facilities, such as a water well drill stem and other stores.

The budget for facilities at that marina is fantastic. When Hon Simon O'Brien was Minister for Transport, we looked at these facilities. They were supposed to be built then but now I see in the budget an allocation for 46 new pens at a cost of some \$2.3 million. They will be very welcome. There were some issues about how we would allocate those pens or how we would raise the funds on those pens. There are still some issues that we need to look at. At present, if someone who has successfully tendered for one of these pens does not have a boat in the pen, the Department of Transport can put a boat in there and charge a fee. There are, therefore, no real property rights to the pen. I think that is what happened at Fremantle Sailing Club many years ago: people invested in pens and then made them available by leasing them out to other people. However, it is a good way of getting capital to make sure we get this type of infrastructure in place.

I would now like to move to Karratha. One of the issues for the first couple of years when I first became a member of Parliament was Karratha Hospital. At that stage a mother could not have her baby delivered in Karratha Hospital and had to go to Port Hedland Regional Hospital. The logistics behind that were huge. I might say that Port Hedland is not that far from Karratha; it is only a two-hour drive. However, the lack of accommodation in Port Hedland for someone working in Karratha meant that they had to drive two hours north and two hours back if they wanted to visit their partner. If there were any difficulties, of course, it was an absolutely crazy situation. Therefore, \$150 million has been allocated for development of the Karratha health campus, and I know that that will be very welcome and will benefit everyone in the Pilbara.

In education, of course, we have a continuing commitment in the regions for education. Stage 2 of Karratha Senior High School has an allocation this year of \$27.37 million in a total allocation of \$45 million. For the completion of the new primary school, there is \$1.5 million, and the commencement of a new primary school at Baynton West has a project cost of some \$23 million.

One of the other very important things in Karratha is the continuing infrastructure development on Dampier highway going out on Balmoral Road to Burrup Peninsula. I do not know whether members have been there when there is a shift change early in the morning. If they have, they would know that it is far worse than the traffic on the freeway here in Perth. Hon Nigel Hallett likes to wait a while before he goes home because the traffic is too busy. Dampier highway is worse than that. We are therefore allocating some \$73.761 million to fix that situation and put in a dual carriageway. Anyone in Karratha trying to get to the airport to catch a plane can sit there waiting to turn right for a long time until somebody is nice and lets them in. That is one of the issues there.

I now continue by talking about power. Some of the other funding in the budget is some \$68 million to put underground power in Karratha, South Hedland, Onslow and the remainder of Roebourne. Underground power is expensive. However, I believe it is necessary in areas that suffer cyclonic conditions, because one of the most important things for recovery after a cyclone is power for refrigeration, lighting et cetera so that people can get things moving. I am therefore a great supporter of underground power in those areas, and this underground power is well worth funding. Of course, other towns need considering, and it would be remiss of me to neglect to put a plug in for them. They are, of course, Exmouth and Broome, which are also very vulnerable because of distance and isolation.

In the Pilbara I also noticed that the realignment of the Marble Bar Road from Port Hedland through to Coongan gorge has surfaced and is in the forward estimates. This is another road that I have mentioned on many occasions. I drove along there only recently to attend the Marble Bar races, and only one truck at a time can get through the hill at Coongan gorge. It is very sharp, very bendy, and when there are four trailers on it, the last trailer always tends to be on the other side of the road. It is only a matter of time before it squashes some little tourist caravan. Instead of a pop up, it will be a pop down! It will certainly be well and truly worth having that road completed.

We should not forget to continue pushing very hard for completion of Marble Bar Road from Newman and Nullagine. That will have advantages not only for the mining industry there and the people of those towns in opening up tourism, but also for trucks in cutting a couple of hours off their journey to the Kimberley.

I want to now move up to Broome and talk about a couple of issues there. Of course, funding has been allocated to complete the 14-bed facility for mental health services. Staff positions have already been advertised and will be completed. That will be a very valuable facility, as there was no secure facility in the north for mental health services. That will make it a lot better for people, instead of having to fly them all to Perth. Broome of course has been very much in the press lately.

Sitting suspended from 1.00 to 2.00 pm

Hon KEN BASTON: Before the break, I was touching on tourism in Broome and what the government is pursuing up there. We are basically looking at three aviation areas, two of which have the potential to give a boost to tourism in Broome. In one area, we are pursuing a direct air service from China to Western Australia to bring in Chinese tourists and then connect back to Broome. There are plans for the other facility in Broome to be an international airport with a gateway to the north west directly from Singapore. Of course, that could go from Singapore to Sydney, which would be a fantastic benefit for tourism in the north. The other important link, which operates one day a week, is a connection from Broome to Exmouth. Now that we have put that up in lights as a World Heritage-listed area, one would think that the triangle of tourism through Exmouth, Perth and Broome would be extremely important. I am aware that Airnorth flies as far down as Karratha, so it is just a matter of getting that company to continue on to Exmouth. I believe that would be a fantastic direction to take to increase tourism in Western Australia, and by that I mean real tourism with people coming into the country.

In this year's budget the government committed some \$35 million to building a boat harbour in Broome. I have correspondence going back to 2002 and glossy profiles about proposed boat harbour facilities. The boat harbour that is being built is a recreational boat-launching facility near the main jetty. It will allow recreational fisherpersons to launch their boats in safety. At present, there is a cross-flow of tides and wind—of course, there are very big tides up there—and it becomes quite dangerous to launch a boat, especially if only two people are involved. This facility will make it safer. There are about 1 600 recreational boat owners in Broome, as well as visiting boat owners. About 120 commercial boat owners will also benefit to a small degree. According to the plans that I have seen, there will be a floating jetty that will allow them to load and off-load equipment and passengers. At present, to unload their fish, they have to pull up at the main jetty, which is sometimes totally inconvenient because ships and oil and gas vessels frequently use that main jetty. This will provide a safe option for the fishing boats that work out of there. Of course, this will not wipe out the necessity for a safe boat harbour. I have spoken previously about the necessity for a safe boat harbour in Broome. It will be similar to what is in Darwin in that it will be able to take trawlers, small customs vessels and small Fremantle frigates. That is about the size that is needed with a lock. That would also give us a cyclone-proof mooring between Exmouth and Darwin, because there is currently no such thing between Exmouth and Darwin. Some facilities for the repair

and overhaul of larger vessels are also needed, because at present those vessels have to go to Dampier in the south or to Darwin in the north. I was quite interested to learn that of that \$35 million, more than \$1 million will be spent just on environmental approvals to get that boating facility up and running. I find that amazing quite frankly, because we already have a jetty that is virtually right beside it. One would have thought that that would have been enough without spending \$1 million just on environmental approvals.

Oil and gas exploration is very much a year-round activity. It does not just take place in the dry season; hence, its importance in providing jobs for the people of Broome. Since Tony Burke, the federal minister for environment, visited Broome, the ante has been upped and lots of signs have been put up in the area. It has been about 10 or 15 days since I was last there. Hon Sue Ellery told me the other day that she had visited my area and had seen the signs everywhere. The main reason for that was the visit by the federal minister. The process has been gone through and the Indigenous people have supported it. It was a long process. I believe that the decision by the companies on whether it is a financial goer will not be made until next year. However, there will be a huge shortage of oil and gas in particular by 2014–15, so I cannot see it not happening. The most important thing for Western Australia is to ensure that some of that funding is spent onshore. The same benefits will not be achieved from a floating platform, as proposed by the Shell company. Even though the two tugs will be the biggest tugs in the world, will be based in Broome and will have the fly in, fly out workers on helicopters from Broome, it still will not give us the job benefits et cetera that will be seen at James Price Point.

I now move to Kununurra and the north. Health and renal clinics will be built in Kununurra and Derby. An amount of \$6.2 million has been allocated in the budget. I visited one of these clinics in Derby early last year, as well as one in Broome, and it was quite frightening to see the number of patients with diabetes. I guess it is a reflection of the health issues in the Kimberley. These are very expensive clinics to run, but they are needed. Of course, when they are at full capacity, lots of people have to be flown to Perth. I guess the cost of sending those patients to Perth can be weighed against having the facilities based in Kununurra and Derby. As I mentioned earlier, the \$43 million courthouse project in Kununurra is due to start in 2012 and be finished by 2014.

One of the other important factors in the budget was the funding of \$695 000 for the introduction of barramundi into the Ord, of which \$195 000 is budgeted for this year. This is an excellent project and is something that I have supported. I think it will provide a huge opportunity for tourism. If barramundi can be bred and released, we might then, dare I say it—I better not give the Minister for Fisheries any ideas—charge people to catch the fish. It could be a very economical exercise, similar to what happens in Shark Bay at Freycinet estuary where people are charged \$10 per snapper. It still amazes me. It is done through a ballot system. I think 950-odd quotas are let in Shark Bay each year and they are fully taken up. People are allowed to catch only two fish, so they get \$20 worth of fish —

Hon Ljiljanna Ravlich: It costs you \$100.

Hon KEN BASTON: And probably a couple of thousand dollars to get there! Never mind; it is an idea. I was speaking earlier to Hon Jon Ford. He said that when he was fisheries minister, he had funding set aside for a fish ladder up there, which I thought was an excellent idea. That seemed to fall over through—what should I say?—many government departments not heading in the same direction. I think they were frightened of getting crocodiles up it and God knows what! It became quite an issue.

Hon Norman Moore: It is still being very carefully looked at.

Hon KEN BASTON: I am very pleased to hear that, minister, because I think it would add to tourism. There are so many tourism opportunities there.

Ord stage 2 is continuing. Central to the project is the engagement of the Miriwung and Gajerrong people in training, business and employment opportunities. I believe that the Northern Territory is starting to be a little more receptive to Ord stages 3 and 4, which would give greater economies of scale for the use of the land and what could be grown there in the future.

The other big announcement was of the Kimberley science and conservation strategy. It is a very ambitious project to which the government has committed some \$41 million over four years. I am not going to spell it all out. Some of it is still getting sorted out in the wash. That funding certainly shows that this government is environmentally inclined, even though some people say the opposite. There will be partnerships with traditional owners to enable the employment of Indigenous people in managing and caring for the Kimberley's marine and terrestrial environments. There will be \$9 million set aside for that. One thing I am in favour of is opportunities for ecotourism ventures. I believe that if we set aside areas for national parks et cetera, they are set aside for the people of Western Australia and Australia and ecotourism ventures should operate in those areas. I think that is the only way people will feel and love the expenditure that is being put into those places by the government. It is an investment for the future.

One other thing I would like to talk about is corrective services and, in particular, West Kimberley Regional Prison. I visited Derby, which is booming at present. Rents are now \$1 000 a week on average. There are two

reasons for that. One is the construction of the Derby prison, which I believe will house some 150 prisoners. Fifty-three houses are being built to house prison officers once the prison is completed. The second reason is that there are some 1 500 boat people at Curtin air base. I have heard a couple of figures, but that is worth in the order of \$180 million a year to Derby, and hence the pressure. I had the pleasure of attending the Derby ball a month or so ago. I have to say it was quite interesting, because a lot of the people I met there were from Canberra from the Department of Immigration and Citizenship. There was a lot of enthusiasm in Derby. The person who bought the Spinifex Hotel is bulldozing it and is in the process of building a new hotel and accommodation. That is a very good sign of the enthusiasm that is now in Derby. There are now three restaurants in Derby. I had the privilege of visiting only two of those restaurants, but the standard of those restaurants is fantastic. One of the chefs was a boat person—he is now on a visa—so there has been some good there. The reason that the prison was put in Derby was, of course, to keep prisoners closer to the area they come from and to give them greater opportunities for rehabilitation. One thing I would like—I have spoken on this before—is for juvenile offenders to be part of this prison. I would like the prison to be extended to include juvenile offenders, who are at present flown to Perth. Of course, one police officer must accompany each juvenile offender to and from Perth, so that takes forces from the area all the time. That is a drain on our police forces.

The increase in EventsCorp funding by this government will help to support events such as the Kimberley Moon Experience, Derby Boab Festival, Shinju Matsuri in Broome, beach polo and Opera Under the Stars. The Minister for Tourism announced yesterday that international teams will also come to Cable Beach to play beach basketball. That type of funding will certainly encourage tourism.

I want to briefly comment on a couple of issues that I have come across when travelling around the Mining and Pastoral Region. An issue was brought up at a Shire of Wiluna meeting about Homeswest housing. Would members believe that there are people in that area who, if they get a job and their income is too high to warrant having Homeswest or government housing, toss in their job to keep the house? That sounds absolutely crazy; however, there are no other houses to rent. If they work, they lose their house; there is no other avenue. I know the Minister for Housing is looking at that issue; he visited Wiluna with me. We also looked at the Wiluna–Meekatharra Road.

One initiative I did admire was that the Shire of Meekatharra spent some of its consolidated country local government fund, which came from royalties for regions, on building a sealed road heading towards Carnarvon. I spoke earlier about the road to Gascoyne Junction being sealed. This road links the other way. The shire considers that the sealing of this road will provide tourism opportunities and an opportunity for vegetables to be delivered direct from Carnarvon to Kalgoorlie and the Goldfields. What interested me was that the shire built this road itself, using its own staff in Meekatharra, at a cost of \$100 000 a kilometre. For Main Roads to build a road, it usually costs \$350 000 a kilometre. We asked to inspect this road because we wanted to see what we get for \$100 000 a kilometre. The shire has done some 17 kilometres of the road and I have to say it is a magnificent road. It is well worth having a look at. I guess that is something I believe we should do more of; that is, have local government build roads. They could be given the funding. They have the people in the region to build them. That is quite important.

Halls Creek still has issues with liquor licensing. It has been some two years since the trial was put in place, and it is about to be revisited. I met with the shire and was told that it had lost people; people have gone to live in Fitzroy Crossing because it is closer to Derby. Derby has alcohol available from midday till 8.00 pm. If they go the other way, to Kununurra, it is only available from 5.00 pm till 8.00 pm, so it is better for them to go the other way. The other interesting thing is that when they go to get alcohol, they take cash with them, so there is actually a shortage of cash in the town. They are forever trying to get cash into the town, because they get their pension cheques or whatever they are and take them with them.

I have spoken very briefly on this before, but I believe the liquor laws in Kununurra this year are over the top. It is quite interesting, because we now have what is called the “Kimberley area”, which extends from Broome to Kununurra. There is a distillery up there called The Hoochery, which is a tourism destination run by a guy called Spike Dessert, as many members will know. It distils rum and other delectables, and he shuts at four o’clock. The interesting thing is that people can buy full-strength alcohol from 5.00 pm to 8.00 pm, but as a resident of Broome I cannot buy alcohol there because I am in the Kimberley precinct. He shuts at 4.00 pm and my opportunity to buy there is between 5.00 pm and 8.00 pm, so I do not get that opportunity, which I think is absolutely crazy. I could not believe that.

In the few minutes I have left, I will touch on the issue of the alcohol restrictions in Kununurra and Wyndham. I can understand why tourists get there and throw their hands up in the air. In fact, I believe a police inspector visited there about three or four weeks ago and tried to get a bottle of wine; he was amazed that he could not get one. The Department of Racing, Gaming and Liquor has put out this nice little colourful brochure with some lovely pictures on it. I will read a summary of the takeaway alcohol restrictions. The first category is for an alcohol strength of 2.7 per cent or less, such as light beer: Monday to Saturday, 12.00 till 8.00 pm; people can drink as much as they like, with no limit. The second category is for percentages greater than 2.7 per cent to

3.5 per cent, which is some mid-strength beer: Monday to Saturday, 12.00 till 8.00 pm; the maximum that can be bought in that category is 11.5 litres, which is one carton. The third category is greater than 3.5 per cent to seven per cent, which includes mid and full-strength beers, some spirits and ready-to-drink alcohol: Monday to Saturday, 5.00 pm till 8.00 pm; the maximum is 11.5 litres, the equivalent of one carton of beer. The fourth category is greater than seven per cent to 15 per cent, which includes wine, some spirits and RTDs: Monday to Saturday, 5.00 pm till 8.00 pm; the maximum is 1.5 litres, the equivalent of two bottles of wine. The last category is for greater than 15 per cent, including spirits, wine and liqueurs: Monday to Saturday, 5.00 pm till 8.00 pm; the maximum is one litre. Liquor may be purchased in the amounts specified in the second and third categories, plus either the fourth or fifth categories, but not both. When someone arrives in their caravan and they are given this pamphlet, they think, "Oh my God," and then they realise they cannot get any alcohol until they get to Derby, which is quite a long haul; they might die of thirst! People are only allowed that once, but there are three liquor stores in Kununurra, so they can go around and collect alcohol at each one. Because of this narrow window of opportunity, we have created binge drinking in a big way, so there are even more problems than there were before. According to the shire, even the police believe it is not working. There were a number of caravans queuing up at 5.00 pm to get to a liquor store, and one of the publicans up there told me that he had had to increase his staff by threefold during the 5.00 pm to 8.00 pm slot because there were so many people hitting the liquor store at one time. We make these laws and they sound very good; however, in practice they are damned difficult. I think it actually puts a burden on society; we are supposed to be tourist-oriented. I can come down here and be amazed that I can get a bottle of wine at 10 o'clock if I want to. Why should they not have the same opportunities?

It would be remiss of me to not mention the Tanami Road, which I always like to bash on about. This is a local government road; I have mentioned to the minister that we need to make it a state road so that we can get funding. The Western Australian section is 308 kilometres and unsealed; the Northern Territory section is 514 kilometres, of which 321 kilometres are unsealed and 193 kilometres are sealed. This road decreases the driving distance from Melbourne or Sydney, through Alice Springs, by 1 100 kilometres. That is a considerable distance to cut off a journey. The advantage is that there are mining operations out there, including the Granite mine. I sat next to an engineer on the plane coming back from Kununurra the other day; he had been to Halls Creek and assured me that they had a very interesting deposit of rare earths. That is another opportunity that may come up.

There are also the Indigenous communities of Balgo, Mulan and Bililuna. Balgo is famous for its arts. A sealed tourism road through there would make a lot of difference to people intermingling, and they might sell more paintings. There is also a pastoral industry out there, but the big one that I really believe in is defence. I have written a letter to the federal Minister for Defence, inviting him to visit the region and have a look at what needs to be done. It is not the first time I have written letters about that; I sent letters to the previous minister, but they had a change of portfolios, so I had to send them again. There are also opportunities for the horticultural industry and the products of the Ord to be linked straight back down. It also gives opportunities to the cattle industry to actually take cattle to abattoirs in, say, Victoria or South Australia. The defence issue, with RAAF Base Curtin being situated there, is important. We have seen in the press that the federal government is looking to have a more active defence base in the Kimberley.

The shire did a cost-benefit analysis of it, and it believed it could build the road for \$200 000 per kilometre. Of course, the Main Roads estimate is \$350 000 to \$400 000, so there is a discrepancy, but I believe that it is a project that should be continued. Main Roads said that it did not carry enough traffic, but if a road cannot be used for six months of the year because of the wet season, it is very hard to ascertain what the true traffic volume is. It needs to be made into an all-weather road.

Some other members have already corrected the comments of Hon Lynn MacLaren on live exports, but she made a point about the three or four speakers who spoke on live exports as all having different figures. I think I was the first, and I just wanted to point out to her that the differential for some of these figures are because live cattle exports go right across the top of Australia. The figures I quoted were only for Western Australia, and not by port. Western Australian cattle, for example, can be exported out of Darwin, so that is where we can get a differentiation in the figures, and it is very hard. I will quote some figures from the Department of Agriculture and Food that show the value of live export for slaughter. These figures were taken from 2006 to April 2011. Over those years, the number of cattle exported from Western Australia to Indonesia was 172 000 in 2006, 174 000 in 2007, 186 000 in 2008, 263 000 in 2009, 170 500 in 2010, and 16 000 this year up to April and before the ban was put in place. Interestingly, exports to a couple of other countries have picked up. Western Australia exported 58 500 cattle to Turkey last year, and until April this year, 23 000 were exported. Egypt has been out of the trade since 2006 when issues arose from the screening of a *Four Corners* program—sorry; it was a *60 Minutes* program, but a similar type of propaganda, I suppose, was put forward. Israel has also been a player from 2006 and it has averaged about 40 000 to 50 000 head of cattle from Western Australia. The value of live cattle exports from Western Australia to Indonesia in 2010 was \$100 million. The value of live cattle exports from Western Australia to all countries, including Turkey, Israel, Egypt and Saudi Arabia, was \$235 million. The

member made a comment on some report that it was not a big amount of money in the scheme of things, but I put it to her that these are real export dollars and any export dollar into a state or a nation is a very valuable dollar, because they are dollars that are coming in and increasing the economy. We want those dollars, not to mention the role that pastoral properties play through having people located in large areas of land, which is probably still the cheapest form of guardianship that government can possibly have. I think that it is all very well for people to live in a perfect world and think that the cattle can be sent somewhere else, but, as other members have said, it is a specific breed of cattle. People have raised droughtmasters instead of *bos indicus* and therefore have some other avenues for their cattle, such as sending them to feedlots here, but it is still a huge haul. Tanami Road, of course, would help and give pastoralists the opportunity to go to other markets interstate. I used to export live sheep. I know that whenever the market fell over or did not happen for a year, the price of stock dropped dramatically because those sheep were not going overseas and meeting those other markets. Therefore, those live exports have always put a floor in the market, and it is very important to all the other values of the stock that is being killed or consumed in the domestic market in Australia.

In finishing on the live cattle export issue, I note the remarks made by other members about the RSPCA. I find it astounding that the government gives funding to the RSPCA and it almost goes and turns on us and says we should not support live exports. I do not have a problem with the RSPCA standing on the ship making suggestions about how we should handle the sheep that are going on board and things like that. That is fine; that is its role. However, when the RSPCA point-blank says, “No, we’re going to cut that out”, I do have a problem. I think that the export industry is so important, as I said earlier, that we need to ensure we do everything right and continue it. I attended the meeting in Broome that the minister, Joe Ludwig, attended. About 30 pastoral properties were represented and there was one fairly vocal gentleman who had just invested \$20 million in a property up there. Having had the trade cut off in the first year that he was going to export cattle, he was not a very happy chappie. In fact, I will not repeat what he said to the minister, although he did threaten to punch his eyes out afterwards; it was quite a heated debate. However, it probably needed saying because that is the type of feeling that was about for somebody who just had their wages totally cut off. Other people have been affected by the export ban. I believe that a stock manufacturer of blocks was 500 tonnes down, so the flow-on effect has been huge. It has certainly set everyone up there back after they had had an excellent wet season and they were looking forward to probably a maximum number of turn-off. That is very disappointing to them and my thoughts are with all the people who are involved in that industry.

Question put and passed.

RETAIL TRADING HOURS AMENDMENT BILL 2011

Second Reading

Resumed from 22 June.

HON LJILJANNA RAVLICH (East Metropolitan) [2.36 pm]: I rise to support the Retail Trading Hours Amendment Bill 2011, which will amend the Retail Trading Hours Act 1987. Once again, this is a very small amendment bill but it has some significant impact. The purpose of the bill is to amend the Retail Trading Hours Act and to change the criteria that apply to staffing caps of small retail shops. The act permits small retail shops to trade 24 hours a day, seven days a week, including all public holidays. For a shop to be classified as a small retail shop, it must meet certain operational requirements, including that it is not to have, as it currently stands, 13 persons, including the owners but excluding apprentices, working in the shop at any one time. In principle, this is a fairly straightforward piece of legislation, but I will take this opportunity to put on the public record some concerns that I have generally about what is happening in retail and small business.

A lot is said in this place and outside this place about the contribution made by businesses in this state to the gross state product and to the state’s economic wellbeing. Often the focus is on the mining sector, which is held up as the major contributor to the state. There is no doubt that in terms of volume and value that the mining sector makes a most significant contribution, but it is not —

[Quorum formed.]

Hon LJILJANNA RAVLICH: Although the major resource companies are critical to the state’s economy, the small business sector really does underpin the Western Australian labour market and is a major contributor to the Western Australian economy. Small businesses operating in Western Australia employ around 200 000 people per annum. They account for anywhere between 90 and 95 per cent of businesses in the state. Many retail shops are small businesses. Some are smaller than others. There is no doubt that they make a major contribution to employment.

The retail sector is doing it particularly tough at the moment for two reasons. The first one is simply because of the economic downturn. Depending on what happens with the current economic situation that we find ourselves in, it may get worse before it gets better. There is certainly a lot of uncertainty in international markets. Many people were prepared to borrow and spend on all manner of items. That does not appear to be so true now

because of the uncertain future. Consequently, this is felt by the retail sector. We are seeing major chains closing down, which is, in part, a reflection of the current economic situation.

The other factor that must be taken into consideration with respect to the changes to the retail sector is the structural change that the sector is undergoing. I refer in particular to the competition from online purchasing, which is increasing all the time, whether it be for fashion or food items. In fact, the other day—it was a Sunday afternoon—I was standing out the front of my place and I saw one of my neighbours getting their groceries delivered by Colesonline.com.au.

Hon Liz Behjat: I get mine from Woolies.

Hon LJILJANNA RAVLICH: Hon Liz Behjat says that she gets hers from Woolworths online. I do not know whether it is cheaper to do that but for the many people who work long hours and who have family commitments et cetera, it would appear that it is a time saving and convenient way of going about business. What was accepted as a traditional way of purchasing has changed over time. It was almost mandatory for everybody to go shopping on a Saturday morning. That is no longer the case.

Even with these new ways of purchasing goods, retail is doing it particularly tough. We only have to look at what is happening around our own town. For example, not long ago the Betts shoe store in Fremantle closed. It shut its doors after 120 years in the port city. The other day I came across someone who, in passing, asked me whether I had been to Fremantle lately. He was amazed at the number of shops that had closed in Fremantle. I said that I had not been down there but I certainly would be interested to look at what was going on. Jeanswest has pulled out. Even if we go into Perth, we can see that there is certainly not the thriving level of activity that there used to be. There is no doubt that a number of factors have contributed to that. Jeanswest and Jay Jays have pulled out. We have also seen the closure of the Colorado shops. One hundred jobs in Western Australia were lost across a number of sites as a result of those closures. One of the stores was in the electorate in which my office is located; that is, Morley. Stores also closed in Claremont, Karrinyup, Whitford City, Midland Gate, Joondalup, Harbour Town, West Perth and so on and so forth. Obviously, it will be really hard for people who lose their jobs in retail to find new jobs in retail because a number of retail shops are closing rather than expanding. We also know that bookstores have been closing, with the closure of 12 Angus & Robertson bookstores. Consequently, that has also had a direct impact on employment opportunities but, more importantly, is an indicator of what is happening in the retail sector. Things are not right for the retail sector. I guess we cannot and we should not underestimate the importance of that sector, not only for the overall health of the Western Australian economy but also for the provision of employment of people in this state. There is a threat of that happening.

I want to quickly touch on the question of retail trading reform. We have before us yet another bill. It makes another amendment, albeit a small amendment. It is yet another piecemeal amendment made by this government. I have already said on the public record that there was an agreement between the Leader of the Opposition and the Premier relating to Labor's support for the Retail Trading Hours (Tourism Precincts and Holiday Resorts) Amendment Regulations 2009. In return for some of those crucial policy concessions from the government, the Leader of the Opposition was prepared to recommend to the Labor caucus that it support trading to 9.00 pm, and whitegoods trading on Sundays. Members might remember that the whole agreement did not come to much because the Premier did not honour key parts of that agreement. For example, there has been little advancement on whitegoods trading. The question of the lease register has been problematic. Legislation has gone through this place that should have dealt with the lease register but did not. We have still not seen an appropriate response from the government to honour its commitment —

Hon Simon O'Brien: Which bits have not been honoured? We have canvassed this before and you have tendered correspondence between the Premier and the Leader of the Opposition.

Hon LJILJANNA RAVLICH: We have not seen a proper lease register in this place. We have not seen legislation to establish a lease register.

Hon Simon O'Brien: You were talking about another matter as well.

Hon LJILJANNA RAVLICH: The minister should let me finish.

Hon Simon O'Brien: Durable goods, I think it was.

Hon LJILJANNA RAVLICH: Yes, durable goods.

Hon Simon O'Brien: How have we not covered any of that before? We canvassed this before in the context of correspondence you introduced. I challenge what you are saying.

Hon LJILJANNA RAVLICH: The minister can make some comments later. He should let me complete what I am saying.

We also had an issue with the Small Business Commissioner that we did not feel had been addressed in the proper manner that we expected it might be addressed, in terms of the Small Business Commissioner being

established under its own statute and appropriately funded. From that point of view, we see that there are still some parts of that agreement that are in fact wanting, minister, and we hope that we will address some of the outstanding parts of the agreement in time.

I really just wanted to put those matters on the public record. We were briefed on the detail of the legislation before us and the argument that was put forward was that larger IGA stores really wanted to get prepared prior to the introduction of deregulated trading hours, depending on the outcome of the next state election. The minister has made it clear that he will take to the next election a policy of fully deregulated trading hours, and the IGA stores have, as I understand, approached the government about increasing the number of people who can work in a small retail shop from 13 persons to 18 persons. To that effect, the opposition has agreed that it would support this bill. Having made those comments, I am happy to support the bill on behalf of the opposition.

HON LYNN MacLAREN (South Metropolitan) [2.52 pm]: I wish to speak on the Retail Trading Hours Amendment Bill 2011, which, I must say, is a tricky bill. In one way it invites support, and quite easy support at that. Having already extended our trading hours in earlier legislation, there is a risk—but we hope it is not actually happening—that big businesses are benefiting from those changes to extended hours. In particular, this bill addresses the businesses that are just slightly below those large businesses—those businesses that have more than 13 members working on the floor. I think this legislation definitely addresses the problem that IGA is having in competing in the extended retail trading hours market. The government's response to those changes, by trying to address the inequity that has resulted, is to free up the IGAs—among other businesses that may fit in that category, of course—by raising the staffing cap. At one level that is fairly uncontentious; nobody would argue that we need more than the duopoly of supermarkets that we currently have, and it mitigates the impact on smaller businesses and gives them access to the capacity to grow, which is something we also want to encourage. We want to encourage businesses to go from that middling stage to a big business stage without being subject to those regulated trading hours that we have just put in place for big businesses. I guess the government would argue that it is helping small business, but there is another way to look at this proposed change.

We know, as Hon Ljiljanna Ravlich has described, that the bill changes the definition of a small business. It states that a business with 14, 15, 16, 17 or even 18 people working in a shop at any one time would no longer be considered a small business. Now, that is the complication of it, is it not? Where do we draw the line of what is small and what is not small.

Hon Simon O'Brien: Let the statisticians worry about it, rather than lose sleep over it!

Hon LYNN MacLAREN: Yes, but I do not think the minister consulted the statisticians on this point.

Hon Simon O'Brien: Certainly not, no.

Hon LYNN MacLAREN: It is an arbitrary line. Historically, that line was always arbitrary and the staffing cap was previously raised from 10 to 13, at which point the Greens (WA) supported it. I just wanted to draw attention to how arbitrary that number is and that it is not scientifically derived. In reality—this is a bill that deals with the reality of the Western Australian trading situation at the moment—we are trying to make it a little bit fairer for IGA to compete in the deregulated trading hours market we now have. On that basis, the Greens will also support this move to increase the staffing cap from 13 to 18, but we do want to signal our concerns about these sorts of moves. It seems clear that this change has been driven by pressure from the IGA chain. The IGA chain is a network of, as we have discussed, smaller businesses compared with the large supermarkets. I am comfortable suggesting that the vast majority of IGA stores cannot be seen as small businesses in the true sense, and they are getting up to that point of being a medium, if not a big, business. But in passing the bill, I want it to be clearly understood that although the government is reducing the competitive advantages held by large businesses, and therefore helping smaller businesses—that is, “smaller”, but maybe we could call them medium-sized businesses—it is not necessarily helping all small business.

Hon Ljiljanna Ravlich interjected.

Hon LYNN MacLAREN: That is the point that Hon Ljiljanna Ravlich made; there is an argument that the bill is creating three strata of businesses, or at least creating an even more obvious three strata of businesses, by legislating for it. Once that line is put there, businesses will operate to that line. That is the core of the debate. I would like to ask the Minister for Commerce how the government is going to address the concerns of now having three strata of businesses and needing to look after genuinely small businesses. This is a good opportunity for the government to provide some information about how last year's reforms have played out in and impacted on the marketplace. As members know, we were very concerned about the impact on small business; I guess we would like to know also if IGA has felt the pinch because of the changes that we made. If the Minister for Commerce would like to enlighten us, I would like to hear about how the changes that have been in place for several months now have affected small and bigger business.

What plans does the government have to address the risk that this bill will give IGA a competitive advantage over other local businesses? I have mentioned before that I dearly miss the local deli or local corner shop. Do we

have any way to protect the local corner shop? More generally, has the government been collecting evidence about the impacts of last year's reforms? I believe I made it clear before we passed those reforms how important it would be to chart their impact on the marketplace.

What will happen with these reforms that we are passing today? In the second reading speech the government quite openly flags its intention to take new shopping hour reform propositions to the next election. It indicates that at this stage it is likely to involve seeking a mandate to allow all metropolitan shops of all sizes to trade on Sundays. We might support this particular bill, and although I supported last year's reforms, I would correspondingly signal to the government that it is likely the Greens will not support full Sunday trading. The party, of course, will have that debate when we see the options on the table and we will be ready for that in the election. But I suspect that the consensus will be that that is a bridge too far. As I said, we have not had that debate. If we end up with that view, it will not likely be about denying choice, of course, but about protecting some niche markets for smaller businesses and, importantly, signalling that we are not living in a society of consumers but of citizens. With those remarks I support the bill before us.

HON MAX TRENORDEN (Agricultural) [2.59 pm]: The National Party also supports the Retail Trading Hours Amendment Bill 2011. There have been a range of confusing issues around retail trading hours for some time now. The debate is sometimes structural and sometimes emotional. This is a very simple bill that amends the basic definition under which retail stores can trade by changing the number of employees from 13 to 18. These are arbitrary figures, as is always the case in these sorts of debates. But we support the bill, although we have our concerns, as members will have seen a couple of weeks ago with another bill concerning commercial retailers.

June this year saw the greatest number of foreclosures in small business in Australia's history. Things are tough; there is no question about that. It is not just a matter of trading conditions being hard. We need to recognise that trading conditions have changed. The nature of the western world has changed since 2008 and, as people look to change legislation, it is important they look at not only the vested interests of the people involved but also the planning aspects of a brave new world. People are saving money—certainly Australians are—at a level unprecedented in our history. That has not been over just a few months; it has now been over several years. Many respected columnists and people who study the psyche of Australians and the western world are saying that that behaviour is more permanent than temporary. The decisions we make about whether to go clothes shopping or to Bunnings for retail therapy are changing. I must admit that I keep on saying to my wife that I think she is a fantastic Australian; she is propping up the retail industry all by herself. Others are doing the dead opposite, and that is not going to change.

In thinking about how we allow retailers to operate, which is what this amendment bill is about, we need to think about what consumers want. We have had a referendum on that issue, but this bill is not about that, so I will not go into that. I am just making the point that we held a referendum not that long ago. A raft of people come to us as legislators saying that they want a particular outcome, but that outcome is probably built on a foundation that does not exist any more. There is a new world out there that is not only about how people wish to go about their lives; it is about the reality. Just look at the riots in England right now. All we have to do is get on the phone and say, "All turn up at the David Jones shop in Claremont and we'll smash it in and raid it", and 1 000 people would turn up. The power of the internet is immense. I have family members who do a substantial amount of shopping on the internet. Personally, I feel a little nervous about hitting that button and whether the product will turn up, and if it does and is not what I ordered, whether I can send it back. But thousands of Australians do not have that fear, and internet trading has grown by more than 40 per cent.

Hon Liz Behjat: Courier companies are making a fortune.

Hon MAX TRENORDEN: Exactly. Hopefully, some Australian companies are jumping in and trying to drag that back because 25 per cent of that 40 per cent increase represents overseas purchases, and that is something we need to think about. It involves billions of dollars. Members can ask: how does that relate to IGA? Already people who are game to do so can order their daily groceries through the internet, and if they are prepared to do that, the retailer will deliver it to their door. Members might all remember a few years ago—I have not seen the ads in recent times—ads about a fridge that could let the owner know what goods he has taken out and automatically reorder them! I am not in that world; in fact, I do not quite understand it, but other people do.

This legislation is a small step, minister, and it has the support of the National Party. Even though we caused the government a bit of grief a few weeks ago, we do not want to go there.

Hon Kate Doust: Do tell; what was the grief?

Hon MAX TRENORDEN: It was the voting on the Commercial Tenancy (Retail Shops) Agreements Amendment Bill 2011.

We want to be in that space and talk about a new world and a new outcome and where we believe we are coming from and where consumers and retailers can live in a brave new world. The National Party supports the bill.

HON SIMON O'BRIEN (South Metropolitan — Minister for Commerce) [3.06 pm] — in reply: I sincerely thank members from all sides of the house for their contributions and for their support for the measures proposed in the Retail Trading Hours Amendment Bill and, indeed, for the constructive way they have made their contributions, considering that the operative of the bill is to change the figure 13 to the figure 18.

Hon Ljiljana Ravlich: How did you get to that?

Hon SIMON O'BRIEN: I will get to that. This bill raises some wider issues and members noted that. In large part, some of those issues are for another day. I want to respond briefly to some of the matters that have been raised, and provide some further discussion to assist the house. Hon Ljiljana Ravlich provided support for the bill on behalf of the state opposition, and I thank her for that. She also made a worthwhile contribution in discussing the current state of play for small business. In particular, I think she used the expression that “small business is doing it tough”. She gave us a number of examples of businesses, including some well-known businesses around the town, whose circumstances have changed, whose doors might have closed in some locations and who are dealing in different ways with evolving economic circumstances. I think it is a theme of the age in which we live that the world is a dynamic place and that the pace and quantum of change we are experiencing is greater than that which many generations before us have perhaps collectively experienced. What is more, the upcoming younger generation is going to experience change in technologies, social developments and so on at a greater rate than even our generation has.

It is true, as Hon Ljiljana Ravlich pointed out, that there have been some fairly dramatic and ongoing evolutions in shopping patterns around this time. These are due to changes in consumer activity, to be sure. Also there is the challenge from the retailer's point of view of internet-based retail versus bricks and mortar retail. Change, as I say, is rapid, and there are uncertainties about the future, as there must be in any time of rapid change, without even considering the quite extraordinary global circumstances that are occurring every day at this time in August 2011.

The honourable member also made reference to some related matters that, in themselves, are perhaps issues for another day. We are on the subject of a bill about changing an aspect of retail trading hours, so it is quite legitimate that she do that. I acknowledge her remarks about durable goods, the lease register, the Small Business Commissioner and so on. I do not wish to bog down the house by now introducing other matters in relation to those remarks, but I acknowledge what has been said. The honourable member was right to raise those matters in a reflective way as we consider this bill.

The Productivity Commission released a report the other day. As members know, the Productivity Commission is wont to release reports from time to time. Not that I would ever do it myself, but I have observed people react to these reports by welcoming them warmly and seeing them as support of unimpeachable competence for any view that they happen to agree with, whereas if the Productivity Commission releases a report in terms that the individual does not agree with, it is perhaps seen as an unnecessary interference in Western Australian affairs. The Productivity Commission, for what it is worth, provided some supported views, with the data that underpins those views, just the other day. Without necessarily offering my view about that, the commission found that small business constituted around 90 per cent of business in the retail industry in each jurisdiction, regardless of the trading hours regime extant in the various jurisdictions. It also found, I believe, that there has been a greater substitution of online retailing for traditional retailing—which I referred to a moment ago—in jurisdictions where shopping hours are more restrictive. I guess, on reflection, that is not really surprising, as people in this day and age search for greater options and flexibility in their hours.

Just briefly, because I do not want to make it a point of argument now, in respect of discussions that were held last year between the Premier and the Leader of the Opposition, legislation establishing the Small Business Commissioner has been enacted. We dealt with that legislation recently in this house and, as everyone knows, as minister for responsibility for the matter, I prioritised that legislation. I have also provided to the house, under my watch as minister with responsibility since Christmas, extensive information on how we are progressing the matter of a lease register. Further consultation is now being undertaken on that particular matter. I have also reported separately on the investigations into Sunday trading hours for durable goods retailing. As I say, many of those matters are issues for another day, but I thank the opposition for its support.

Hon Lynn MacLaren also made a thoughtful contribution, and I thank her for that, as well as the support for the bill that she expressed on behalf of herself and her colleagues in the Greens (WA). She took a little time to discuss the question of what makes a small business in terms of the number of employees. There are some statistical benchmarks. I believe the Australian Bureau of Statistics tends to use a cut-off point of 20 employees to define a small business, not that there is anything legally binding in this regard. My attitude as the minister with responsibility since Christmas for the newly created portfolio of Small Business is that I do not have a cut-off point; it is more a case of self-identification for small business. For example, members will never see an agency of mine, such as the Small Business Development Corporation, receive someone who is seeking information or assistance as a small business and then turn them away from the door upon learning that they

have 22 employees. It is more a case of self-identification. Hon Lynn MacLaren would be interested to know that when I made the announcement about the proposed change in the bill before us today, I did so at an IGA store on Scarborough Beach Road in Doubleview. The operator of that store was very supportive, as one might expect, of the measure that is proposed in this bill. Indeed, I would have been awfully disappointed if she had fronted up to the cameras alongside me and said anything else. She gave some very good reasons why this change will be a positive thing for her business, her current and potential employees, and customers. She said that it will mean that she can provide a better product range for her customers and more options for hours for her employees, and take on more employees. People observing or even participating in this debate might think that that means that if someone currently has up to 13 people on the floor of their business at any one time, they will now be able to have up to another five people. In fact, it is a lot better than that. That store in Doubleview, which was restricted in its ability to grow and provide the product range that it wanted to provide—it was a pretty substantial store—actually employs about 75 employees, yet it remains under the 13-person cap. This bill will have a substantially wider effect than one might realise. Hon Lynn MacLaren and Hon Ljiljana Ravlich asked why the figure 18, which has been proposed, has been selected. Is it purely arbitrary? No, it is not arbitrary, but I cannot show any definitive science in support of it. It has to be a value judgement. But it was a considered judgement after seeking the advice of various stakeholders and government operatives.

Hon Max Trenorden: So it's a climate change figure?

Hon SIMON O'BRIEN: No; it is far more accurate than that. It is a figure which, on best judgement, is about right. We did consider within government a whole range of potential figures. I will not bore everyone by talking about 16, 20, 20.5 or anything like that. The figure 18 has been offered not at random and not in a purely arbitrary way, but I cannot provide definitive science to back it up. It is a best estimate that this will provide the benefits that I alluded to in the second reading speech, while preserving the integrity of a currently regulated trading hours regime.

Hon Lynn MacLaren also said that it was taken for granted that this change was driven by the IGA chain. No, it was not, actually; it was driven by me.

Hon Kate Doust: The last one was.

Hon SIMON O'BRIEN: I thank the member.

Hon Kate Doust: The last lot of changes to the number of staff were due to the IGAs.

Hon SIMON O'BRIEN: The IGA group does welcome this. One of the first things I did when I came into the portfolio and assumed ministerial responsibility for the policy around retail trading hours and a range of other things was to do a stocktake to get across the issues, which is what one does when one gets into anything new.

Hon Max Trenorden: You would need more than 13 people to do a stocktake.

Hon SIMON O'BRIEN: I will leave it to Hon Max Trenorden to go along that particular tangent. However, it is a big portfolio and I sometimes wish there were 13 ministers to go around! In making an assessment of where we are going with the lease registers and all of the other things on which I wanted to be briefed, it soon became apparent to me that here was something that had not been publicly debated but would provide a significant benefit to a large number of small to medium-size businesses in the context of the ongoing debate about market share, retail trading hours and all the rest of it.

Hon Max Trenorden: It probably would be fair to say that not all IGA stores will qualify.

Hon SIMON O'BRIEN: That is another important point. Mr Deputy President (Hon Jon Ford), I will entertain that brief interjection because it did cover an important point. Some people have asked whether the figure should be, for argument's sake, 25 or 27. The question is asked from the point of view of an individual business that has more than 18 employees, so it will still not qualify as a small retail shop. My response to that is simply to say that we have chosen a figure of 18 to provide an across-the-board benefit that is proportionate, and that we do not legislate, and neither should we legislate, for the convenience of one business or a select group.

Hon Kate Doust: Given that this figure for the number of staff on the floor will be increased to 18, at what point would you see the difference in classification between the definition of a small shop with 18 staff on the floor and the definition of a general shop with its unlimited number of staff on the floor kicking in?

Hon SIMON O'BRIEN: I think the point of the question is the point at which the figure, which is one of the criteria to define a small retail shop, becomes meaningless. That is the sort of thought that went into the figure of 18. That is why it is not any higher than that. People could make arguments for the figure to be 19, 20 or 21, but it is certainly not this government's intention to go anywhere beyond this figure of 18. I guess that this is the point beyond which we are not intending to go. That leads to the other point Hon Lynn MacLaren raised. She asked what would be the disadvantages of the measure for small businesses. I hope I have been frank about it in my public comments. The fact is that whenever a regulated system is changed, there will be winners and losers. Some smaller shops or outlets could be in competition with a local IGA or other independent small supermarket

or shop. However, that debate was had many years ago when the figure we were looking at was around two or four. That was when we were talking about the privileged protection available to the proverbial mum and dad corner shop.

Hon Kate Doust: That was in 1984.

Hon SIMON O'BRIEN: That is right. That was when decisions were made. It would have been controversial at that time to say that bigger shops could operate 24/7.

I thank Hon Lynn MacLaren for her comments. I also thank Hon Max Trenorden for his support. I assure him that there are no problems with any changes that the house wishes to make to the commercial tenancy bills. It just encourages me to work out better ways to meet the views expressed by Hon Max Trenorden and to perhaps bring back the bills for a little more tweaking so that we can finalise that matter. However, that is for another day. I conclude the second reading debate by thanking members in advance for their support.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Hon Simon O'Brien (Minister for Commerce)**, and transmitted to the Assembly.

FISH RESOURCES MANAGEMENT AMENDMENT BILL 2011

Correction of Second Reading Speech — Statement by Minister for Fisheries

HON NORMAN MOORE (Mining and Pastoral — Minister for Fisheries) [3.26 pm] — by leave: I will make a short statement about the *Hansard* record of the second reading speech of the Fish Resources Management Amendment Bill 2011. The first reading and second reading speech of the Fish Resources Management Amendment Bill 2011 were completed on 19 May 2011. I have been advised that there is a minor difference in the second reading speech given and the *Hansard* record. I believe the difference has occurred as the speech had dot points and the *Hansard* reporter felt that a lead-in to the point was required, which is usual practice when dot points are used. The difference occurred about halfway through the speech where the sentence commences —

Western Australia will also make recommendations to PIMC designed to increase the economic benefits to the commercial sector by enabling “stranded” units of entitlement to be temporarily transferred to other authorisation holders in the fishery.

In the second reading speech from which I read, the words “Western Australia will also make recommendations to PIMC designed to” were not included. To save any confusion, I have asked that the *Hansard* record be amended to delete the lead-in statement currently recorded and for it to be replaced with the words “The amendments will”. I also acknowledge that I failed to correct the *Hansard* green at the time.

Second Reading

Resumed from 19 May.

HON JON FORD (Mining and Pastoral) [3.28 pm]: The opposition supports the Fish Resources Management Amendment Bill 2011. The bill is a result of research and work that has been undertaken over some time, both during my time as Minister for Fisheries when Hon Matt Benson-Lidholm carried out an extensive review of the Fish Resources Management Act on my behalf, and, of course, in recent times by the current Minister for Fisheries and his officers. This is a quite complex bill. Because this area deals with many small businesses and many parties with an interest in fisheries and marine management and who want to access this valuable part of our environment and lifestyle, it is also subject to cross-jurisdictional issues and, from time to time, interference from other third parties, such as illegal foreign fishers, and changing practices. It is nearly continuously a race, from a commercial fishery and recreational fishery perspective, in keeping ahead of the efficiencies—that is, the ability of people to catch fish—to ensure that this resource is protected. It is not because people are out there actively trying to knock off all the fish in the sea; it is simply because technologies grow and people become very good at fishing. In fact, it is great that these efficiencies have occurred now; had they occurred 50 years ago, we would be facing a crisis.

However, the Fish Resources Management Amendment Bill 2011 amends the Fish Resources Management Act 1994 to do a number of things. I will not go through all of them in detail; I have one question to ask of the minister. It introduces a risk-based framework for the aquaculture industry and produces categories for which exemptions may be granted under the act. Under the act, the minister has quite a broad ability to give exemptions, and that is important, especially in emerging fisheries, and as changes are made to management

plans. The bill allows the minister to delegate more powers under the act to the CEO of the Department of Fisheries and gives more direct action; it certainly allows the department to act more quickly. It will provide powers for fisheries management plans to include provisions to protect aquatic mammals. That is actually very, very important. One of the interesting things I discovered during my time in fisheries management in respect of developing a total allowable catch was that I had to ask whether there had been a division of the pie, so to speak, taking into account predation from mammals and the interaction between marine mammals and fish. Like us, interestingly enough, some mammals that live in the ocean like to eat fish! Of course, we know about interactions between mammals and fishing gear. The bill will give fisheries officers the option of issuing infringement notices for unintentional or inadvertent breaches of a management plan; that is very, very important. One of the problems we have under the current act is that the only sanctions available to the department are to take away people's ability to fish for some time. That is onerous in some cases for minor breaches of the act and there is no encouragement or inducement for the licence holder to fix what they are doing wrong. The bill will allow fairer control of this resource and also allow fishers to access the full rock lobster quota in any given year, and that is important, especially since we have moved to a quota system. It will enable fisheries to provide information relating to the operation of an authorisation to persons acting on behalf of the authorisation holder to other relevant government departments and state-national law enforcement organisations under specified circumstances. That is important too, from a compliance perspective, with regard to sharing information about those people who may cheat and seek to undermine the intent of the legislation. That will ensure that the species of animals and organisms that live in our valuable marine environment are protected.

I thank the minister for the department's briefing on this matter. It was great, and the department has been very patient, particularly with my party, in providing a number of briefings on this bill. It is difficult legislation; if one has never really got their head into this legislation, it is quite a complex subject. The minister might be able to assist me with a concern that sectors of the aquaculture industry raised with me post-briefing about the definition of "exotic fish". There is a relevant insertion within the bill, under proposed part 9A, which states in part —

103A. Accidental introduction of exotic fish into WA waters

- (1) In this section —
intervene, in relation to fish, includes to inspect, seize and destroy fish.
- (2) This section applies in relation to any fish that are being kept for aquaculture purposes in respect of which an aquaculture licence is not required because of section 91(a).
- (3) The CEO may direct a fisheries officer to intervene in relation to that fish if, in the circumstances, intervention will or could minimise the risk of the accidental introduction of exotic fish into WA waters.

I preface my inquiry by saying that I actually support this, because feral fish are a major problem. Members may be aware that one of the problems of introduced fishes is that people do not wish to inhumanely destroy introduced species that have become pets, but instead of giving them a humane death by putting them in the freezer and letting them go to sleep, they flush them down the toilet or chuck them in the creek out the back, and all of a sudden we have introduced species knocking off all the native Australian species. An example of a local species that has been preyed upon is the poor old hairy marron, which is competing constantly for habitat with yabbies. Members may know that yabbies are an introduced species in Western Australia. The concern of the people in the aquaculture sector is how that would actually operate in terms of an aquaculture business that is breeding exotic aquarium species, and in what circumstances officers would feel that they have a need to intervene. They are worried about uncertainty in respect of how they grow their businesses and about undue interference in their businesses. Having said that, I preface my inquiry by saying that I actually support this proposed part of the legislation.

As I said before, the opposition supports this bill. Like with all these things, it is a living bill. I understand that there is a major rewrite of it and that we can expect to see a new bill in the new year. We welcome that as well. There are significant changes in this legislation, which I think will assist the department and the minister in managing this valuable resource on behalf of Western Australians and all Australians. Having said that, I wait for the minister's comments. As I said before, the opposition supports the bill.

HON GIZ WATSON (North Metropolitan) [3.39 pm]: I want to make a few comments about the bill, which the Greens (WA) will support. I think it will achieve some improvements in the management of fisheries. I want to talk a little about how it does not, in our view, fix fundamental inconsistencies and contradictions in managing the extraction of fish while at the same time seeking to manage the conservation of fish. It is exactly the same contradiction that was inherent in the situation that we had with the former Department of Conservation and Land Management, which had the legal requirement to manage production of forest products and at the same time conserve forests. That creates an impossible dilemma for legislators and for a department to adequately do both those things. I note that this amendment bill is a result of a review. The principal act is a 1994 act so it is appropriate that we should be reviewing it. I note that there was a review chaired by Hon Matt Benson-Lidholm,

which I think was under the previous government, if I am correct. I cannot remember exactly what it was; Hon Jon Ford just said, but I have forgotten what he said. Anyway, there was the inquiry by Hon Matt Benson-Lidholm and, as I understand, the Department of Fisheries prepared a discussion paper entitled “A Sea Change for Aquatic Sustainability”, which was produced in June 2010 as Fisheries occasional publication 79. Comment was sought on that discussion paper. As I understand, it did not actually go out for public comment; it was more selected comment, I think. Perhaps the minister can indicate that in his response whenever. I am curious about the process of engaging with this document because when I went to look for the feedback from various stakeholders to “A Sea Change for Aquatic Sustainability”, it was apparent that that feedback was not public. Therefore, I could not find an indication of how organisations such as the Marine Parks and Reserves Authority and the Department of Environment and Conservation, which have a strong interest in the management of marine resources—in DEC’s case, of course, the management of marine mammals and seabirds falls under its jurisdiction—responded.

Hon Norman Moore: I will respond to that when I come to finish, but the Minister for Environment and the Department of Environment and Conservation, of course, are part of the cabinet process that delivered this bill to the house.

Hon GIZ WATSON: That is fine; I simply thought it would be useful if those agencies’ feedback to this document was publicly available. Maybe I just did not find them, but it seemed to me that they were not publicly available.

We are dealing with a number of amendments to different parts of the Fish Resources Management Act 1994, but I will talk a little about the background for these changes. I read with interest Fisheries research report 215 entitled “Development of an ecosystem approach to the monitoring and management of Western Australian fisheries”, which was published in 2011 but I am not sure which month. The part of that report entitled “Background” is I think useful in considering this bill. “Background” on page 4 of that report states —

Internationally, there has been an increasing focus on ecosystem-based management ... Within Australia, the moves to ensure that Ecologically Sustainable Development ... processes are implemented reflected the increasing community demand for more rigorous assessments of the broader impacts of fishing at an ecosystem level. A clear example of this was the introduction of the Environmental Protection and Biodiversity Conservation ... Act 1999 by the federal government and the concomitant changes to the Wildlife Protection ... Act, 1982 —

Which regulates the exports and imports, in this case significantly of seafood. The report continues —

The outcome of this act was that exports are not permitted from WA’s (and all Australian) commercial fisheries unless those fisheries are capable of meeting the requirements of the “Guidelines for the Ecologically Sustainable Management of Fisheries”. These comprehensive assessments, which are administered by the federal Department of the Environment, Water, Heritage and the Arts ... were to be completed before the end of 2004. In addition to assessing the status of the target species, the assessments cover issues related to the broader ecosystem and most also result in a series of recommendations that will need to be fulfilled before the next assessment of the fishery in five years time.

The National ESD framework, which was developed as part of the FRDC’s ESD Reporting and Assessment subprogram, was designed to facilitate the completion of these ESD/EPBC reports for each fishery ... The current ESD framework and the EPBC assessments examine the effects of an individual fishery on the ecosystem. However, it is becoming clear that, in many circumstances, separating the potential impact of each fishery on the community structure of an area may not be either possible or even appropriate given the overlapping nature of many fishing activities (i.e. the same species may be caught by many fisheries). Within WA, the shift towards an Integrated Fisheries Management ... approach has also occurred due to the recognition of the significant interactions between fisheries and that the cumulative impacts of multi-sector fishing within a region need to be managed.

Given the widespread nature of these issues, the Natural Resource Management Standing Committee ... supported an initiative to develop an extension to the current ESD framework so that it can deal with cross-fishery issues (such as cumulative impacts and allocation amongst groups) up to multi-sector analyses within the bioregion, leading to regional marine planning which is synonymous with Integrated Ocean Management. A major outcome from this extended framework was the requirement to assess the ecosystem structure within a bioregional context, rather than at an individual fishery level.

The completion of any ecosystem assessment will require appropriate data. Indeed, the quality of such data has been identified in FRDC 2000/311 as being critical for the development of models describing the impact of fishing on exploited marine ecosystems. However, if ecosystem assessments require the

establishment of new, dedicated monitoring programs, this would, in most circumstances, be a very expensive and time-consuming operation. Moreover, as these programs would only begin collecting data now, most would suffer from a lack of any historical information for comparisons. Consequently, before any new program is established, the potential for using data already being collected needs to be assessed and, as recognised at its September 2004 meeting by the Research Steering Committee for FRDC ... if new data are to be collected, the key data to be collected in the future need to be identified.

Collectively, fishing activities in most regions catch a large number of species. These species usually include a broad range of sizes, habits, trophic levels and other characteristics that cover many elements of the ecosystem. It is possible, therefore, that the information within the long term datasets generated from all fishing activities in a region may reflect the structure of the local ecosystem and hence any changes that may have occurred through time.

The reason that I raised this is that the driving impetus in shifting to an ecosystem-based approach in the marine environment has come from a lot of these commonwealth initiatives. In my previous work I was involved in the commonwealth's development, I guess, of some of these approaches to ecosystem management in the marine environment. I acknowledge that the amendments the Fish Resources Management Amendment Bill 2011 contemplates will assist in shifting the Western Australian fisheries management model to a sounder legal basis to deal with an ecosystem-based management system. That is why we are happy to support the bill; however, the bill does not tackle fundamental problems inherent in fisheries management. I just wanted to explain that.

In our view there is an urgent need to develop legislation that will support ecosystem-based management of both aquatic and terrestrial environments. Aquatic natural resource management in Western Australia is currently fragmented and dysfunctional and is clearly failing to protect fish stocks, aquatic biodiversity and ecosystem processes in general.

Hon Norman Moore: Who said that? Are you quoting from somewhere?

Hon GIZ WATSON: Yes, I was going to refer to that. I am quoting from a submission that was provided by the Conservation Council of Western Australia to an earlier discussion document about fisheries management. It does not have a date on it but it is probably about six or seven years old.

Hon Norman Moore: So that could be a bit inaccurate if it is six or seven years old.

Hon GIZ WATSON: Members can judge whether it is inaccurate. The points that are made in it are still pertinent. We recognise that a substantial number of the fisheries in Western Australia are well managed and managed sustainably, at least in terms of fisheries management. I was reading an interesting article today—it was just released today—which stated that when it comes to sustainable fisheries, as those who know about fisheries management will understand, it still means that the overall stock of the target species is reduced to a certain level and then an assessment is made of whether that fishery is sustainable and whether a certain portion of that stock can continue to be taken out at a level that does not —

Hon Norman Moore: Doesn't go below the threshold.

Hon GIZ WATSON: Yes, that does not go below the threshold. This article that I was reading recommended that stock be kept at about 75 per cent whereas most fisheries in Australia are looking at about 40 per cent. Sustainable fishing is being maintained but there is a substantial reduction in the biomass that is being fished. The fisheries definition is sustainable but on an ecosystem basis, there was already a fairly significant impact in reducing the stock of that particular target species.

Hon Norman Moore: If some of your colleagues had their way, the threshold would be 100 per cent.

Hon GIZ WATSON: I do not think anybody has argued that.

Hon Alison Xamon: Hon Giz Watson loves her fishing.

Hon GIZ WATSON: The honourable member knows that I enjoy fishing.

Hon Norman Moore: I hope you put them back in.

Hon GIZ WATSON: The minister should not encourage me.

The points that are made in the submission are still relevant. I continue with those remarks. In relation to the point about failing to protect fish stocks, I am not saying that is across the board. Recently we had the discussion in the public arena and in this Parliament about the state of the west coast fisheries and highly desirable fish such as dhufish and baldchin groper. I know that significant management action was taken to address that but, nevertheless, those fish stocks have become precarious when it comes to their survival.

Hon Norman Moore: I don't think that's the view of the latest scientific research done by Murdoch, I think it was, which suggested quite differently from what you are saying.

Hon GIZ WATSON: That is probably the document that I am referring to.

Hon Norman Moore: It came out about six weeks ago.

Hon GIZ WATSON: It is a report that was prepared in conjunction with Murdoch University and the Fisheries Research and Development Corporation. That is what I was quoting from initially. It states that we are heading in the right direction in ecosystem management in Western Australia. They are basically supportive. That is not the point that I want to make. I do not want to take away from that. I want to point out that we do not have it all right. As the minister knows, I have spoken and asked questions many times in this place over the whole period I have been a member of Parliament about school shark and what is happening with the impact on a number of shark species in the southern shark fishery. I know that that shark fishery is still having problems because the commonwealth does assessments of the status of different fisheries. It audits fishing right around Australia and consistently says that the impact on those long-lived high order predators in the marine ecosystem remains problematic. There are relatively indiscriminate means of taking shark, such as longline and gill netting which take not only a lot of shark, but also bycatch.

Hon Norman Moore: I think you'll find that that's diminished over time. It also happens to be the source of most fish and chips.

Hon GIZ WATSON: Sure.

Hon Norman Moore: You are aware the commonwealth is about to put a great big green blob over that part of the ocean.

Hon GIZ WATSON: Fantastic. I am very aware. I actually wrote a submission on it.

Hon Norman Moore: I just hope you don't like fish and chips.

Hon GIZ WATSON: I do not eat shark for another reason; that is, because of the amount of heavy metals in it. That may be what will ultimately save people from the sharks.

Hon Norman Moore: It's a wonder you people don't all starve to death when you think about the things you don't eat.

Hon GIZ WATSON: There are quite a few alternatives to eating shark.

Hon Liz Behjat: I can hear a carrot screaming out!

Hon GIZ WATSON: Where was I? The document states —

The State's fisheries management and marine reserve systems need to be integrated in a common ecosystem-based conservation strategy. **However these reforms cannot be achieved by new fisheries legislation alone or by a fisheries agency with an internal conflict of interest between commercial exploitation and biodiversity conservation.** The proposed framework, however, would have merit if it was placed in a broader context of more coherent biodiversity conservation and management.

Collectively the key problems are these:

- Conventional fisheries management approaches have failed to protect our fish stocks ...

Hon Norman Moore: I am sorry to interrupt but what are you quoting from, so we know?

Hon GIZ WATSON: This is what I mentioned before.

Hon Norman Moore: The Conservation Council submission?

Hon GIZ WATSON: Yes.

Hon Norman Moore: Of seven or eight years ago?

Hon GIZ WATSON: It does not have a date on it.

Hon Norman Moore: That's okay, as long as I know what it is. I need to know who is saying this so I can respond.

Hon GIZ WATSON: Shortly I will quote from the submission specifically in relation to this document. I wanted to set the context. The reason that I am referring to this document is because there was considerable discussion in the conservation sector—I was part of that—around the time we were looking at the introduction of a biodiversity conservation bill under the previous government. The argument, if I get the chance to finish it, is that as long as we have that inherent problem of managing for both the exploitation of the fisheries and the conservation of it at the same time and we do not have any overarching legislation that protects biodiversity, we will have the same issues that we had in the forests that ultimately led to huge public engagement on the debate about the future of the forests and about what we were conserving and what we were cutting down. The same debate is relevant in a marine context. When I say that we failed to protect fish stocks, I refer to the rock lobster sector, which we know is in trouble, although we do not quite know why.

Hon Norman Moore: It is being fixed.

Hon GIZ WATSON: Hopefully it will be fixed. It is of concern to me when we have a lot of self-congratulatory comments about how we have the world's first accredited sustainable fishery in the rock lobster —

Hon Norman Moore: It still is accredited by MSC, as recently as this year.

Hon GIZ WATSON: I am surprised that it continues to be.

Hon Norman Moore: It does. Are you casting a bad reflection on MSC?

Hon GIZ WATSON: Yes, I am actually. This is going to get exhausting if we have this conversation for the rest of the day.

Hon Norman Moore: I think it is a very interesting conversation; I am enjoying it very much.

Hon GIZ WATSON: I am very surprised that the Marine Stewardship Council continues to give that level of recognition given that there was such a sharp decline in crayfish numbers. I do not quite know why. Hopefully, the numbers are on the way back up. I hope the minister's confidence is reflected in a full recovery in rock lobster. It is going to take a while before we know that—I imagine it will take several years.

Hon Norman Moore: You're quite right, but they have taken a dramatic cut—like about a 50 per cent cut—in their catch.

Hon GIZ WATSON: Yes.

So there is the rock lobster, the demersal finfish, which I spoke about earlier, and sharks. The submission continues —

Conventional fisheries management approaches have failed to protect our fish stocks ... particularly in a rapidly changing ocean climate that is already producing large and unpredictable variations in recruitment.

To be fair to this minister and previous ministers, the rock lobster issue is probably to do with ocean warming and the effects of climate change. That is probably having quite a significant bearing, but I do not know, and I do not know that Fisheries research knows either, but there certainly has been a very sudden change. Because it is fairly tricky to follow the habits of crayfish and to know where they go and how they move around in the system, we do not actually know quite what is going on. I am probably going to have to reduce the amount of interjections I respond to if I am going to get through this!

According to this submission, the other key problem is that —

The current marine reserve process is not working. It is not establishing ecologically functional sanctuaries for biodiversity conservation and therefore not creating the benefits associated with proper conservation of the various marine habitats of WA. Marine reserves provide many more benefits than meeting some 'social' objectives as implied ...

- These benefits include:
 - Effective reference areas as part of an adaptive management regime. Such areas are equally necessary in monitoring designs that assess the ecological impacts of fisheries.
 - Baseline areas for research that will help understand the effects of climate change in WA waters.
 - A safety net for fished species in case of either adverse environmental events or failed (or no) management
- The functions of specific marine reserves need to be made explicit in terms of overall ecosystem-based management strategies and they need to be designed to do the job.
- With the current legislation marine species are divided into three acts (Fisheries, Pearling and Wildlife Conservation). Yet, marine ecosystem-based management requires the fully integrated management of target fish species, non-target fish species and protected species including sea turtles, seabirds and marine mammals.

Members may be aware that those species actually fall under the legislative protection of the Wildlife Conservation Act and the CALM act, not Fisheries. The submission continues —

The wildlife in marine environment must fall within one jurisdiction to achieve real ecosystem based management. For example, at present objectives for protected species are set by fisheries biologists in DoF risk assessment processes and marine wildlife managers in this State (and the Commonwealth) do not take responsibility for fisheries bycatch. Yet, bycatch must be integrated into overall objectives (preferably quantitative) set for protected species / populations within each of the ecosystem-based management units.

- Ecosystem-based management objectives and the resulting comprehensive marine planning and management strategies, such as the proposed statutory ‘Aquatic Resource Management Strategy’, would provide the basis for marine management in WA. The over-arching plan would need to recognize the environmental policy development and environmental assessment processes conducted by the EPA (e.g. Water Quality and Benthic Producer Habitat policies). Also, such plans should include marine-based aquaculture areas and coastal development generally as well as fisheries management.
- Overlapping jurisdiction in the marine environment causes problems between the two departments with the most responsibilities.

This is well known and long running. The submission continues —

Also, the current dysfunctional relationship between DoF (fisheries managers) and DEC (wildlife managers) makes ecosystem-based management impossible. The amalgamation of policy and onground services would create excellent cost – savings and efficiencies across government.

I will not continue on with that, but basically that submission recommends that the only way to deal with the contradictions that exist in fisheries management legislation is to have an overarching piece of legislation—a biodiversity conservation act—that includes marine organisms under that umbrella legislation. I do not know whether this government is pursuing that; I will be asking questions along those lines in the near future. We would argue that that cannot be done for a full ecosystem management as long as there is an agency and a department that is tasked with both the exploitation and conservation of marine organisms.

I want to make some further observations on the Fish Resources Management Amendment Bill 2011 based on the analysis from the Conservation Council, because I think it has done a very good job. It states, in its submission to the proposed amendments to the Fish Resources Management Act—I beg members’ pardon, this is an earlier document that, in effect, covers the same ground.

I will move on to some specific questions about the bill. I refer to the framework document that was put out for comment, as it seems to me that it underlies the policy shift in this bill. How the present single species fisheries management can be changed to a whole-of-ecosystem management is not terribly well explained in that document. Nor does it articulate how the changes that are reflected in this bill will actually achieve a comprehensive ecosystem.

Hon Norman Moore: Is that the “Seachange” document you’re talking about?

Hon GIZ WATSON: Yes.

Hon Norman Moore: Can I explain something about that so that we don’t go down the wrong path?

Hon GIZ WATSON: Yes.

Hon Norman Moore: That document relates to the complete rewrite of fisheries management legislation, which will come to the house next year, and so the submission I think you’re talking about from the Conservation Council probably relates to that particular proposition. This bill is tidying up the existing FRMA as an interim measure, pending the complete rewrite of the legislation. So a lot of the issues you are raising will in fact be dealt with, without any doubt, between now and when we bring the new legislation in next year.

Hon GIZ WATSON: Excellent. That might explain why some of my questions did not seem to be answered by what was in this bill.

Hon Norman Moore: This bill doesn’t contain a lot of that stuff, because it is not relevant yet.

Hon GIZ WATSON: So a further amendment that will —

Hon Norman Moore: It is a major rewrite of all the legislation; it is a completely new act. This is an interim bill to fix up the problems with the FRMA now, and the comments you’re making are part of a submission to that rewriting of the act.

Hon GIZ WATSON: All right; fine. I think I have that clear in my head now. I apologise; I have had the benefit of being briefed on this bill, although it was a little while ago now, and, for whatever reason, it was not clear to me that the two were not one and the same thing. I am happy to conclude my comments and save my further analysis for when we are dealing with —

Hon Norman Moore: You’ll have as much time as you need next year to go into the new bill.

Hon GIZ WATSON: That will be useful, and I would also be interested to know what stage that particular process is at because that might answer the question on the consultation process and how that is occurring. If the minister could perhaps give us an update on that, that would be useful.

Hon Norman Moore: I’d be happy to.

HON MATT BENSON-LIDHOLM (Agricultural) [4.09 pm]: I want to make just a few remarks on the Fish Resources Management Amendment Bill 2011, particularly given Hon Jon Ford, in his capacity as Minister for Fisheries, albeit five or so years ago, asked me to chair the review that subsequently caused the significant changes to the 1994 act. I have to say from the very outset that I found that experience very rewarding, albeit I come from an extended family who are involved in commercial fishing on the south coast, so my capacity to perhaps see —

Hon Norman Moore: They catch sharks, don't they?

Hon MATT BENSON-LIDHOLM: That is an interesting comment, honourable leader. I do not know quite where Hon Giz Watson gets her information on sharks from.

Hon Giz Watson: From the commonwealth fisheries official statement.

Hon MATT BENSON-LIDHOLM: Let me assure members that I do not glow in the dark! But we will not go down that pathway. I can assure members that my research seems to indicate that on the south coast, given the cleanliness of the water in that part of the world, the issues associated with the consumption of sharks are next to nil. No matter what sort of fish they are, by definition they will contain some heavy metals. Even those nice little sand whiting, herring and skippy that Hon Giz Watson and I catch off a certain rock west of Albany probably contain similar heavy metals. I am obfuscating now!

Hon Giz Watson: They have at least 100 times less concentration. Each time you go up a tropic level, you have to multiply by 10. Sharks have 1 000 times more mercury.

Hon MATT BENSON-LIDHOLM: That is true. Maybe I would be giving something away if I suggested to the member that most of the sharks I catch are small, so they have not quite reached that capacity, if I can put in a plug there!

Hon Ed Dermer interjected.

Hon MATT BENSON-LIDHOLM: I do not think there are any size limits on sharks. I might be wrong; perhaps I should ask the minister!

[Quorum formed.]

Hon MATT BENSON-LIDHOLM: I must confess that I do not have the final report of the initial review committee that I chaired, but I have a draft so I ask members to bear with me. If I manage to make a mistake or two, I apologise. Hon Jon Ford has certainly outlined the opposition's approach to and sentiments on this bill. We are obviously supportive of it. I do not want to go into the nature of the submissions and recommendations, suffice to say that certainly the work that went into the preparation of my report involved a lengthy sort of process. Information was taken from literally across the length and breadth of Western Australia and I think, in an industry sense, comments that were forthcoming indicated that there is almost unanimous support—almost, but not quite.

I will make a few points about the process we engaged in. As has already been pointed out by members, after some 12 years, the Fish Resources Management Act 1994 was deemed to be too narrow in concept to support the rapid changes that will continue to occur in the industry. That was something Hon Jon Ford alluded to. I might add that the 1994 act replaced the 1905 act. I trust it will not be another 90 or so years between this and the next act.

Hon Norman Moore: I'm hoping it'll be so good that it will.

Hon MATT BENSON-LIDHOLM: Maybe it will become a self-perpetuating document given the work that the minister and his staff put into it, as well as the work of the review committee I chaired. We can only hope on that score, but I dare say neither of us will be around to see that occur. I acknowledge the participants of the review I chaired.

Debate interrupted, pursuant to temporary orders.

[Continued on page 5682.]

Sitting suspended from 4.15 to 4.30 pm

QUESTIONS WITHOUT NOTICE

WILLETTON CHILD CARE CENTRE

560. Hon KATE DOUST to the Minister for Community Services:

I ask this question on behalf of Hon Sue Ellery, who, unfortunately, is away on urgent parliamentary business.

- (1) Is the minister aware that negotiations between the City of Canning and the Willetton Child Care Centre, a well-used and important community resource for 25 years, have stalled for more than eight months?

- (2) Has the City of Canning identified to the Department for Communities what matters are holding up finalisation of the lease?
- (3) What action can the department take to ensure that the Willetton Child Care Centre can continue to provide a service to parents and to ensure that the centre's recent Lotterywest grant for refurbishment of the centre's kitchen is not lost?

Hon ROBYN McSWEENEY replied:

I thank the member for some notice of this question. This centre was built on council land 25 years ago under a joint venture between local government, public works and the Department for Community Development.

- (1) The Department for Communities has been in discussion with the City of Canning since June 2010. The department agreed to the proposed new lease in the latter part of last year. In October 2010, the proposed lease went before council, but it was not accepted.
- (2) The City of Canning has informed the Department for Communities that the finalisation of the lease has been held up following a review of all its community facilities, which includes the Willetton Child Care Centre. The review that the city is undertaking has not been concluded.
- (3) The Department for Communities continues to work with the city to have the lease renewed. The department is currently liaising with Lotterywest to ensure that the grant is secured for the Willetton Child Care Centre until the lease is signed. I, too, would like that lease to be signed as soon as possible. But, as I said, it is up to the Canning shire council to get that lease signed.

INDIGENOUS TOURS WA — ROTTNEST ISLAND

561. Hon KATE DOUST to the minister representing the Minister for Tourism:

Again I ask this question on behalf of Hon Sue Ellery. I refer to the cancellation of the Indigenous Tours WA bus tour on Rottnest Island that was launched by the former Minister for Tourism in February 2009 as a major component of the reconciliation action plan for Rottnest Island.

- (1) Why was the decision made not to renew the contract for Indigenous Tours WA?
- (2) What has the minister planned to replace the bus tour and increase Indigenous tourism on Rottnest Island?
- (3) Did the Rottnest Island Authority make the request to cancel this tour?
- (4) What other opportunities are there for Indigenous tourism operators on Rottnest Island?

Hon ROBYN McSWEENEY replied:

I thank the member for some notice of this question. The following information has been provided to me by the Minister for Tourism —

- (1) The Rottnest Island Authority entered into a contractual agreement with Indigenous Tours WA for the provision of a guided Indigenous bus tour on Rottnest Island for a period of 12 months from 1 January 2009 to 31 December 2009. Two 12-month extension options were exercised at the absolute discretion of the RIA. In the 12-month period, there was a loss to the RIA of \$124 000. The RIA offered a three-month extension to Indigenous Tours WA at either a fixed rate of \$4 000 a month or revenue from sales, whichever was the greater. Indigenous Tours WA required a significantly larger amount. Resolution could not be found between the two parties. The contract was not renewed after 31 December 2009.
- (2) There are no specific plans to replace the Indigenous bus tour. See the answer to part (4) for further details.
- (3) No. Resolution could not be found between Indigenous Tours WA and the RIA, and the contract was not renewed after 31 December 2009.
- (4) The RIA remains committed to its reconciliation action plan and would be willing to explore opportunities for Indigenous tourism, education and interpretive experiences on Rottnest Island. For example, the RIA has developed an Aboriginal education product titled "Wadjemup Dreaming" as part of its community engagement program.

HON SALLY TALBOT — CONSERVATION COMMISSION BRIEFING

562. Hon SALLY TALBOT to the minister representing the Minister for Environment:

I refer the minister to the recent request made by my office seeking approval for me to attend a meeting with a constituent, which was to include an officer from the Conservation Commission of Western Australia. Can the minister outline the reasons why this request was refused?

Hon HELEN MORTON replied:

I thank the honourable member for some notice of this question. I advise that this information has been provided to me by the Minister for Environment —

I am aware of the request by Hon Sally Talbot's office that was made to my ministerial office on 4 August. In response to this request, on 8 August an invitation from my office was extended to Hon Sally Talbot for a separate, direct briefing with the Conservation Commission. The invitation for Hon Sally Talbot to receive a detailed briefing from the Conservation Commission stands, and I am happy for this to be arranged.

SUBURB POPULATIONS — DEPARTMENT OF PLANNING PROJECTIONS

563. Hon KEN TRAVERS to the minister representing the Minister for Planning:

- (1) What does the Department of Planning expect the population of the suburbs of Alkimos, Eglinton, Yanchep and Two Rocks to be in 2031?
- (2) What does the Department of Planning expect the population of Ellenbrook, the Vale at Aveley, Henley Brook, Caversham, Whiteman, Brabham, Lockridge, Eden Hill and any other suburbs in the City of Swan's urban growth corridor to be in 2031?

Hon HELEN MORTON replied:

I thank the member for some notice of this question. This information has been provided to me by the Minister for Planning —

- (1)–(2) The Department of Planning is currently consulting with all local governments in Western Australia to examine the forecast assumptions on births, deaths and migration. The Department of Planning will then finalise new trend-based resident population forecasts based on these assumptions to supersede the November 2005 projections published in “Western Australia Tomorrow” by the Western Australian Planning Commission. The Western Australian Planning Commission will consider the final population forecast at its September meeting for publication in October 2011 for use by all government agencies in planning the strategic delivery of their services to the future Western Australian community. Subsequent to the publication of these new local government forecasts, the Department of Planning will commence work on new small area population projections. These are specifically generated as input into a land use and transport model for the purpose of assessing the efficiency of planning policy and infrastructure investment plans. These small area projections fit for the purpose of the modelling may see a public release at a suburban level.

NATIVE FORESTS — BASE STUMPAGES

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

Will the minister please provide a list of the current base native forest stumpages?

Hon ROBYN McSWEENEY replied:

I thank the member for the question. Yes, I table the requested information.

[See paper 3590.]

FROG'S LEG MINE— SAFETY INSPECTIONS

565. Hon JON FORD to the Minister for Mines and Petroleum:

I refer to Alacer Gold and La Mancha Resource's Frog's Leg mining operation near Kalgoorlie.

- (1) How many safety-related inspections or visits have been carried out by Department of Mines and Petroleum safety officers at this operation in the past five years; and when?
- (2) Have any improvement notices been issued?
- (3) What were they and when were they issued?

Hon NORMAN MOORE replied:

I thank the member for some notice of this question.

The response is actually quite detailed—there are 46 dates in answer to part (1) and 14 dates in answer to part (3). I seek leave to table the response and have it incorporated into *Hansard*.

Leave granted. [See paper 3591.]

The following material was incorporated —

1. In the past five years a total of 46 site visits were undertaken at the La Mancha Frogs Legs mine site. These occurred on:

1. 14 December 2006
2. 20 April 2007
3. 15 June 2007
4. 12 September 2007
5. 26 September 2007
6. 13 December 2007
7. 14 December 2007
8. 8 January 2008
9. 1 February 2008
10. 13 March 2008
11. 12 May 2008
12. 27 June 2008
13. 30 June 2008
14. 4 July 2008
15. 21 July 2008
16. 31 July 2008
17. 22 August 2008
18. 13 November 2008
19. 30 December 2008
21. 30 January 2009
22. 23 March 2009
23. 26 May 2009
24. 17 July 2009
25. 28 July 2009
26. 8 September 2009
27. 14 October 2009
28. 30 October 2009
29. 4 November 2009
30. 5 November 2009
31. 21 December 2009
32. 9 March 2010
33. 8 April 2010
34. 28 April 2010
35. 7 July 2010
36. 25 August 2010
37. 10 September 2010
38. 30 September 2010
39. 1 November 2010
40. 6 January 2011
41. 28 March 2011
42. 6 April 2011
43. 8 April 2011
44. 25 May 2011
45. 1 June 2011
46. 16 June 2011

2. Yes.

3. Fourteen Improvement Notices were issued as follows:

1. 26 September 2007 - Elevated carbon monoxide levels
2. 13 December 2007 - Whip check missing
3. 13 December 2007 - No fire extinguisher at Mono pump
4. 30 June 2008 - Classified Plant
5. 5 November 2009 - Gas intersection in underground diamond drilling
6. 15 January 2009 - Procedure required for access to power line corridors
7. 15 January 2009 - Appointment of Electrical Supervisors
8. 30 September 2010 - Diamond Drilling, various matters
9. 9 March 2010 - Fall Arrest Equipment
10. 8 April 2010 - Safety Showers
11. 28 March 2011 - Paste Management Plan required
12. 28 March 2011 - Paste Fill Safe Work Procedures required
13. 28 March 2011 - Paste Fill Emergency requirements to be in the ERP
14. 6 April 2011 - Safety Guard at grinding machine

INTELLECTUALLY DISABLED ACCUSED

566. Hon LJILJANNA RAVLICH to the Minister for Mental Health:

I refer to the front-page story in today's *The West Australian* about cases of intellectually disabled men being held in prison without having been convicted of crimes.

- (1) When was the minister first made aware that vulnerable defendants were being warehoused in prisons indefinitely because they could not face trial and had nowhere to go?

- (2) Why did the minister not act immediately?
- (3) Can the minister assure the house that there are no other cases of people who have been found mentally unfit to stand trial for a crime being warehoused in WA prisons?

Hon HELEN MORTON replied:

I thank the honourable member for the opportunity to speak to this issue.

- (1)–(3) I first become aware of this issue during a meeting with Justice Narelle Johnson some time this year. I cannot remember exactly when the meeting took place—it could have been January or it might have been February. That discussion and the subsequent media coverage of a person who became quite well known to most people in WA made me understand and realise that this is a quite serious matter that had not been looked at by successive governments over many years, including the eight years of a Labor government. For 20-odd years, ministers, Attorneys General and other people involved in this issue had left it alone and not dealt with it.

Hon Ljiljanna Ravlich: But you have been the minister for three years!

Hon HELEN MORTON: I beg your pardon; I have not even been a minister for 12 months.

Hon Ljiljanna Ravlich: Your government has been in for three years.

Hon HELEN MORTON: Just listen. If Hon Ljiljanna Ravlich wants to hear the answer, she can just wait.

The issue about why I became involved in it is that when I started to look into this matter—it is more than the five people who are on the front page of the paper—I found that there are a number of people held in prisons who are mentally impaired accused. I do not know whether members have read the mentally impaired accused act but it has to be understood who the mentally impaired accused are. They are people with an intellectual disability. I need the member to be aware that she is not necessarily talking only about people with a significant mental illness; they are people with an intellectual disability, they are people with an enduring mental illness, they are people who have dementia, and they are people with acquired brain damage. They are people who, for whatever reason, because of those particular problems, have been unable and unfit to plea. These are people who have been accused but who have never had the opportunity to have their case heard in court. As I say, the member has mentioned more than five people. I have had ongoing discussions with Justice Narelle Johnson —

Hon Ljiljanna Ravlich: About how many are there?

Hon HELEN MORTON: I am not going to say “about”. I will not do that sort of thing. I know how many have come to my attention, but those numbers vary.

Work on establishing alternatives to a prison environment for these people pretty much started soon after that. I would say that in the time I have been a minister—which is less than 12 months—I am actually quite proud that we have brought this project to its level of being close to finalisation, which was not able to be achieved by successive governments, including the member’s former government for eight years. This work has involved —

The PRESIDENT: Order! I want to stop the interjections.

Hon HELEN MORTON: This work has involved work with the Attorney General and his office, the Minister for Corrective Services and his department, and my office and the Disability Services Commission. The main objectives are to ensure community safety and to look after the interests of people with intellectual disabilities outside the general prison population. I will be thrilled to talk about this in more detail, but I can tell the member that the processes are nearing finalisation.

GENETICALLY MODIFIED CANOLA — SPILLAGE

567. Hon LYNN MacLAREN to the minister representing the Minister for Agriculture and Food:

I refer to the truck–trailer fire and spillage of 15 tonnes of genetically modified canola at Williams on 9 August.

- (1) Will the minister confirm that a number of growers in the Williams area market non-GM canola directly to Japan and requested last year that the area be designated a GM-free zone?
- (2) What recourse will there be for non-GM farmers in the area to recoup their lost income if their crops become contaminated and they lose export markets as a result of the spill?
- (3) What was the extent of the spill of GM canola seed along the roadway and verges?
- (4) Why do CBH and the Department of Agriculture and Food intend to monitor the site for only six to eight weeks, when studies have shown that canola seed can persist in the soil and remain viable for 10 years or more?
- (5) What was the extent of the clean-up and why was the highway reopened at 5.00 am the next day before the clean-up was completed?
- (6) What locations was the GM canola being transported between, and what was its intended use?

Hon ROBYN McSWEENEY replied:

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

- (1) Yes.
- (2) Common law.
- (3) The truck was stationary. There was no wind or rain to disperse the grain from the original site. Water was used to extinguish the flames and this may have dispersed some seed in the near vicinity. This possibility was allowed for in the extent of the clean-up.
- (4) This period represents the time frame in which any existing seed may germinate. Seed germinated beyond that time frame will not persist or pose a constraint to choice of GM or non-GM production.
- (5) The clean-up was comprehensive. The grain was sucked up into a truck and taken to the CBH Narrakine receival site and the soil and gravel was removed from the roadside. The roadside on either side of the spill site will be sprayed with a suitable residual herbicide. The timing for the reopening of the highway was a decision made by Main Roads.
- (6) This is a commercial arrangement and is the business of CBH.

COMMUNITY KINDERGARTENS — REVIEW

568. Hon MATT BENSON-LIDHOLM to the minister representing the Minister for Education:

- (1) What is the status of the review into community kindergartens?
- (2) Who is conducting the review, when did it commence and when will it be completed?
- (3) Will the review be made public; and, if not, why not?
- (4) Will any community consultation be undertaken as part of the review; and, if yes, in what form?
- (5) If no to (5), why not?

Hon PETER COLLIER replied:

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

- (1) The review report is being finalised.
- (2) The report was commissioned by the Department of Education and was conducted by Dr Anna Alderson and Marie Martin from Learning Conversations Pty Ltd. The review commenced in January 2011 and the final report of the review of the operations of community kindergartens in Western Australia will be received by the Department of Education by the end of August 2011. The need for a review was first discussed in 2009 with the then president of the Community Kindergartens Association.
- (3) Yes. Once the report is finalised and considered by the corporate executive of the department, the report will be made available to the public.
- (4) The review process included consultation with representatives from the Community Kindergartens Association, the Department of Education Services, the Department for Communities, the Department of Treasury and Finance, the principals of schools to which community kindergartens are linked, community kindergarten parent management committees, community members and local council representatives. Consultation also occurred with key stakeholders with historical interest in the community kindergarten movement.
- (5) Not applicable.

DEPARTMENT OF INDIGENOUS AFFAIRS — GIFTS AND BENEFITS RECEIVED

569. Hon ED DERMER to the Minister for Indigenous Affairs:

I refer to the period from 23 September 2008 to date.

- (1) Will the minister table a copy of any record of all gifts, hospitality or other benefits received by any officers in the Department of Indigenous Affairs?
- (2) If not, why not?

Hon PETER COLLIER replied:

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

- (1)–(2) I table a summary of gifts received by DIA officers.

[See paper 3592.]

BINNINGUP DESALINATION PLANT — FUNDING

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

I refer to the recent announcement of \$450 million to be devoted to the expansion of the Binningup desalination plant.

- (1) Which committed infrastructure projects will now be delayed due to the reshuffle of \$300 million internally within the Water Corporation?
- (2) From which areas of the budget has the other \$150 million been sourced?
- (3) Due to this redirection of \$150 million, which projects will now be —
 - (a) delayed, and by how long; and
 - (b) cancelled?

Hon HELEN MORTON replied:

I thank the honourable member for some notice of this question. The Minister for Water has provided the following information —

- (1) The Water Corporation, the minister and Treasury are reviewing projects within the Water Corporation's \$3.6 billion capital works program.
- (2) The Water Corporation will increase its borrowings by \$150 million.
- (3) Not applicable.

EARLY LEARNING AND CARE CENTRE, SOUTH HEDLAND

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

I refer to the \$114.5 million allocated by the federal government in the 2008–09 budget to establish 38 early learning and care centres, including five in Western Australia.

- (1) Is the minister aware that no application was received for the establishment of an early learning and care centre in South Hedland before applications closed on 15 February 2011?
- (2) Can the minister explain why no application was submitted to establish an early learning and care centre in South Hedland, as required, by 15 February 2011?

Hon PETER COLLIER replied:

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

- (1) Yes.
- (2) The Department of Education recognised that the initial funds allocated to this project were not sufficient to complete the required outcomes of the project. The early learning and care centre in South Hedland project costs were significantly higher than the funds allocated by the commonwealth government. This was conveyed to the commonwealth government. Subsequently, the commonwealth government took on the management of the project within its existing budget. No tender bids were received. As a result I have written to Hon Peter Garrett, MP, requesting redirection of the funds allocated to the early learning and care centre proposed for Baler, South Hedland to another location in Western Australia.

MINISTER FOR ENVIRONMENT — CHIEF OF STAFF — CONFLICT OF INTEREST

572. Hon HELEN BULLOCK to the minister representing the Minister for Environment:

- (1) Which Hancock Prospecting–related issues are currently being dealt with in the minister's portfolio?
- (2) In relation to the senior officer to whom any matters related to Hancock Prospecting will be delegated, what is that officer's name, position and classification, and for how long has this officer been in the minister's office?

Hon HELEN MORTON replied:

I thank the honourable member for some notice of this question. The Minister for Environment has provided me with the following advice —

- (1) The following Hancock Prospecting–related issues are currently being considered by the Office of the Environmental Protection Authority, the Environmental Protection Authority or the Department of Environment and Conservation within my portfolio: change to ministerial statement 824—Roy Hill 1 iron ore mining stage 1—section 46 change to conditions regarding surface water diversions; change to ministerial statement 829—Roy Hill 1 iron ore mining stage 2—section 46 change to conditions

regarding surface water diversions; change to ministerial statement 584—Hope Downs iron ore mine—section 46 change to conditions regarding discharge of water to Weeli Wolli Spring; change to ministerial statement 584—Hope Downs iron ore mine—section 45C change to proposal regarding discharge of water to Weeli Wolli Spring; change to ministerial statement 584—Hope Downs iron ore mine—section 45C change to proposal regarding mining rate and disturbance footprint; change to ministerial statement 584—Hope Downs iron ore mine—section 45C change to proposal regarding realignment of infrastructure corridor and redevelopment of groundwater bores; ministerial statement 847—Roy Hill Infrastructure railway—condition 9-1 cultural heritage management plan; ministerial statement 847—Roy Hill Infrastructure railway—final alignment plan 2; ministerial statement 847—Roy Hill Infrastructure railway—final alignment plan 3; ministerial statement 858—Roy Hill iron ore project, port infrastructure—dust management plan; ministerial statement 858—Roy Hill iron ore project, port infrastructure—mangrove health monitoring plan; and ministerial statement 854—Hope Downs 4 iron ore mine—condition 11-1 acid rock drainage and geochemical risk assessment.

DEC provides advice to the OEPA and, in addition, DEC is in discussions with Hancock Prospecting Pty Ltd regarding an offset requirement as a result of a federal approvals process.

- (2) All work-related dealings with Hancock Prospecting Pty Ltd are delegated to Jason Foster, senior adviser, level 7, who has worked as a ministerial adviser since August 2009.

NORSEMAN GOLD OPERATIONS — VENTILATION SYSTEMS

573. Hon ROBIN CHAPPLE to the Minister for Mines and Petroleum:

I refer to question on notice 2711.

- (1) Has the mine safety investigation into the fatality at the Norseman Gold OK mine been completed?
- (2) If yes to (1), has a report been prepared?
- (3) Will the minister table the report if it has been prepared?
- (4) If no to (1), what stage is the investigation at and when is it expected to be completed?
- (5) Have the escape ladders in the riser shafts now been repaired?

Hon NORMAN MOORE replied:

I thank the member for some notice of the question.

- (1) Yes.
- (2) Yes.
- (3) No. Section 26(2) of the Mines Safety and Inspection Act 1994 prescribes the circumstances under which such a report may be disclosed. An inspector must not disclose to any person a report prepared by an inspector concerning an accident in a mine that resulted in death unless such disclosure is made under or in connection with the administration of the act, in accordance with a subpoena or in accordance with some other act.
- (4) The report has been submitted to the coroner and the State Solicitor's Office. The exact time lines cannot be determined at this time.
- (5) The rising ladders were removed and new ladders have been installed.

DEPARTMENT OF HEALTH — 16 OGILVIE ROAD, MT PLEASANT

574. Hon ADELE FARINA to the minister representing the Minister for Health:

I refer to the property at 16 Ogilvie Road, Mt Pleasant that is occupied by the Department of Health.

- (1) Which branch or office of the health department operates from this property?
- (2) How many staff are currently located at this office and what positions do they hold?
- (3) What is the annual lease fee paid for this property?
- (4) What refurbishments, if any, have been undertaken at this property since 1 January 2009 and how much did these refurbishments cost?

Hon HELEN MORTON replied:

I thank the honourable member for some notice of this question. We were trying to remember whether that was the old maternity hospital property—is it? The member does not know. The following information has been provided to me by the Minister for Health —

- (1) The South Metropolitan Area Health Service operates from this property.
- (2) There are 87: the chief executive and staff associated with the following divisions of the South Metropolitan Area Health Service—safety and quality, corporate operations, the Fiona Stanley Hospital project team, strategy and development, and finance and performance.
- (3) It is \$782 445.18.
- (4) ICT cabling, furniture, painting, signage, replacement of the PABX and other minor consultant fees and additional supporting infrastructure—\$275 167.95.

NET FEED-IN TARIFF — SUSPENSION

575. Hon KATE DOUST to the Minister for Energy:

I again refer to the government's industry-destroying decision to suspend the feed-in tariff scheme.

- (1) Given the minister has used only the word "suspended", when will he make a further announcement about the future of a feed-in tariff?
- (2) Is the minister aware that Synergy has suspended processing feed-in tariff applications for eligible householders, further adding to the woes of installers, and will he direct Synergy to rectify this situation?

Hon PETER COLLIER replied:

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

- (1)–(2) We made it quite clear when we made the changes to the feed-in tariff that we would have a cap of 150 megawatts. We have reached that cap. The industry knew that we were getting close to reaching that cap, so any talk to the contrary is wrong. What we have done as a direct result of the suspension of the feed-in tariff system is raise the profile of the solar industry like never before. We now have 70 000 homes with solar photovoltaics on their roofs. With all due respect, I am not going to waste time during question time today, because we will be dealing with this in a motion that I will speak on next Wednesday, and I will have a lot more to say on the issue. To insinuate that somehow the feed-in tariff system was a failure is abject nonsense. If we had gone down the path of the Labor Party, which was allocating \$13.5 million for a 60c gross feed-in tariff, it would have delivered less than 3 000 homes with solar PVs. We took the bold decision to have a 40c net feed-in tariff, which has been very, very successful. As I said, we now have a situation in which we have over 150 megawatts of power in 70 000 homes. I can tell you, Mr President, that I will have a lot more statistics that I will throw about next Wednesday, which are fascinating. As I said, as far as the industry is concerned, it is wrong for the industry to suggest that somehow it was not aware; that is abject nonsense. What was happening with regard to the uptake of solar panels was readily and transparently available on the Office of Energy website. Yes, I do understand that it is —

Hon Kate Doust interjected.

The PRESIDENT: Order, Deputy Leader of the Opposition!

Hon Kate Doust: I just want him to answer the question, Mr President.

Hon PETER COLLIER: I am going to answer the question. The member asked it without notice.

The PRESIDENT: In this chamber members have to be in a certain place to answer the questions; members have to be in different places around the chamber to ask them. Unfortunately, that is the reality.

Hon PETER COLLIER: Thank you, Mr President.

What we have done—I am answering —

Hon Kate Doust: You can't answer the second part; you don't have an answer to the second part.

Hon PETER COLLIER: I have a complete answer. The member just does not like the answers. The guys opposite stuffed it up.

Hon Kate Doust interjected.

The PRESIDENT: Order! Come to order and the minister will very quickly finish his answer.

Hon PETER COLLIER: I do not know about that, Mr President. I have so much more to say about this, and the question is without notice, but I know that Hon Norman Moore wants to get on to his bill, so I will wrap it up.

If we had gone down the Labor Party path, we would now have, if it had continued to go with the 60c gross feed-in tariff, about \$1.7 billion worth of debt as a result of that, which I am telling the house about. We have

delivered 70 000 homes with solar PVs. We will continue to work with the solar industry to raise the profile of that industry. People who want to put solar PVs on their —

Hon Kate Doust interjected.

Hon PETER COLLIER: Will the member be quiet? Dear me! I am trying to answer her question.

Hon Ljiljana Ravlich: We know that you don't know the answer.

The PRESIDENT: Order!

Hon PETER COLLIER: I am just answering it.

The PRESIDENT: Order! There are too many interjections. That is the bottom line.

Hon PETER COLLIER: Thank you, Mr President.

For people who want to put solar PVs on their roofs, their biggest saving is from the actual solar panels. They will reduce their electricity bills by about a third. That is where the biggest saving comes from. Do you know what, Mr President —

Hon Kate Doust interjected.

The PRESIDENT: Order, Deputy Leader of the Opposition! Your leader is not here today, but you still have to obey the rules.

Hon PETER COLLIER: They will still pay it off in the 10-year time frame. So I strongly encourage people to put solar panels on their roofs; I strongly encourage it.

With regard to the suspension, yes, it is suspended, and that will be a cabinet decision, so I will not go any further on that one. Read the application —

Hon Kate Doust interjected.

Hon PETER COLLIER: No, I cannot discuss cabinet decisions. The member knows that. It is a decision for cabinet. We have not —

Hon Kate Doust interjected.

Hon PETER COLLIER: No, I cannot, and I am not going to. I am not going to divulge that and breach cabinet confidentiality. Our standards are a little higher on this side. Anyone who put in an application before 8.00 am last Monday is eligible. If there are issues with that —

Hon Kate Doust: That's what I am saying; there are. What are you going to do with Synergy to get them to process those applications that are already in?

Hon PETER COLLIER: I am just answering the member, if she would only listen for a minute. Synergy will process those applications. Anyone who lodged their application before 8.00 am last Monday will be eligible for the feed-in tariff. It is as simple as that. I have answered both questions very comprehensively and very accurately. I really look forward to next Wednesday, when I can provide even more information.

FISH RESOURCES MANAGEMENT AMENDMENT BILL 2011

Second Reading

Resumed from an earlier stage of the sitting.

HON MATT BENSON-LIDHOLM (Agricultural) [5.06 pm]: Before the break, I was acknowledging the various committee members who participated in the review of the 1994 act. I think I mentioned industry participants Max Ball and Mr John Newby. I believe Mr Newby was the chair of the Western Australian Fishing Industry Council at that time. I may be incorrect in saying that. He has certainly performed in that role in the past. I also mentioned Ms Heather Brayford, together with Ms Rae Burrows. Both women have had very distinguished administrative careers in fisheries. Ms Burrows was appointed the executive support officer of the ministerial review committee. I will quickly mention the terms of reference of the committee, which are —

1. to inquire into and report on the effectiveness of the FRMA in conserving, developing and sharing the fish resources of the state for the benefit of present and future generations;
2. to inquire into and report on the effectiveness of the FRMA in the protection of fish habitats and aquatic biodiversity; and
3. in the context of the FRMA, report on any other matters of significance arising from the review process.

As members may well appreciate, they are certainly most appropriate terms of reference, largely taken up by this new amendment bill. I mentioned earlier that the Fish Resources Management Act was reviewed 12 years after

its inception. I inadvertently forgot to mention some of the initiatives that underpinned the need for that review. Hon Jon Ford alluded to them but I need to put them on the record. One is the implementation of new initiatives such as integrated fisheries management, the Aboriginal fishing strategy and the changing emphasis in natural resource management generally. These require a reconsideration of the act. It is also important to note, as the committee found out, that increasing levels of organised crime have also resulted in the requirement to strengthen the fisheries compliance regime. Those reasons underpin a significant part of the need to change this act or to at least put amendments in place.

The review process was relatively simple in the number of stages that we engaged in. However, the requirements, particularly of the executive officer, were significant, given where we ended up. I do not necessarily want to go through those processes in any great detail but I need to mention that initially the Department of Fisheries released a discussion paper in April 2006 which outlined the large number of proposed amendments to the act. Public comments were subsequently sought on the discussion paper and these comments and submissions informed the committee of the various deliberations that we needed to engage in, and a draft report was developed from that. In addition, the committee received a briefing from the Department of Fisheries on new fisheries management policy directions to include ecologically sustainable development, integrated fisheries management and the Aboriginal fishing strategy. Separate discussions were also held between the Department of Fisheries and the WA Fishing Industry Council and between the department and representatives from a number of indigenous organisations, including the Goldfields Land and Sea Council, the Kimberley Land Council and the Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation. The outcomes of these discussions were reported to the committee for its further consideration and the committee then developed its draft report. The review highlighted a number of areas in which the performance of the 1994 act could have been improved. The review has also been able to identify and confirm some of the act's strengths and areas in which the act has functioned well since its introduction.

We then moved on to the final phases of the process. A total of 34 submissions on the department's discussion paper were received. Of those submissions, 31 per cent were from Australian government and state government agencies, which is interesting; 38 per cent were from individuals and industry bodies; and the remainder were from peak bodies and advisory committees. The number of submissions received from the broad cross-section of the community provided useful guidance for the development of the draft report. To finish that off, the draft approach was then opened for public comment until 16 February 2007. During that time the committee visited a number of ports and regional centres to discuss the report and any concerns and comments that people had. Once the submissions were received on the draft report, a final report was developed and forwarded to the minister for his consideration.

The final report formed the basis of the drafting instructions for the Fish Resources Management Amendment Bill, which I think is basically what is before us today. That was the review process, as I understand it. I do not think that there is too much more that I need to say about the actual processes and activities that the committee engaged in. A number of key policy issues were dealt with, but I have no intention of going through those now. That sort of information is available to members if they want to seek it out. For me personally, to be part of the process was a very interesting and rewarding experience. What the review committee came up with largely underpins this amendment bill as we have it today. I am very proud to have been a part of that process.

HON PHILIP GARDINER (Agricultural) [5.13 pm]: I would like to make a few remarks about the Fish Resources Management Amendment Bill 2011. Many of the changes in this bill are good and productive, and will improve the administration of the fisheries industry. My first interaction with the fisheries industry was at a meeting held in Fremantle in late 2008 or early 2009. At that meeting I heard different parties' very strong, well-advocated views on what was happening in the crayfish industry. The main issue at that time was the issue of science and whether the science should be followed in determining what would happen to the crayfish stocks with the puerulus counts, and the lag between what happens to the puerulus when they are counted and when they grow into adults when there is a sustained fall in the puerulus counts. At that meeting I saw the minister, who is still the Minister for Fisheries, our current Leader of the House, take on this very strong meeting in a way that defended the science.

One of the things in the Fish Resources Management Amendment Bill 2011 that I was particularly encouraged to see is proposed new section 4A, which relates to the precautionary principle. It states that where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. We all know that science is never 100 per cent complete; maybe "never" is too strong, but it is rarely 100 per cent complete. There are even some who still believe that the earth is flat! But science makes such great steps and has a robust questioning philosophy that develops the truth, and that is one of the key determinants forcing our behaviour and the development of our policy in so many areas that affect the way we live. I think that underlying principle has to be in place, because understanding what is going on below the surface of the ocean is very difficult, and it is very hard to do a clear, precise count of any of our fish stocks in the ocean. Probably the best was that of crayfish, but how do we count

what is down there amongst the dhufish and pink snapper and the other Western Australian native fish, if members like, about which we have population concerns? I think this is an excellent clause to put in as a basis for a bill that has so much to do with making sure that we do not destroy the population of our fish stocks in a way that has occurred in different parts of the world. I guess the only querulous part about this particular principle is for those who have concerns about global warming. Perhaps they should reflect on this principle as well, not to denigrate the questions, but to understand that lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

The second part of the bill that I would like to refer to briefly is proposed section 48, which is concerned with defences. One of the defences was in the act, in part, before, but this amending bill strengthens it, and it states that it is a defence that —

... on becoming aware of the taking of the fish, the person took immediate steps to return the fish to its natural environment with the least possible injury ...

I know I am drawing a bit of a long bow here, because that was already in the act; all this bill does is emphasise that this is a defence. What worries me about this defence is that if someone catches a dhufish and brings it to the surface and they did not mean to catch that dhufish and it exceeds the bag limit that has been proclaimed as a regulation, when they toss it back it is going to die anyway, as I understand it. If I have my science wrong on that, I would be very pleased to hear it, but I understand that very few dhufish that are tossed back survive because, like we get the bends, I understand that they have a similar physiological impact as a result of being hauled to the surface quickly, which fishermen always do. Although it is a defence, it is a defence against not meaning to do it. However, I am not sure it is a meaningful defence for those people who, close to their bag limit, drop their fishing line over the side of the boat again—especially if the precious fish that is caught is one that will die anyway.

I like that this bill will act as an example to other areas of our natural resource industries by providing for environment management and monitoring plans. These plans are a major proposed inclusion in the act. Environment management plans are one way to ensure that the onus to maintain the environment rests with those responsible for the environment, be it aquaculture—this bill does a lot to promote the future of aquaculture—or another area of the environment.

Debate adjourned, pursuant to temporary orders.

ABORIGINAL CULTURAL MATERIAL COMMITTEE — SECTION 18 APPLICATIONS

Question on Notice 4000 — Answer Advice

HON PETER COLLIER (North Metropolitan — Minister for Indigenous Affairs) [5.21 pm]: Pursuant to standing order 138(d), I wish to inform the house that the answer to question on notice 4000, asked by Hon Robin Chapple on 26 May 2011, will be provided on Tuesday, 16 August 2011.

OOMBULGURRI LANDS ABORIGINAL CORPORATION

Question without Notice 547 — Correction of Answer

HON PETER COLLIER (North Metropolitan — Minister for Indigenous Affairs) [5.22 pm]: I would like to make a correction to an answer that was provided yesterday to Hon Sally Talbot's question without notice 547. The answer provided to part (7), which asked whether the Department of Indigenous Affairs supported the application, was "yes" when in fact it should have been "not applicable".

QUESTIONS ON NOTICE 3995, 3996 AND 4046

Papers Tabled

Papers relating to answers to questions on notice 3995, 3996 and 4046 were tabled by **Hon Peter Collier (Minister for Energy)**.

WATTLE GROVE AGED-CARE FACILITY — MINISTER FOR PLANNING

Statement

HON ALISON XAMON (East Metropolitan) [5.23 pm]: I rise this evening to talk about an issue in my electorate, the East Metropolitan Region, that is causing a significant level of controversy and grief amongst the affected community. I am speaking tonight about the community of the semirural suburb of Wattle Grove and specifically about the planning process currently underway and the resultant breakdown in relationships over a proposed spot rezoning of lot 500 Gavour Road, which is designed to enable a medium-density, over-55s development in an area currently zoned semirural. This proposal is not new. In various forms, this development and the required amendment to the metropolitan region scheme have been proposed several times over the past several years. In both 2004 and 2007, the issue was considered by the Kalamunda council and discarded in both

instances. However, the Shire of Kalamunda has now decided that it supports the proposal and is requesting the rezoning take place. As a result, the planning minister has imposed a number of conditions on his agreement to advertise the amendment, and the shire is now in the process of developing a new town planning scheme that is intended to address a number of concerns about the process. Unfortunately, the most recent round of actions to rezone this land has created considerable acrimony within the community. Effectively, it has become an issue between the people who live there now and the people who wish to see aged-care facilities proceed.

There is no question that we need to ensure there are additional aged-care beds in the Perth hills region. That issue has come up in this place before and I have noticed that all parties have agreed that there is a shortage of aged-care beds across Western Australia generally, but it is a particular issue within the Perth hills region of the metropolitan area. That is not in dispute. I note also local residents who live in Wattle Grove are very clear that they do not want to leave the area and want to ensure that they can live out the rest of their lives in an area that is very important to them. At the same time there are real tensions within the community because this is an area that has been zoned semirural for a very long time. People bought into the area because of its amenity on the basis that it was zoned semirural and they are feeling particularly aggrieved about the proposal.

That was of enough concern to them, but now, effectively, the whole debate has become quite toxic and that is what I want to talk about tonight. Rather than the issue being merely about an orderly planning process or at least moving towards a change in planning, it has turned into a very divisive and nasty fight within that community. The Wattle Grove Action Group is made up of residents who live in the area, and are of no particular political persuasion; they are united by one thing, namely, that they live in the area and share a common love of its current amenity. The group is now regularly receiving letters from the developer's lawyers, who are threatening potential defamation action against them. They are very clear that they do not believe that anything they are saying or doing in trying to express their concerns about this process is defamatory, yet they are becoming increasingly distressed by what they perceive are these attempts to effectively silence their lawful right to express their concern about the planning process. Already they feel that standing up for what they believe is a treasured way of life is costing them money. They are also talking to me about their distress and lack of sleep and how angry they are feeling. Now they feel that this additional threat of potential legal action, which they feel is utterly unjustified, is adding more fear to the pile. They are quite outraged about what they feel is no basis to any defamation claim. I want to be very clear that no defamation action has been taken against any of these people; it is simply the threat of it, so there is nothing to indicate they have engaged in anything improper. They are now wondering what standing up for what they believe will cost them. They are asking whether it will cost them their homes. They feel as though this united community group—a significant group—of people, who will be the most immediately affected by the rezoning, is on the verge of being stifled through the threat of legal action.

I want to draw this issue to the attention of Parliament because I feel very strongly that when there are disputes over planning processes, we need to ensure that at no point should legitimate opposition be stifled through the threat of legal action, particularly when there is no basis for that legal action. It has been deeply divisive to this community and, as I say, emotions are running very high. They feel embattled that they have been silenced and that their reasonable and sensible objections to the rezoning and variation between the conditions on the rezoning and the expectation of other residents of the shire are being blatantly ignored.

At the moment everyone is waiting for the Minister for Planning to make a decision. I am calling on the Minister for Planning to do more than that. This is in his electorate; these are his constituents. I ask the minister to intervene in this situation to see whether he can work with the community and the council to try to achieve an outcome that will come close to meeting people's needs, and certainly to have the threat of legal action and those sorts of tactics taken off the table.

WATTLE GROVE AGED-CARE FACILITY — MINISTER FOR PLANNING

Statement

HON ALYSSA HAYDEN (East Metropolitan) [5.30 pm]: I thank Hon Alison Xamon for raising here tonight the issue of the application for a Wattle Grove aged-care facility. The reason I rise to speak is that it is a big issue that has come up in our electorate. But it saddens me to see the issue being played out by the media in our local papers against our very hardworking local member and minister, Hon John Day. As the Minister for Planning, he has a very difficult task, and being the local member makes it even more difficult. He is not a man who would normally stand up and defend himself, so I feel it is my duty to do that for him tonight—not against Hon Alison Xamon but against the issue that has been building up in his and my electorate.

An aged-care facility is well overdue and well needed for the area around Wattle Grove and the bottom of the hills area as a whole. Many people who grew up, brought up their families and live in the hills do not want to move out of the hills area into a metropolitan-style aged-care facility. It is something that we are lacking greatly in that area. However, the application that has come forward is in a semirural zoned area, and I also have compassion and feelings for those people who live in that area and who want to keep it that way. It is all very

well to say that we need an aged-care facility, but to what detriment do we put one in? We do not need to upset the residents who already live there and who bought property in this area to have peace and quiet, as residents can have at the bottom of hills, by inflicting on them a high-density aged-care facility.

The other reason this area is not conducive to having an aged-care facility is that currently there are no facilities there to support one. There needs to be bus systems, chemists, doctors' surgeries and retail shops so that they can get milk if they need milk. Currently none of this is available in that location. I commend the Shire of Kalamunda, which has done a full plan trying to locate other areas within its local government area that could hold an aged-care facility.

I note from the current application by the gentleman who wants to go forward with the aged-care facility that he also owns this land. So it is very easy to give him a yes because he is prepared to put up the \$70 million required to build an aged-care facility. If we do identify other land, which I believe the Shire of Kalamunda has, the difficulty will be identifying someone who is prepared to spend \$70 million.

I do not envy the minister, Hon John Day, the decision in front of him, having to balance the need for an aged-care facility and the planning requirements that he is in charge of as the Minister for Planning. I hope that the local community understands the bigger picture in this issue and does not take him to task over it.

LIVE CATTLE TRADE

Statement

HON LYNN MacLAREN (South Metropolitan) [5.33 pm]: I appreciate the opportunity to give a member's statement tonight because several members commented in their speeches on the budget on live exports, directly in response to my speech on the budget. I want to take this opportunity to address just four of the points that were made. Many points have been made about it over the past few days, and there is more to be said. But I want members to have these points in mind, particularly over the weekend, because there will be a massive rally opposing live exports in Fremantle on Sunday at 12 o'clock, at which I will have an opportunity to speak, as will the member for Maylands, Lisa Baker. In fact, the president of the RSPCA, Lynne Bradshaw, will also have an opportunity to speak at the rally.

I was very shocked today to hear Hon Nigel Hallett call for greater constraints on the RSPCA, particularly government funding constraints. This verges on silencing dissent. I feel strongly that the RSPCA plays a very important role in providing a voice for the voiceless and is properly funded by government to fulfil that role. Any suggestion that it should not be funded by government and that it should shut up about live exports and the welfare impacts on those animals is entirely unacceptable to me and, I know, to many members on this side of the house. I hope the honourable member will reconsider his suggestion. In fact, I was also concerned that other members, including Hon Ken Baston, who is in the chamber now, were supportive of that suggestion. I urge the government to continue funding the RSPCA, as it plays a very important role in society. I believe that Western Australians support the decision to increase funding to the RSPCA, as the government has done and as Hon Brian Ellis articulated in his comments on the budget.

One of the other three points that I want to discuss is food security in Indonesia. As I mentioned in my speech on the budget, the average intake of red meat by an Indonesian is two kilograms a year. We are not talking about starving Indonesians. In fact, I attended last night's launch of Oxfam Australia's "Grow" campaign, which is looking at real food security initiatives. Those initiatives include local production, small-scale farming, and investing in infrastructure such as roads, trucks and storage facilities so that real food can be given to Indonesians. That is just one group that will benefit from the initiatives that Oxfam is advocating. It is entirely erroneous to suggest that live exports from Western Australia, or from anywhere in Australia, is a food security issue. In fact, exporting packaged meat would provide much more food to those countries and also would bring in those export dollars that Hon Ken Baston was keen to point out. When we talk about packaged meat, we are talking about real export dollars, and we are also talking about the multiplier effect of employing more Australians—yes, more Australians—in the pastoral region in locally located abattoirs. That economic argument should make it clear to everyone on both sides of the house that this is an employment generator and it is a good welfare move. I seem to have covered the last two points I wanted to make by merging them all together.

I draw members' attention to the fact that the Australian Greens' Live Animal Export (Slaughter) Prohibition Bill (No. 2) 2011 will soon be debated in the federal Parliament, as will another bill from one of the Independents. I hope that the standard of debate in the federal Parliament is high and, hopefully, will be informed by the Senate inquiry. The Senate inquiry is looking into the particular issue that the member has raised—that is, have Australian exports to those other countries improved animal welfare conditions? I know—Hon Philip Gardiner has spoken to me about this—that members believe that there is evidence that animal welfare conditions have improved because of our export activities. Unfortunately, the documented evidence that we have seen in recent news reports in both the *60 Minutes* and *Four Corners* reports have illustrated otherwise. It is therefore fair enough for us to question that in detail. Have we actually made a difference? The Senate

inquiry is looking at that. The terms of reference are to investigate and report into the role and effectiveness of government and various industry bodies—I am sure Meat and Livestock Australia is included in that—in improving animal welfare standards in Australia’s live export markets. Let us get the evidence. Let us talk about this issue based on the evidence and not just based on opinions and people’s concern for a small number of people who are benefiting economically from this. Let us look at that big picture and find out whether we can look after the welfare of animals sustainably, and I assure members we will have a consensus.

RESTRAINING ORDERS AMENDMENT BILL 2011

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Norman Moore (Leader of the House)** on behalf of the Parliamentary Secretary to the Attorney General, read a first time.

Second Reading

HON NORMAN MOORE (Mining and Pastoral — Leader of the House) [5.41 pm]: I move —

That the bill be now read a second time.

I read this on behalf of the Parliamentary Secretary to the Attorney General.

Let us be clear from the outset that domestic violence is a serious issue with ramifications that can affect the whole community. A national report prepared by Dr Rochelle Braaf of the University of New South Wales in March 2011 concludes that domestic abuse across the nation costs the Australian economy more than \$13 billion annually. In 2005, the Australian Bureau of Statistics publication “Personal Safety Survey, Australia” found that in the preceding year some 443 000 women across Australia had experienced some form of violence. Further, the report indicated that in 2005 some 1 135 000 women had, since the age of 15 years, experienced some form of violence from a current or previous partner.

In Western Australia, in the 12-month period from 2008 to 2009, some 30 000 incidents of family and domestic violence were responded to by WA Police. Over 12 000 of these incidents resulted in the police laying criminal charges. According to the “WA Strategic Plan for Family and Domestic Violence 2009–2013”, between May 2008 and April 2009, 17 people died as a direct result of family and domestic violence.

Since their introduction in 1998, the number of applications for violence restraining orders has grown from about 8 000 a year to over 13 000 in 2010. Since 2005, when police orders were introduced, the number of 24-hour orders issued by the police increased from under 300 to nearly 9 000. Although the state now has a number of initiatives aimed at curbing family violence, including various Department for Child Protection programs and the Family Violence Courts now operating throughout the metropolitan area, the restraining order has been a major tool in preventing violence and protecting victims.

Interestingly, restraining orders as a legislative response to violence have a relatively recent history. It was less than 30 years ago, in 1982, that amendments were made to the Justices Act 1902 to replace recognisances to keep the peace, which had been part of the Justices Act since 1902, with the ability for a court to impose an order to keep the peace. The 1982 amendments gave police the power to take action against people who breached these orders, and provided specific penalties for these breaches.

In the period from 1982 to 1997, various amendments were made to these orders, including significant increases in the penalty for a breach. Following a comprehensive review, which included structured interviews with a number of victims of domestic violence, the Liberal government introduced the Restraining Orders Act in 1997. This act separately codified restraining orders for the first time, setting out appropriate processes for their application, hearing, cancellation and variation; introduced two types of order—violence restraining orders, or VROs, and misconduct restraining orders, or MROs; and provided for applications to be made by a police officer over the telephone.

Since 1997, a number of reviews of the adequacy of the legislation as a tool for improved intervention in family and domestic violence have taken place. In 2004, the amendments explicitly recognised and defined family and domestic violence and included the concept of aggravation when violent behaviour occurred in a domestic or spousal situation. To provide greater and more immediate protection from violence, part 2, division 3A was introduced into the Restraining Orders Act. This gave police the ability to grant 24-hour restraining orders on the spot without the consent of the person to be protected, and up to 72 hours with consent. These significant changes were subject to a statutory review, which was tabled in Parliament in 2008. The amendments I introduce today are, in part, a follow-on from this review.

The law around restraining orders is particularly challenging. It needs to balance the rights to due process afforded to both applicant and respondent with the need, in many cases, to provide immediate protection to the applicant. Currently, interim restraining orders, which are valid for up to two years if unchallenged, can be granted ex parte, and this continues to cause many respondents to assert that this process is fundamentally unfair.

As a result, changes made to the Restraining Orders Act have generally been incremental, and the ones I introduce today are no exception.

The first significant policy initiative of government is at clause 5, which amends section 13 of the Restraining Orders Act. This has provided the first of many challenges for the drafters, as ideally this clause should have provided that the commission of any unlawful behaviour on the part of the restrained person be a condition of a restraining order. The rationale behind the original proposal was quite clear. Many victims of domestic violence are quoted as saying, “All I want is the violence to end, not the relationship.” It is also a well-known fact that many applicants are not prepared to lay a complaint out of fear and intimidation. Clearly, such a proposal was difficult to sustain in law as, firstly, the criminal law itself is intended to act as a restraint on unlawful behaviour, and, secondly, the restrained person could have been liable to two criminal actions arising from the same event. The end result is the proposed new section 13(6), which contains provision for the court to issue a formal warning to a person subject to a restraining order not to commit certain behaviour and activities that are unlawful.

Clause 6 of the bill, which amends section 16 of the act, was inserted at the request of the police. Restraining orders have to be served personally on the respondent. If this, for whatever reason, cannot be done currently, the order remains servable indefinitely. This amendment simply allows the restraining order to lapse if it cannot be served within a reasonable time.

Clauses 7, 8 and 9 make a number of procedural changes to recognise the fact that some legally defined children live in spousal relationships.

The most substantial change recommended by the statutory review tabled in Parliament in 2008 was for a police order to operate for up to 72 hours without the consent of the applicant. This is implemented through clauses 9 and 10, which will provide immediate protection for an applicant when the violent incident occurs, for instance on a Friday night, and the applicant wishes to apply to the court on Monday morning for a restraining order. As noted in the report, such an order will be of benefit in many of our Indigenous communities in which a significant proportion of the domestic violence is alcohol fuelled. Many of the persons seeking protection in these areas say that all they really want is a temporary cooling-off period for the violent respondent to regain sobriety.

Clause 12 represents another of the challenges facing law-makers in the area of restraining orders—that is, finding the right balance between the rights of the parties to fair process and the need to provide immediate protection to vulnerable people. This clause provides the ability for a respondent who was unable to attend a final order hearing—subsequently the interim order was automatically turned into a final order—to apply to the court for a re-hearing. This will ensure that a person who may potentially be subject to onerous restraint conditions be given every reasonable opportunity to challenge the order and the facts upon which it was made.

The government’s firm commitment to get tough on crime, especially repeated crime, is in evidence in proposed new section 61A. It is often said that a restraining order is only as good as the system that backs it up. One aspect of the response to a breach of a restraining order that needs closer scrutiny is the penalty arrangements for persons who repeatedly breach them. To be honest, the government was shocked when information presented to me by the Department of the Attorney General showed that over 40 per cent of offenders who had breached their restraining orders for the fourth time—I repeat, for the fourth time—still received only a modest fine of around \$200.

As a result, the government, through clause 15, intends to introduce the concept of penalty escalation for repeated breach of a restraining order, as is the case in New South Wales, Queensland, the Northern Territory and Tasmania. The clause essentially provides that when a person is convicted of a third breach of a restraining order, when the two previous convictions were within a specified time, the court should impose a term of imprisonment if the offender is an adult, or a term of detention if the offender is a juvenile. By virtue of subclause (6), this is not a mandatory requirement, but, rather, a presumptive clause of imprisonment, unless the court believes the criteria in subclauses (6)(a) and (6)(b) are met. If this is the case, then subclause (7) requires the court to provide written reasons.

Clause 15, through the proposed introduction of a new section 61B, deals with the difficult issue of any role the protected person may play in a breach of the restraining order by the respondent. The issue of consent as a defence to a charge of breach of a restraining order was introduced in the 2004 amendments. Discussion in the 2008 statutory review centred on the possibility that the removal of consent as a defence may have led to the situation in which any form of assistance provided by the protected person to the respondent that may have contributed to the breach has come to be regarded as a mitigating factor in sentencing. Clearly, this is undesirable, and clause 15 provides that any such actions cannot be used as circumstances of mitigation under proposed section 61B(2), although such actions in themselves do not constitute a criminal offence under proposed section 61B(3).

A final provision in the bill—clauses 16 and 17—will amend the Criminal Investigation Act 2006 and respond to calls made by victims of domestic violence for some time. It qualifies the definition of a serious offence in section 128(1) of the Criminal Investigation Act to include a breach of a restraining order as an offence for which, when a charge is laid, the police should proceed by arrest rather than by summons.

In all, these amendments represent an incremental improvement to a vital area of legislation in the public interest, but one that poses significant challenge for a legislative response. The amendments are aimed at providing victims with greater protection, making access to the remedy of a restraining order easier, whilst ensuring that persons who repeatedly flout the conditions that afford the victim some protection are dealt with in a far more robust way. I repeat what I said earlier, and which others have said on many occasions: a restraining order is only as effective as the system that backs it up. The amendments I introduce today are designed to improve the effectiveness of the state's legislative response.

I commend the bill to the house.

Debate adjourned, pursuant to standing orders.

House adjourned at 5.50 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

ROAD SAFETY PROJECTS — FUNDING APPROVAL

3995. Hon Kate Doust to the Minister for Energy representing the Minister for Road Safety

Which road safety projects have been approved for funding by the Minister on the recommendation of the Road Safety Council for the 2010-2011 and 2011-2012 financial years?

Hon PETER COLLIER replied:

[See paper 3593.]

POLICE — SPONSORSHIP AND CONTRIBUTIONS BY INDUSTRY

3996. Hon Kate Doust to the Minister for Energy representing the Minister for Police

- (1) Which organisations or persons who provide funds, accommodation, or in-kind services for the conduct of police business such as contributions to the Gold Squad operations by the mining industry?
- (2) What is the amount each of those contributions?
- (3) What is the location of the police activity sponsored?
- (4) For each organisation or person listed in (1), what is the nature of any agreement with each entity?
- (5) Has the agreement been agreed to by letter, formal contract, memorandum of understanding, or other?
- (6) In each case, what is the rationale for the contribution?

Hon PETER COLLIER replied:

(1)–(6) [See paper 3594.]

"ROADS TO EXPORT" — GREATER BUNBURY INFRASTRUCTURE PLAN

4034. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Regional Development

I refer to the Roads to Export report, and ask —

- (1) What is the Government's timetable for delivery of the critical infrastructure projects identified in the report, namely the upgrade of the Coalfields Highway, the Brunswick to Port Railway, the Bunbury Outer Ring Road completion and the diversion of the Preston River?
- (2) What is the expected commencement and completion dates for each of the projects listed in (1)?
- (3) What action is the Government taking to progress these critical South West infrastructure projects?

Hon WENDY DUNCAN replied:

Please refer to Legislative Council Question on Notice 4025.

BUNBURY PORT — EXPANSION FUNDING

4035. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Regional Development

I refer to the expansion of the Bunbury Port, and ask —

- (1) What is the Government's timeline for funding the expansion of the Bunbury Port?
- (2) What is the current status of this project?
- (3) What are the commencement and completion dates for the project?
- (4) What funding will the Government commit to this critical infrastructure project and when?

Hon WENDY DUNCAN replied:

Please refer to Legislative Council Question on Notice 4026.

MARGARET RIVER PERIMETER ROAD — FUNDING

4036. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Regional Development

I refer to the Margaret River Perimeter Road, and ask —

- (1) What is the current status of this project?
- (2) What funding has the Government allocated to this project?

- (3) What is the expected total cost of the project?
 (4) What are the expected commencement and completion dates for the project?

Hon WENDY DUNCAN replied:

Please refer to Legislative Council Question on Notice 4029.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4046. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Anketell;
- (b) Baldivis;
- (c) Bertram;
- (d) Calista;
- (e) Casuarina;
- (f) Cooloongup;
- (g) East Rockingham;
- (h) Hillman;
- (i) Hope Valley;
- (j) Kwinana Beach;
- (k) Leda;
- (l) Mandogalup;
- (m) Medina;
- (n) Naval Base;
- (o) Orelia;
- (p) Parmelia;
- (q) Postans;
- (r) The Spectacles;
- (s) Waikiki;
- (t) Wand; and
- (u) Wellard?

Hon PETER COLLIER replied:

(a)–(u) [See paper 3595.]

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4047. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Armadale;
- (b) Brookdale;
- (c) Camillo;
- (d) Champion Lakes;
- (e) Forrestdale;
- (f) Haynes;
- (g) Hilbert;
- (h) Kelmscott;
- (i) Mt Nasura;
- (j) Mt Richon;
- (k) Seville Grove; and
- (i) Wungong?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4048. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Alfred Cove;
- (b) Bibra Lake;
- (c) Coolbellup;
- (d) Hamilton Hill;
- (e) Hilton;
- (f) Kardinya;
- (g) Melville;
- (h) Myaree;
- (i) O'Connor;
- (j) Palmyra;
- (k) Samson; and
- (i) Willagee?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4049. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Alexander Heights;
- (b) Dianella;
- (c) Koondoola;
- (d) Mirrabooka;
- (e) Nollamara; and
- (f) Westminster?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4050. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Beaconsfield;
- (b) Bicton;
- (c) East Fremantle;
- (d) Fremantle;
- (e) Hamilton Hill;
- (f) North Coogee;
- (g) Palmyra;
- (h) Rottneest Island;
- (i) South Fremantle;
- (j) Spearwood; and
- (k) White Gum Valley?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4051. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Balga;
- (b) Girrawheen;
- (c) Hamersley;
- (d) Marangaroo; and
- (e) Warwick?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4052. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Cooloongup;
- (b) East Rockingham;
- (c) Garden Island;
- (d) Peron;
- (e) Rockingham;
- (f) Safety Bay;
- (g) Shoalwater; and
- (h) Waikiki?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4053. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Barragup;
- (b) Coodanup;
- (c) Furnissdale;
- (d) Greenfields;
- (e) Lakelands;
- (f) Madora Bay;
- (g) Mandurah;
- (h) Meadow Springs;
- (i) Parklands;
- (j) San Remo; and
- (k) Silver Sands?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4054. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Ashfield;
- (b) Bassendean;
- (c) Bayswater;
- (d) Beechboro;
- (e) Eden Hill;
- (f) Kiara;
- (g) Lockridge; and
- (h) Morley?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4055. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Baldivis;
- (b) Golden Bay;
- (c) Karnup;
- (d) Port Kennedy;

- (e) Secret Harbour;
- (f) Singleton;
- (g) Waikiki; and
- (h) Warnbro?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4056. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Beeliar;
- (b) Bibra Lake;
- (c) Cockburn Central;
- (d) Coogee;
- (e) Hammond Park;
- (f) Henderson;
- (g) Munster;
- (h) South Lake;
- (i) Spearwood;
- (j) Success;
- (k) Wattleup; and
- (i) Yangebup?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4057. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Beckenham;
- (b) Cannington;
- (c) East Cannington;
- (d) Ferndale;
- (e) Langford;
- (f) Lynwood;
- (g) Queens Park;
- (h) Thornlie; and
- (i) Wilson?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4058. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Bayswater;
- (b) Bedford;
- (c) Embleton;
- (d) Inglewood;
- (e) Maylands; and
- (f) Morley?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4059. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Bentley;
- (b) Burswood;
- (c) Carlisle;
- (d) East Victoria Park;
- (e) Kensington;
- (f) Lathlain;
- (g) South Perth;
- (h) St James;
- (i) Victoria Park; and
- (j) Welshpool?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4060. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Butler;
- (b) Carabooda;
- (c) Clarkson;
- (d) Eglinton;
- (e) Jindalee;
- (f) Merriwa;
- (g) Mindarie;
- (h) Neerabup;
- (i) Nowergup;
- (j) Pinjar;
- (k) Quinns Rocks;
- (l) Ridgewood;
- (m) Two Rocks; and
- (n) Yanchep?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4061. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Bellevue;
- (b) Boya;
- (c) Darlington;
- (d) Greenmount;
- (e) Guildford;
- (f) Hazelmere;
- (g) Helena Valley;
- (h) Jane Brook;
- (i) Koongamia;
- (j) Middle Swan;
- (k) Midland;
- (l) Midvale;
- (m) Red Hill;
- (n) South Guildford;
- (o) Stratton;

- (p) Swan View;
- (q) Viveash; and
- (r) Woodbridge?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4062. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Coolbinia;
- (b) East Perth;
- (c) Highgate;
- (d) Leederville;
- (e) Mt Hawthorn;
- (f) Mt Lawley;
- (g) North Perth;
- (h) Northbridge;
- (i) Perth; and
- (j) West Perth?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

HORIZON POWER — AVERAGE RESIDENTIAL ELECTRICITY BILL

4063. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs or towns —

- (a) Bilingurr;
- (b) Broome;
- (c) Cable Beach;
- (d) Camballin;
- (e) Cambridge Gulf;
- (f) Cockatoo Island;
- (g) Dampier Peninsula;
- (h) Derby;
- (i) Djugun;
- (j) Drysdale River;
- (k) Durack;
- (l) Eighty Mile Beach;
- (m) Fitzroy Crossing;
- (n) Geegully Creek;
- (o) Gibb;
- (p) Gingerah;
- (q) Halls Creek;
- (r) Kalumburu;
- (s) Kimbolton;
- (t) King Leopold Ranges;
- (u) Kununurra;
- (v) Lagrange;
- (w) Lake Argyle;
- (x) Mcbeath;
- (y) Meda;
- (z) Minyirr;
- (aa) Mitchell Plateau;
- (bb) Mt Hardman;
- (cc) Mueller Ranges;
- (dd) Oombulgurri;
- (ee) Ord River;
- (ff) Prince Regent River;

- (gg) Purnululu;
- (hh) Roebuck;
- (ii) St George Ranges;
- (jj) Sturt Creek;
- (kk) Tanami;
- (ll) Warmun;
- (mm) Waterbank;
- (nn) Willare; and
- (oo) Wyndham?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4064. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Ascot;
- (b) Belmont;
- (c) Cloverdale;
- (d) Kewdale;
- (e) Redcliffe;
- (f) Rivervale; and
- (g) South Guildford?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4065. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Gosnells;
- (b) Huntingdale; and
- (c) Thornlie?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILL

4066. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Ballajura;
- (b) Beechboro;
- (c) Caversham;
- (d) Cullacabardee;
- (e) Henley Brook;
- (f) Landsdale;
- (g) Malaga;
- (h) West Swan; and
- (i) Whiteman?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

HORIZON POWER — AVERAGE RESIDENTIAL ELECTRICITY BILL

4067. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs or towns —

- (a) Boodarie;
- (b) Chichester;
- (c) De Grey;
- (d) Fortescue;
- (e) Gibson Desert North;
- (f) Gibson Desert South;
- (g) Indee;
- (h) Innawanga;
- (i) Karijini;
- (j) Marble Bar;
- (k) Millstream;
- (l) Mt Sheila;
- (m) Mulga Downs;
- (n) Newman;
- (o) Nullagine;
- (p) Pannawonica;
- (q) Paraburdoo;
- (r) Pardoo;
- (s) Pippingarra;
- (t) Port Hedland;
- (u) Redbank;
- (v) Rocklea;
- (w) South Hedland;
- (x) Strelley;
- (y) Telfer;
- (z) Tom Price;
- (aa) Wedgefield; and
- (bb) Wittenoom?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4068. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Beldon;
- (b) Connolly;
- (c) Craigie;
- (d) Currambine;
- (e) Edgewater;
- (f) Heathridge; and
- (g) Joondalup?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

HORIZON POWER — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4069. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs or towns —

- (a) Nickol;
- (b) Bulgarra;
- (c) Exmouth;
- (d) Millars Well;
- (e) Pegs Creek;
- (f) Baynton;
- (g) Wickham;
- (h) Dampier;
- (i) South Carnarvon;
- (j) Brockman;

- (k) Roebourne;
- (l) East Carnarvon;
- (m) Morgantown;
- (n) Denham;
- (o) Onslow;
- (p) Meekatharra;
- (q) Mt Magnet;
- (r) North Plantations;
- (s) Kingsford;
- (t) Gascoyne River;
- (u) Cue;
- (v) Point Samson;
- (w) South Plantations;
- (x) Carnarvon;
- (y) Brown Range;
- (z) Yalgoo;
- (aa) Coral Bay;
- (bb) Greys Plain; and
- (cc) Useless Loop?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4070. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Balcatta;
- (b) Stirling;
- (c) Tuart Hill;
- (d) Joondanna;
- (e) Osborne Park; and
- (f) Hamersley?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4071. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs or towns —

- (a) Eaton;
- (b) Collie;
- (c) Dalyellup;
- (d) Donnybrook;
- (e) Gelorup;
- (f) Capel;
- (g) Boyanup;
- (h) Millbridge;
- (i) Stratham;
- (j) Dardanup West;
- (k) Allanson;
- (l) Balingup;
- (m) Burekup;
- (n) Argyle;
- (o) Dardanup;
- (p) Peppermint Grove Beach;
- (q) North Boyanup;
- (r) Ferguson;
- (s) Brookhampton;
- (t) Kirup;

- (u) Crooked Brook;
- (v) Upper Capel;
- (w) Paradise;
- (x) Yabberup;
- (y) Capel River;
- (z) Waterloo; and
- (aa) Lowden?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4072. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Forrestfield;
- (b) High Wycombe;
- (c) Kenwick;
- (d) Maida Vale;
- (e) Wattle Grove;
- (f) Maddington;
- (g) Orange Grove; and
- (h) Gooseberry Hill?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4073. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs or towns —

- (a) Spencer Park;
- (b) Yakamia;
- (c) Mckail;
- (d) Bayonet Head;
- (e) Orana;
- (f) Lower King;
- (g) Mira Mar;
- (h) Little Grove;
- (i) Albany;
- (j) Mt Melville;
- (k) Lockyer;
- (l) Milpara;
- (m) Gledhow;
- (n) Middleton Beach;
- (o) Collingwood Heights;
- (p) Mt Clarence;
- (q) Kalgan;
- (r) Robinson;
- (s) Centennial Park;
- (t) Warrenup;
- (u) Elleker;
- (v) Emu Point;
- (w) Torbay;
- (x) Youngs Siding;
- (y) Willyung;
- (z) Goode Beach;
- (aa) Napier;
- (bb) Collingwood Park;
- (cc) Millbrook;
- (dd) King River;

- (ee) Kronkup;
- (ff) Big Grove;
- (gg) Marbelup;
- (hh) Redmond;
- (ii) Seppings;
- (jj) Port Albany;
- (kk) Cuthbert; and
- (i) Lowlands?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4074. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Willetton;
- (b) Parkwood;
- (c) Riverton;
- (d) Shelley; and
- (e) Rossmoyne?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4075. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Wanneroo;
- (b) Tapping;
- (c) Carramar;
- (d) Darch;
- (e) Hocking;
- (f) Madeley;
- (g) Banksia Grove;
- (h) Ashby;
- (i) Pearsall;
- (j) Gnangara;
- (k) Sinagra;
- (l) Mariginiup;
- (m) Jandabup;
- (n) Wangara; and
- (o) Landsdale?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4076. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Morley;
- (b) Dianella;
- (c) Noranda;
- (d) Beechboro; and
- (e) Embleton?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4077. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Canning Vale;
- (b) Thornlie;
- (c) Huntingdale;
- (d) Southern River; and
- (e) Gosnells?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4078. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Leeming;
- (b) Atwell;
- (c) South Lake;
- (d) Bibra Lake;
- (e) Jandakot;
- (f) Aubin Grove;
- (g) Banjup;
- (h) Kardinya;
- (i) North Lake; and
- (j) Murdoch?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4079. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Yokine;
- (b) Dianella;
- (c) Mt Lawley;
- (d) Menora;
- (e) Coolbinia;
- (f) Inglewood;
- (g) Maylands;
- (h) Perth;
- (i) East Perth; and
- (j) Highgate?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — AVERAGE RESIDENTIAL ELECTRICITY BILLS

4080. Hon Kate Doust to the Minister for Energy

What was the average residential electricity bill issued by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs or towns —

- (a) Mt Tarcoola;
- (b) Geraldton;
- (c) Wandina;
- (d) Spalding;
- (e) Waggrakine;
- (f) Rangeway;

- (g) Wonthella;
- (h) Tarcoola Beach;
- (i) Beresford;
- (j) Bluff Point;
- (k) Beachlands;
- (l) Woorree;
- (m) Sunset Beach;
- (n) Strathalbyn;
- (o) Utakarra;
- (p) Mahomets Flats;
- (q) Drummond Cove;
- (r) Moresby;
- (s) West End;
- (t) Glenfield;
- (u) Deepdale;
- (v) Karloo;
- (w) Cape Burney;
- (x) Walkaway;
- (y) Greenough;
- (z) Moonyoonooka;
- (aa) Webberton;
- (bb) South Greenough; and
- (cc) Rudds Gully?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4082. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Anketell;
- (b) Baldvis;
- (c) Bertram;
- (d) Calista;
- (e) Casuarina;
- (f) Cooloongup;
- (g) East Rockingham;
- (h) Hillman;
- (i) Hope Valley;
- (j) Kwinana Beach;
- (k) Leda;
- (l) Mandogalup;
- (m) Medina;
- (n) Naval Base;
- (o) Orelia;
- (p) Parmelia;
- (q) Postans;
- (r) The Spectacles;
- (s) Waikiki;
- (t) Wand; and
- (u) Wellard?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4083. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Armadale;
- (b) Brookdale;
- (c) Camillo;
- (d) Champion Lakes;
- (e) Forrestdale;
- (f) Haynes;
- (g) Hilbert;
- (h) Kelmscott;
- (i) Mt Nasura;
- (j) Mt Richon;
- (k) Seville Grove; and
- (l) Wungong?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4084. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Alfred Cove;
- (b) Bibra Lake;
- (c) Coolbellup;
- (d) Hamilton Hill;
- (e) Hilton;
- (f) Kardinya;
- (g) Melville;
- (h) Myaree;
- (i) O'Connor;
- (j) Palmyra;
- (k) Samson; and
- (i) Willagee?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4085. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Alexander Heights;
- (b) Dianella;
- (c) Koondoola;
- (d) Mirrabooka;
- (e) Nollamara; and
- (f) Westminster?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4086. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Beaconsfield;
- (b) Bicton;
- (c) East Fremantle;
- (d) Fremantle;
- (e) Hamilton Hill;
- (f) North Coogee;

- (g) Palmyra;
- (h) Rottnest Island;
- (i) South Fremantle;
- (j) Spearwood; and
- (k) White Gum Valley?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4087. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Balga;
- (b) Girrawheen;
- (c) Hamersley;
- (d) Marangaroo; and
- (e) Warwick?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4088. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Cooloongup;
- (b) East Rockingham;
- (c) Garden Island;
- (d) Peron;
- (e) Rockingham;
- (f) Safety Bay;
- (g) Shoalwater; and
- (h) Waikiki?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4089. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Barragup;
- (b) Coodanup;
- (c) Furnissdale;
- (d) Greenfields;
- (e) Lakelands;
- (f) Madora Bay;
- (g) Mandurah;
- (h) Meadow Springs;
- (i) Parklands;
- (j) San Remo; and
- (k) Silver Sands?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4090. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Ashfield;
- (b) Bassendean;
- (c) Bayswater;
- (d) Beechboro;
- (e) Eden Hill;
- (f) Kiara;
- (g) Lockridge; and
- (h) Morley?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4091. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Baldivis;
- (b) Golden Bay;
- (c) Karnup;
- (d) Port Kennedy;
- (e) Secret Harbour;
- (f) Singleton;
- (g) Waikiki; and
- (h) Warnbro?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4092. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Beeliar;
- (b) Bibra Lake;
- (c) Cockburn Central;
- (d) Coogee;
- (e) Hammond Park;
- (f) Henderson;
- (g) Munster;
- (h) South Lake;
- (i) Spearwood;
- (j) Success;
- (k) Wattleup; and
- (i) Yangebup?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4093. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Beckenham;
- (b) Cannington;
- (c) East Cannington;
- (d) Ferndale;
- (e) Langford;
- (f) Lynwood;
- (g) Queens Park;
- (h) Thornlie; and
- (i) Wilson?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4094. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Bayswater;
- (b) Bedford;
- (c) Embleton;
- (d) Inglewood;
- (e) Maylands; and
- (f) Morley?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4095. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Bentley;
- (b) Burswood;
- (c) Carlisle;
- (d) East Victoria Park;
- (e) Kensington;
- (f) Lathlain;
- (g) South Perth;
- (h) St James;
- (i) Victoria Park; and
- (j) Welshpool?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4096. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Butler;
- (b) Carabooda;
- (c) Clarkson;
- (d) Eglinton;
- (e) Jindalee;
- (f) Merriwa;
- (g) Mindarie;
- (h) Neerabup;
- (i) Nowergup;
- (j) Pinjar;
- (k) Quinns Rocks;
- (l) Ridgewood;
- (m) Two Rocks; and
- (n) Yanchep?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4097. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Bellevue;
- (b) Boya;
- (c) Darlington;
- (d) Greenmount;
- (e) Guildford;
- (f) Hazelmere;
- (g) Helena Valley;
- (h) Jane Brook;
- (i) Koongamia;
- (j) Middle Swan;
- (k) Midland;
- (l) Midvale;
- (m) Red Hill;
- (n) South Guildford;
- (o) Stratton;
- (p) Swan View;
- (q) Viveash; and
- (r) Woodbridge?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4098. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Coolbinia;
- (b) East Perth;
- (c) Highgate;
- (d) Leederville;
- (e) Mt Hawthorn;
- (f) Mt Lawley;
- (g) North Perth;
- (h) Northbridge;
- (i) Perth; and
- (j) West Perth?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

HORIZON POWER — REGIONAL ELECTRICITY BILLS

4099. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs or towns —

- (a) Bilingurr;
- (b) Broome;
- (c) Cable Beach;
- (d) Camballin;
- (e) Cambridge Gulf;
- (f) Cockatoo Island;
- (g) Dampier Peninsula;
- (h) Derby;
- (i) Djugun;
- (j) Drysdale River;
- (k) Durack;
- (l) Eighty Mile Beach;
- (m) Fitzroy Crossing;
- (n) Geegully Creek;
- (o) Gibb;
- (p) Gingerah;
- (q) Halls Creek;

- (r) Kalumburu;
- (s) Kimbolton;
- (t) King Leopold Ranges;
- (u) Kununurra;
- (v) Lagrange;
- (w) Lake Argyle;
- (x) Mcbeath;
- (y) Meda;
- (z) Minyirr;
- (aa) Mitchell Plateau;
- (bb) Mt Hardman;
- (cc) Mueller Ranges;
- (dd) Oombulgurri;
- (ee) Ord River;
- (ff) Prince Regent River;
- (gg) Purnululu;
- (hh) Roebuck;
- (ii) St George Ranges;
- (jj) Sturt Creek;
- (kk) Tanami;
- (ll) Warmun;
- (mm) Waterbank;
- (nn) Willare; and
- (oo) Wyndham?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

SYNERGY — SUBURB ELECTRICITY BILLS

4100. Hon Kate Doust to the Minister for Energy

What was the total dollar amount billed by Synergy or Horizon between 1 January and 30 April for 2008, 2009, 2010 and 2011 in the following suburbs —

- (a) Ascot;
- (b) Belmont;
- (c) Cloverdale;
- (d) Kewdale;
- (e) Redcliffe;
- (f) Rivervale; and
- (g) South Guildford?

Hon PETER COLLIER replied:

Please refer to Legislative Council Question on Notice 4046.

CITY OF ALBANY — BETTER PRACTICE REVIEW

4197. Hon Giz Watson to the Minister for Child Protection representing the Minister for Local Government

Regarding the *Better Practice Review* for the City of Albany, I ask —

- (1) Has the Review been finalised?
- (2) What recommendations were made?
- (3) Will the Minister table the report?
- (4) If not to (3), why not?
- (5) Does the Minister consider that the governance issues in the City of Albany have been resolved?
- (6) If no to (5), will the Minister conduct an inquiry?
- (7) If no to (6), why not?
- (8) How much did the *Better Practice Review* cost?

Hon ROBYN McSWEENEY replied:

- (1) Yes.

- (2) Refer to the report, available in either hard copy format (limited numbers) from the Department of Local Government or in electronic format from the Department's or the City of Albany's website (www.dlg.wa.gov.au or www.albany.wa.gov.au).
- (3) No.
- (4) The report is a public document. Copies are available in either hard copy format (limited numbers) from the Department of Local Government or in electronic format from the Department's or the City of Albany's website (www.dlg.wa.gov.au or www.albany.wa.gov.au).
- (5) The City has made strong progress towards resolving the governance issues that it was experiencing in 2010. The new Chief Executive Officer, Ms Faileen James, has expressed her commitment to implementing the recommendations of the Better Practice Review as well as the recommendations of the independent planning consultant and mediator as soon as possible.
- I am encouraged by the recent progress made by the City but nonetheless continue to closely monitor its progress. Officers of my Department are also in regular contact with the City.
- (6) No.
- (7) Refer to answer 5.
- (8) Approximately \$50,000 consisting of:
- salary of three FTEs @ estimated eight weeks total time;
 - approx \$5,200 accommodation and travel expenses; and
 - approx \$2,500 report printing costs.

This does not include costs for the City of Albany to address the report's recommendations.

Note: The Better Practice Review was conducted within the Department's existing budget. No additional funding was sought and no financial records are recorded for the specific costs of staff time spent on the Review.

REGIONAL DEVELOPMENT COUNCIL — PROJECT FUNDING

4201. Hon Adele Farina to the Parliamentary Secretary representing the Minister for Regional Development

I refer to the advice received in response to a Freedom of Information Access Application, that all projects going through the Regional Development Council (RDC) for funding from the Regional Strategic Fund have been successful, and ask —

- (1) Will the Minister detail the process by which projects are assessed for referral to the RDC and the basis on which projects are approved for referral to the RDC for consideration of funding from the Regional Strategic fund?
- (2) From 2010 and 2011, how many projects seeking funding from the Regional Strategic Fund were not referred to the RDC?
- (3) Who, or what body, determines whether a project will be funded from the Regional Strategic Fund?
- (4) What criteria must a project meet in order to be successful in securing funding from the Regional Strategic Fund?
- (5) Is a business case for a project required before the RDC will consider the project for funding from the Regional Strategic Fund?
- (6) Is the signing of a funding agreement a precondition to monies being paid?

Hon WENDY DUNCAN replied:

- (1) Royalties for Regions does not include a Regional Strategic Fund. Funds to support Regional Strategic Projects are sourced from the Regional Community Services Fund.

Project proponents are encouraged to contact the Department of Regional Development and Lands (RDL) and/or the relevant Development Commission to discuss their project proposals prior to submitting an application for funding sourced through the Regional Development Council (Council).

The Scheme requires potential applicants to consult with the relevant Regional Development Commission(s) so that they can be provided with advice on whether they should proceed to full application. Advice is based on the extent to which the project is likely to meet the Royalties for Regions' objectives (see answer 4). The relevant Regional Development Commission and/or RDL provides feedback and referral to another scheme if appropriate.

Applicants are also required to complete a web based pre-assessment of eligibility form that allows RDL and relevant Development Commissions to consider the eligibility of proposals for the Scheme. If the proposal meets eligibility, the applicant will be issued with a numbered application kit to complete for submission to be lodged with RDL.

Applications are then assessed by RDL against the funding criteria set down for the Scheme, in consultation with the relevant Development Commission(s). RDL will prepare the recommendations on projects for presentation to the Council for consideration.

Projects that are recommended for funding by the Council are then referred to the Minister for Regional Development for consideration and endorsement before presenting to State Cabinet for final approval.

- (2) None.
 - (3) The Regional Development Council, the Minister for Regional Development and State Cabinet.
 - (4) The project should align with one or more of the Royalties for Regions objectives:
 - Increase capacity for local strategic planning and decision making.
 - Retain and build the benefits of regional communities.
 - Promote relevant and accessible local services.
 - Assist communities to plan for a sustainable economic and social future.
 - Enable communities to plan for a sustainable economic and social future.
 - Assist regional communities to prosper through increased employment opportunities, business and industry development.
 - (5)–(6) Yes.
-