

# Legislative Council

Thursday, 23 September 2010

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

## PAPERS TABLED

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

### JOINT STANDING COMMITTEE ON THE REVIEW OF THE RACING AND WAGERING WESTERN AUSTRALIA ACTS

*First Report — “Annual Report 2009–2010” — Tabling*

**Hon Max Trenorden** presented the first report of the Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts titled “Annual Report 2009–2010”, and on his motion it was resolved —

That the report do lie upon the table and be printed.

[See paper 2567.]

### STANDING COMMITTEE ON PUBLIC ADMINISTRATION

*Eleventh Report — “Recreation Activities within Public Drinking Water Source Areas — Tabling*

**HON MAX TRENORDEN (Agricultural)** [10.04 am]: Mr President, I also have what is in my view the more important task of tabling the Standing Committee on Public Administration report. I am directed to present the eleventh report of the Standing Committee on Public Administration in relation to “Recreation Activities within Public Drinking Water Source Areas”. I move --

That the report do lie upon the table and be printed.

Question put and passed.

[See paper 2568.]

*Statement by Chairman*

**HON MAX TRENORDEN (Agricultural)** [10.05 am] — by leave: This report was a response to several ministers putting through this chamber a request to the standing committee to follow up the water issue. There are many submissions. The committee has gone against the general wishes of those submissions. There is a general misunderstanding about drinking water in Western Australia; people believe that a dead kangaroo in a drinking water source is a lot less dangerous to the community than a person swimming in the water. Pathogens are the main problem here. This has been a hard issue. I wanted to take that opportunity to comment, because there are many people waiting for this report and we will not debate it for some time.

### JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

*Eleventh Report — “Annual Report 2009–2010 — Tabling*

**Hon Nick Goiran** presented the eleventh report of the Joint Standing Committee on the Corruption and Crime Commission titled “Annual Report 2009–2010”, and on his motion it was resolved —

That the report do lie upon the table and be printed.

[See paper 2569.]

### SWAN AND CANNING RIVERS — BOAT SPEEDS

*Petition*

**HON SALLY TALBOT (South West)** [10.07 am] — by leave: I present a petition containing 185 signatures couched in the following terms.

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

We the undersigned residents of Western Australia respectfully request that the Environment and Transport ministers:

- acknowledge the evidence contained in the two reports — Investigation into the Effect of Wash of Boats and Wind Waves on the Swan River and Full-Scale Boat Wake and Wind Wave Trials on the Swan River — that speeding boats are a major cause of riverbank erosion in the upper reaches of the Swan and Canning rivers;
- acknowledge the evidence contained in the two reports — Investigation into the Effect of Wash of Boats and Wind Waves on the Swan River and Full-Scale Boat Wake and Wind Wave Trials on the Swan River — that the waves generated by all boats travelling at five knots (9.26kmh) do not carry sufficient energy to erode the riverbanks; and
- work together to ensure that the maximum boat speed limit in the upper reaches of the Swan and Canning rivers is reduced to 5 knots (9.26kmh) before the start of the 2010/11 boating season.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

[See paper 2570.]

**The PRESIDENT:** We will allow a slight deviation of our agenda as we are not used to the late nights!

### DISALLOWANCE MOTIONS

#### *Notice of Motion*

1. Shire of Roebourne Parking and Parking Facilities Local Law 2010.
2. Fish Resources Management Amendment Regulations (No. 3) 2010.
3. Shipping and Pilotage (Ports and Harbours) Amendment Regulations (No. 3) 2010.
4. Surveillance Devices Amendment Regulations 2010.
5. Western Australian Meat Industry Authority Amendment Regulations (No. 2) 2010.

Notice of motions given by **Hon Robin Chapple**.

### BUSINESS OF THE HOUSE

#### *Standing Orders Suspension — Motion*

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [10.13 am] — without notice: I move —

That standing and temporary orders be suspended so far as to enable motions on notice to be taken after non-government business.

By way of brief explanation, members will be aware that we did not deal with motions on notice or the consideration of ministerial reports yesterday to enable the Voluntary Euthanasia Bill 2010 to be dealt with. I agreed that we would deal with those issues today. However, there is some urgency in respect to at least one government bill. I am seeking the agreement of the house to deal with motions on notice today but not consideration of committee reports or ministerial statements. If the motion is agreed to, we would deal with motions on notice directly after non-government business.

**The PRESIDENT:** To be passed, this motion requires the concurrence of an absolute majority.

Question put and passed with an absolute majority.

### COUNTRY LOCAL GOVERNMENT FUND — ALLOCATION

#### *Motion*

**HON HELEN BULLOCK (Mining and Pastoral)** [10.14 am]: — without notice: I move —

That this house expresses its concern at the malapportioned allocation of the country local government fund, which sees 60 per cent allocated to five National Party electorates, 16 per cent allocated to six Liberal Party electorates, six per cent allocated to one Independent electorate and 18 per cent allocated to five Labor Party electorates.

Each year since 2008–09, about \$100 million has been allocated from royalties for regions to the country local government fund. These funds then flow to regional Western Australia. There is no doubt that it is good to spend some money in regional Western Australia to make regional Western Australia a more effective place in which to live or visit for people coming from overseas or from interstate. That is why the Labor Party supported the Royalties for Regions Bill. However, we had some concerns at the time about how the money would be spent. What we have seen so far makes us even more concerned. On the Department of Regional Development and

Lands website is a list of country local government fund allocations. If we arrange those allocations into country electorates, a pattern starts to emerge.

I will use the allocation of funds from the country local government fund 2010–11 as an example. We do not know what projects the funding will be spent on but we do know where it will be spent. A total of \$96 million has been allocated across 17 country seats, of which the National Party has five. The allocation of funding is as follows: Central Wheatbelt, \$14 million; Wagin, \$14 million; Moore, \$11.664 million; Blackwood–Stirling, \$6.264 million; and the North West, \$10 million. That is \$56 million of the \$96 million of total funding, which equates to 60 per cent of the total funding. Of the country Labor electorates, Albany gets only \$1.52 million; Collie, \$4.6 million; the Pilbara, only \$4.1 million; Mandurah, \$665 000; and the Kimberley, \$6.7 million. That totals \$17 million. I have to say that the Labor country electorates are doing much better than the Liberal electorates. The funding allocated to Liberal electorates is: Dawesville, \$665 000; Murray, \$6.353 million; Vasse, \$2.3 million; Geraldton, \$1.6 million; Eyre, \$4.4 million; and Bunbury, \$1.15 million. I am not sure whether members opposite were aware of this before today. Let us look at the Independent electorates. I do not complain about Kalgoorlie, which gets \$6 million. It is no secret that Mr John Bowler is a great supporter of the National Party and is a fan of Mr Tony Crook. I suppose Mr Bowler deserves that. These figures are quite concerning. After I looked at these figures, the first thing that came to my mind was whether the National Party was using its power to provide more benefits to its electorates at the cost of the other electorates. What is the formula for calculating the distribution of the country local government fund? Is the formula used to calculate the allocation fair? I will leave that for members opposite to think about.

On the whole, the population in regional electorates varies from 29 000 to 41 000. The average of each regional electorate is about 35 000. The funding, however, varies from \$14 million for the electorates of, for example, Central Wheatbelt or Wagin to just \$1.15 million for the electorate of Bunbury. The population is similar for each of these electorates, at about 32 000. The question is: what is the legitimate reason for allocating so much funding to electorates such as the Central Wheatbelt or Wagin but not the seat of Bunbury?

**Hon Col Holt:** That is what the formula is for.

**Hon HELEN BULLOCK:** I will come to the formula. I wonder who designed the formula. I am sure there are lots of options for choosing a formula. I am sure the National Party picked the current formula because it is the best option for its purpose.

**Hon Wendy Duncan** interjected.

**Hon HELEN BULLOCK:** The member will have her moment to speak. Unless someone explains to me how the funding allocation is formulated, I must say that the National Party is misusing its power.

**Hon Robyn McSweeney** interjected.

**Hon HELEN BULLOCK:** It is misusing its power.

Several members interjected.

**The PRESIDENT:** Order! Let Hon Helen Bullock make her speech.

**Hon HELEN BULLOCK:** As I mentioned earlier, for 2010–11 there is an allocation of funding to shires across regional Western Australia. However, we do not know what sort of projects the money will be spent on. We are not talking about a small amount of money; we are talking about a total of \$56 million for National Party electorates. The money is sitting in the bank waiting to be withdrawn, yet no project has been proposed to use the funds.

To give members a rough idea of the scale we are talking about, I will use the Shire of Koorda in Central Wheatbelt as an example.

**Hon Wendy Duncan** interjected.

**Hon HELEN BULLOCK:** Thank you very much. I cannot wait to hear from the member. Koorda has a total population of 471.

**Hon Robyn McSweeney:** We know them all by name; they are fantastic people.

**Hon HELEN BULLOCK:** Yes; I must say that this is the next place on my agenda to visit. I want to see how the money was spent. The Shire of Koorda has an allocation of \$720 000—that is \$720 000 for a population of 471. I have a list of projects from the 2008–09 funding allocation that shows what the \$720 000 was spent on. I will take some time to go through them. The shire spent \$350 000 to construct a new building and do minor renovations to its existing community building. In that town of 471 people, \$60 000 was spent on a bit of work around the swimming pool area.

Several members interjected.

**Hon HELEN BULLOCK:** Members opposite can stand and speak after I have finished; I would love to hear from them. The shire also spent \$50 000 to construct a steel frame around the recreation facilities. I am not criticising these projects; I am just explaining what projects the money has been spent on. The amount of \$110 000 was spent on building a community shed and \$50 000 on, presumably, council staff housing. These are the projects that the shire, with a population of 471, spent \$720 000 on in 2008–09. Of course, a similar amount of money was spent on projects that I cannot find listed on the internet because I suppose they have not been published yet. The same amount of money was spent in the shire in 2009–10 and a further \$700 000 will be spent in 2010–11 on projects that are yet unknown; similarly in 2011–12 and 2012–13. The amounts to be spent will be similar because the allocation is based on the royalties for regions formula, which is based on the number of shires that are eligible in the country local government fund. I have to say that only so much money can be spent on a shire with a population of only 471. However, from 2008–09, as long as the country local government fund exists, \$700 000 will continue to be spent each year on projects. In normal circumstances, a project arises first, then a feasibility study is done. It is not normal to have the money sitting in the bank and then decide how the money will be spent. That is a luxury. The government is running the state; it cannot afford such luxury. If the government wants to spend money, it has to think about whether it is economically viable.

In my opinion the Minister for Regional Development has a conflict of interest. The royalties for regions program was established under a National Party initiative; the Minister for Regional Development is in charge of the fund and his electorate benefits from the funding. The proof of the conflict of interest is that his electorate gets the biggest share of the country local government fund. How can someone in that situation claim that he does not have a conflict of interest? His seat receives 14 per cent of the total \$96 million allocation. Can Hon Wendy Duncan provide me with an explanation to ease my concerns about that?

**Hon Wendy Duncan:** With pleasure; with absolute pleasure.

**Hon HELEN BULLOCK:** In the time I have left, I will run through how the allocation of \$14 million has been made to the shires of the Central Wheatbelt, and the population of each of those shires.

The Shire of Beverley has a population of only 1 700, and it has received a funding allocation of \$586 000; the Shire of Mt Marshall has a population of 672, and has received a funding allocation of \$746 000; the Shire of Narrogin has a population of 257 and has received a funding allocation of \$570 000; and the Shire of Westonia has a population of 212 and has received a funding allocation of \$576 000.

Hon Wendy Duncan, I am still struggling with the idea of spending half a million dollars to change the name of the telecentres to community resources centres. Can the parliamentary secretary give me an explanation for that? Can the parliamentary secretary also give me an explanation for why a quarter of a million dollars was spent building a single talking toilet in Bunbury?

**HON WENDY DUNCAN (Mining and Pastoral — Parliamentary Secretary)** [10.34 am]: I thank Hon Helen Bullock for raising this matter today. It gives me an excellent opportunity to explain to her and members of the house how the country local government fund works, and, in fact, how royalties for regions is delivering incredible benefit to regional Western Australia, bringing life, prosperity and amenity into regional Western Australia—something that was sorely missing under the former Labor government.

The country local government fund is just one component of royalties for regions, which distributes benefits to regional communities through the country local government fund, the regional community services fund and the regional infrastructure and headworks fund, which is made up of the major regional strategic projects fund and the regional grants scheme. The country local government fund was established to not only meet the overarching objectives of royalties for regions of promoting strong and vibrant regions, local priorities and local decision making, but also address the \$1.5 billion infrastructure backlog identified by local governments through the Western Australian Local Government Association's systemic sustainability study. This backlog came about because local governments were suffering from lack of funding from cost shifting —

**Hon Jon Ford:** Inefficiency.

**Hon WENDY DUNCAN:** — from having to provide medical services, which should have been the province of the federal government; from having to provide services for the state government without having sufficient funding to cover it —

**Hon Jon Ford:** Duplication of services.

**Hon WENDY DUNCAN:** — and from the increasing burden of approvals and enforcement that was being directed towards local government. Local governments themselves identified that they had a backlog of \$1.5 billion. The local government fund was therefore established to address local infrastructure requirements; to improve asset management and capacity building; and to encourage standardisation of asset management and improve strategic regional governments. Hon Jon Ford talked about efficiency, which is something that the country local government fund has strongly encouraged.

**Hon Jon Ford:** Strongly propped up inefficient, ineffective local governments; head in the sand!

**Hon WENDY DUNCAN:** Hon Helen Bullock does not seem to realise that the second year of the country local government funding was deferred so that each local government could be given \$35 000 to put towards capital works planning.

**Hon Jon Ford:** You guys are a joke!

**Hon WENDY DUNCAN:** Anyone with a modicum of intelligence would probably notice—because there is a bit of a hint in the title—that the country local government fund is about local governments. More of the country local government fund has gone towards the southern half of the state this year because there are more local governments in the southern half of the state; there are many more shires in the southern and Wheatbelt regions.

Several members interjected.

**Hon Helen Bullock:** How many people in the shires?

**Hon WENDY DUNCAN:** Some of the shires in the north have very few people as well; what about Halls Creek? What about some of those smaller shires?

**Hon Jon Ford:** Halls Creek got stuff-all.

**Hon WENDY DUNCAN:** I must confess that I was not going to do any calculations in relation to electorates because, actually, we do not do that, unlike the Labor Party with its faceless men in the backroom with the whiteboard.

Several members interjected.

**Hon WENDY DUNCAN:** But I have had some figures provided to me: the central Wheatbelt has 20 shires; Wagin has 24 shires; Moore has 17; Blackwood–Stirling has eight; North West has 12; Albany has one; Collie–Preston has four; Pilbara has four; Mandurah has one; and, Kimberley has four. That is why that proportion of the country local government fund, which is for country local governments, has gone in that direction.

I sat down last night and did a bit of a calculation.

**Hon Ljiljanna Ravlich:** You should have done it before you gave the money out!

**Hon Jon Ford:** They did a calculation!

**The PRESIDENT:** Order!

**Hon WENDY DUNCAN:** I did a calculation based on the regional development commission regions, and the average amount of funds that has gone to local governments in the Gascoyne region is \$975 000. I will not read them all out because honourable members can look that up for themselves if they want to. In the Kimberley region, the average amount for each local government is \$1.675 million, and in the Pilbara, it is \$1.625 million. That just shows members. The average amount for each local government in the Wheatbelt is \$663 636. Hon Helen Bullock spoke at length about the formula. Let me tell members about the formula.

**Hon Ljiljanna Ravlich:** It was rigged, wasn't it?

**Hon WENDY DUNCAN:** If it is rigged, a lot of funding is going to the regions. The formula is based on the grants commission formula; it is based on funding going to 110 very different local governments and therefore needs to reflect the different circumstances of those local governments. Hon Helen Bullock focused on population, but population is not the only factor to consider when talking about delivering services to regional areas. We need to take into account the length of road that is being managed; we need to take into account remoteness; we need to take into account disabilities—for instance, the proportion of low socioeconomic status population; and we need to take into account the Indigenous population that may need particular assistance. Therefore, the formula was based on an equalisation of need where local governments have limited capacity to fund service provision and asset preservation when reflecting on the different road lengths and the different costs associated with delivering those services and other matters. The 2008–09 formula was established based on the grants commission formula and takes into account the population and other matters. In 2008–09, a total of \$97.5 million was allocated to the country local government fund. Under that arrangement, the Shire of Derby – West Kimberley was the highest recipient, receiving 2.13 per cent or over \$2 million in 2008–09. I have simply tried to explain to members how the formula was derived and the funds allocated.

Members in the other house have raised this issue and have talked about the rorting of royalties for regions and about getting the Auditor General and the Public Accounts Committee involved. We welcome that. We welcome that because we want to see this fund continue into the future, which I do not think the Labor Party does! It does not like the country local government fund and it does not like royalties for regions. Labor wants to see the end of it. However, I will tell members that I have not heard anybody out in the regions say that they do not like royalties for regions and, in particular, I have not heard any local governments—not even the ones that members

opposite say are hard done by—say that they are not happy with the formula. We have worked quite closely with local governments and with the Western Australian Local Government Association to ensure that the formula is fair and reasonable.

Several members interjected.

**The PRESIDENT:** Order, members! One at a time.

**Hon WENDY DUNCAN:** If members are saying the formula is a rort, I draw members' attention to the federal government's R-clip program. Why is it under that program the remote Shire of Halls Creek gets \$30 000 and the Shire of Northam, one hour from Perth, gets \$134 000? It is because they are working on similar formulas. We made these comparisons last year and I tabled a graph that showed the amount of money going to local governments from the country local government fund compared, quite similarly, to the money that the federal Labor government was delivering under its formula. Therefore, I do not think that members opposite have identified a rorting of the system or a problem with the allocation of funds.

**Hon Ljiljanna Ravlich:** Of course there is!

**Hon Sally Talbot:** The problem is identified in the motion. We have identified it. That problem is —

**Hon WENDY DUNCAN:** The problem is that it is not going to the electorates of members opposite. If Hon Sally Talbot continues to decry royalties for regions and continues to say that she does not support it and does not like it, no Labor Party seats will get royalties for regions money because there will be no Labor members out there.

Let us look at the royalties for regions scheme as a whole.

Several members interjected.

**The PRESIDENT:** Order! One at a time.

**Hon WENDY DUNCAN:** One of the reasons we brought royalties for regions into effect was the incredible neglect of the Kimberley and the Pilbara under the former Labor government. Royalties for regions has focused very heavily on the Pilbara, and through the Pilbara revitalisation plan \$23.3 million has been allocated for the revitalisation of South Hedland.

Let us look at some of the shires in the Pilbara. The Shire of Ashburton received an extra \$17 million over and above the country local government fund moneys for the Onslow multipurpose complex and the Tom Price town centre revitalisation. The Shire of Roebourne, over and above the country local government fund, received \$20.3 million; the Shire of East Pilbara, over and above the country local government fund, \$20 million; and the Shire of Port Hedland, over and above the country local government fund, \$20.2 million. And Pilbara-wide for health equipment, \$2.5 million; Pilbara-wide for water feasibility, \$2.5 million; Pilbara-wide for underground power, \$35 million—that is in fact, over the out years, \$100 million. Let us look at the Kimberley. The Ord–East Kimberley expansion project received \$220 million from royalties for regions in the first instance, followed by the Kimberley revitalisation plan, which has seen \$43 million of funding for youth justice and also funding for the Broome boat facility and the Broome justice complex.

I have a document that describes where the royalties for regions funding is going and I have made a copy for every member, should they like one. Mr President, I seek leave to table that document.

Leave granted. [See paper 2572.]

**Hon WENDY DUNCAN:** This document describes where in 2010–11 royalties for regions funding went. Into the Kimberley region, \$146.6 million; into the Pilbara region, \$334.7 million; and over four years \$1 billion into the Pilbara. Into the Gascoyne, \$42.2 million. Do members see the difference? Into the Mid West, \$27.1 million. Into the Goldfields–Esperance, \$44.8 million. Into the Wheatbelt, \$56.9 million; that is, \$56.9 million in the Wheatbelt compared with \$146 million into the Kimberley and \$334 million into the Pilbara. I continue—\$8.4 million into the Peel region, \$28.2 million into the South West and \$39.9 million into the Great Southern. The document shows that the two Labor-held regions, the Pilbara and the Kimberley—if we look at this seat by seat, which, although Labor does, we do not—receive the lion's share of royalties for regions. And they need it! They need it because they were so sorely neglected under the former Labor government. They were milked dry. Workers were living in containers.

Several members interjected.

**Hon WENDY DUNCAN:** Thank you, very much. I was looking forward to that.

**HON JON FORD (Mining and Pastoral)** [10.50 am]: What a load of rubbish! Hon Wendy Duncan has just quoted royalties for regions figures. The National Party has tagged the patient assisted travel scheme as royalties for region money, but it is a consolidated revenue-funded project. Part of the agreement between the Nationals and the Liberal Party was to say that if one dollar goes into the system, it has to be royalties for regions money.

PATS is not part of the royalties for regions scheme. Nickol Bay Hospital is not part of the royalties for region scheme. The money for that hospital is supposed to be coming out of consolidated revenue. The promise that the National Party made to the electorate was that royalties for regions would supply services and infrastructure above and beyond what one would normally expect from government. The figure to which Hon Wendy Duncan referred is a rorted and skewed figure.

I refer to the local government fund. The Liberal Party's Minister for Local Government is trying desperately to build efficiencies into and restructure local government. He was absolutely nobbled. The country local government fund was removed from his responsibility and given to Minister Grylls because he was obviously not using it for the reasons for which it was created, which is to pork-barrel. The reason we are arguing about the country local government fund and the amount that was given to the small populations in the 40 local governments in the Wheatbelt is that the other places that generate the wealth are not getting the money that they need. It is a fact that \$55.9 million has been spent across the National Party's five country seats; \$14.9 million has been spent across the Liberal Party's six country seats; \$5.9 million has been spent in an Independent country seat; and \$17.3 million has been spent across Labor's five country seats.

**Hon Ljiljanna Ravlich:** The Liberals must be seething.

**Hon JON FORD:** Yes!

Members should do a comparison between the Pilbara seat and the North West seat. Vince Catania is the stalwart of the National Party; the man of principle. Being the great country member he is, he cannot even change a tyre! Yesterday I heard a Liberal Party member say that it is lucky that Vince jumped ship, otherwise the Pilbara would not have received any money. He is such a great advocate!

**Hon Wendy Duncan:** He is doing a great job!

**Hon JON FORD:** A great job, is he? I will tell members how great Vince Catania is. Because he was forced into a position of supporting the so-called Pilbara Cities—which is absolute baloney, because the Pilbara does not have water to sustain the current population—he is now demanding that Rio find an alternative water source. He suggests that Rio should use other water to dampen the dust on its iron ore farms.

**Hon Wendy Duncan:** So the multinationals should use our potable water?

**Hon JON FORD:** So Hon Wendy Duncan does not think that the mining companies are contributing to Western Australia. They are the same companies that the Liberal-National government is milking to pay for infrastructure in inefficient and ineffective local government areas. The government is propping up inefficiency. If it was not, it would be using the fund to help with the restructure of local government and to build infrastructure. The fact of the matter is that salt water cannot be used because it wrecks the specification. The government must build another water source because there is not enough groundwater. It should build a desalination plant. Why does Mr Catania think that these companies should invest another \$40 million or \$50 million to support an unsustainable National Party policy when the government already has the money? The reason is that the National Party is wasting that money. There is not a strategic bone in the National Party's body to deliver good infrastructure to the state. It is all about moving from a situation of desperation to building up the National Party as a representative party for the bush. The National Party has only just discovered the bush, which is why it was nearly voted out of existence! It got its seats only on Labor's preferences. That will not happen again. We would much rather deal with the Liberal Party, because at least we know where it stands. Nobody knows where the National Party stands. Hon Wendy Duncan cannot describe what is going in the Kimberley. The figure that the member referred to as having been spent in the Kimberley was skewed because that money was spent in Kununurra.

I visited Mt Pierre Station, which is just out of Halls Creek and in an area that is one of the National Party's natural constituencies. It wants a 19-kilometre stretch of dirt road that is used by tourists and that provides access to the station to be graded. The station supplies good rehabilitation services to troubled youth, yet it cannot get the road graded. Given that I was on my way to visit the Shire of Halls Creek, the station asked whether I would raise the issue. Staff at the Halls Creek local government work seven days a week even though they are paid to work only five days a week. They work seven days a week because they are desperately trying to provide an effective service. They are in desperate need of money. People can blame the federal government for that; I am quite prepared to agree with them. I do not like the commonwealth grant scheme. Every member agrees with that sentiment. The government has the money to fix those problems. The Halls Creek local government cannot afford to grade a road that extends 19 kilometres to what is a well used public infrastructure.

**Hon Wendy Duncan:** It can less afford it without the country local government fund.

**Hon JON FORD:** I was told that it does not have enough money to grade the road. The member should not tell me that she supports local government. The National Party is pork-barrelling its seats. National Party members have the poor blokes sitting next to them, who believe in responsible government, over a barrel. The Liberal part

of the government had to pull away from restructuring local governments because of the threat that the Nationals would take their bat and ball and play with someone else. It will not play with us. As I said before in this house, I am very, very happy that the National Party has finally discovered the bush outside the Wheatbelt. However, it needs to do a better job.

I refer to the North West. It is good to see it is getting a crack. Next door to the seat of North West is the seat of Pilbara, which is a Labor seat. It will hardly receive a cracker. Pilbara will probably have one of the biggest ports in the world, if not the biggest, because it will eventually be involved in the movement of more than 800 million tonnes of ore. It will have a huge fly in, fly out population. We do not know much about the existing population that is domiciled there, because the Australian Bureau of Statistic cannot get its stats right. I understand that it is trying to address it. All the people who will move to that town will not get a cracker from the government, unlike those who live down the road in Karratha, because the seat of Pilbara is a Labor seat. The stats show it. It is a fact that \$55.9 million has been spent across the National Party's five country seats; \$14.9 million has been spent across the Liberal Party's six country seats; \$5.9 million has been spent in an Independent country seat; and \$17.3 million has been spent across Labor's five country seats. Hon Wendy Duncan can put as much make-up and lipstick on her story as she wants. However, the National Party fund is a pig.

**HON MIA DAVIES (Agricultural)** [10.59 am]: I will not be supporting this poorly researched and ill-conceived motion. I do not share the concerns of Hon Helen Bullock and the Labor Party.

Several members interjected.

**The PRESIDENT:** Order! The member is only about 20 seconds into her speech, so give her a go.

**Hon Ljiljanna Ravlich:** Sit down now!

**The PRESIDENT:** Order! Every member in this chamber has the same opportunity as everybody else to get on their feet and make a speech. It is Hon Mia Davies' turn now.

**Hon MIA DAVIES:** Thank you, Mr President and Hon Ljiljanna Ravlich!

The country local government fund is a significant part of the royalties for regions program and it was the first plank of the royalties for regions fund to be rolled out. The country local government fund was a key commitment of the National Party during the 2008 state election campaign, which recognised the burden that had been placed on country local governments over many years to provide infrastructure and services, often on a shoestring budget. Unlike Hon Helen Bullock, I do not think that because there are only 500, 400, 300 or 200 people living in a town, they deserve any less infrastructure or fewer services than anyone else. I am actually from one of those towns; I am from the town of Wyalkatchem. I do not think that I deserve infrastructure or services that are substandard compared with those where all the people live, as Robert Taylor said in an article last year. I do not share the member's concerns because this fund was put together to recognise that local government had for many years been doing it tough. Country local government had been neglected in favour of high-profile projects in the Perth metropolitan area. We have spoken about this many times in this house. I can only presume that country local government was neglected so that the state government could pour money into the Perth-Mandurah railway line and continue to remind voters that it was actually doing something while it was in government. The railway goes straight down the freeway to Mandurah, so everyone can see that the government did something. It is out of sight, out of mind in the country, so the previous government did not worry about it. Country MPs in this chamber will tell members that precious little was being done in regional Western Australia; we did not get a guernsey. Post-2010 we have a government that has placed regional Western Australia firmly in the centre of everyone's mind. Quite rightly, too, because regional Western Australia is the engine room of the economy, and the government should give back to where it has taken from for so long.

Members, I said before that I do not share the concerns expressed in the motion before the house. I am far more concerned to explore the intent of Hon Helen Bullock and her colleagues, particularly the shadow Treasurer, to scrap the local country local government fund. The Shadow Treasurer, Ben Wyatt, was quoted in an article in *The Sunday Times* on 7 June 2009, which stated —

Shadow treasurer Ben Wyatt said the Barnett Government was misrepresenting Labor's Budget position.

He said there had been no extra commitments by Labor, but the Liberal Government was funding many items Labor would not have.

He said \$166 million allocated for a Roe Highway extension would not be in the Budget under Labor and a \$400 million allocation to the Country Local Government Fund would also not be there.

Therefore, this is all academic because under a Labor government there would not be any money for country local governments. It would be scrapped; it would be no more, and it is there in black and white that the Labor Party does not support the country local government fund. I wonder how Hon Helen Bullock's constituents,

along with those of her country colleagues, feel about this. Have members opposite spoken to their local councillors and their regional shire councils about this? I share Hon Wendy Duncan's viewpoint in that I have been across this state—my travels are not just confined to the Agricultural Region—and I am yet to find a local government that does not say in the very first moments of our meeting, "Thank you very much for the country local government fund." Therefore, I am sure that they will all be absolutely thrilled to hear that under a Labor government there will be no more country local government fund—not a dollar! I look forward to sharing that information with my local councils.

The opposition made much of the uproar in the community when the country local government fund was deferred for a year as part of broad government measures across all government departments to manage the state's finances through a difficult period. It was a responsible measure and we make no apology for it or resile from that position. I mention this because it did cause us a lot of grief because people were so attached to it. They needed the money and they had the projects planned to fill the gaps that had been left for years and years, so they were very disappointed that they were not going to get the country local government fund money for a year. Imagine what it will be like when the Labor Party says, "Well, that's it. This is not a deferral; it's actually just no more." The country local government fund will simply be no more. That is a real concern.

In this motion I think the Labor Party has simply mashed together a set of figures to suit its purposes. It is a poorly researched motion and the member who presented the motion picked her way through the facts to suit her argument. I do not suggest that she is the first member to do that in this house. Far be it from me to pass judgement, but it is telling that the Labor Party chose to analyse the country local government fund on an electorate-by-electorate basis. This is clearly how the Labor Party has determined expenditure in the past, pork-barrelling targeted seats to suit its own purposes. The National Party has not done that; the funding is distributed on a formulaic basis and it goes to every local government.

I will go through a few projects and initiatives that would not have the support of a future Labor government. I have selected a small number of projects to demonstrate the value of this important funding stream to the Agricultural Region, which I represent and which encompasses three of the nine regional development commissions or part thereof. These are projects that I have been to and seen the fruition of the funding, whether as a top-up or in getting the projects kick-started. The first project was a new medical centre, which is actually a very timely example, given the difficulties we are facing, particularly in the Wheatbelt, with rural doctors and attracting and retaining staff.

**Hon Wendy Duncan:** A federal government responsibility!

**Hon MIA DAVIES:** That is exactly right, Hon Wendy Duncan; it is the federal government's responsibility. However, many of my shires are putting their hands in their pockets and those of their ratepayers to build medical centres and to pay doctors to keep them in their towns. The country local government fund, along with a number of other funding sources, contributed to the new medical centre in Wongan Hills. I will read from an article in *The Central Midlands and Coastal Advocate* of Thursday, 15 July, which states —

Wongan Hills residents will have better access to medical services thanks to a new medical centre which was officially opened last week by Regional Development Minister Brendon Grylls.

The \$1.6 million medical centre which adjoins the existing Wongan Hills District Hospital will provide general practice, specialist and allied health services.

Mr Grylls said the innovative design allowed room for additional doctors to join the practice and would see ancillary health services centralised to make easier access for residents from Wongan Hills and surrounding areas.

"Providing access to quality health services is a key factor particularly when prospective employees are making the decision to relocate their families," he said.

The minister said the project's funding of \$709,000 was provided from the Country Local Government Fund.

...

... Shire chief executive Stuart Taylor said the medical centre would be a one-stop shop for all health services.

"The shire had been planning changes to health service delivery for many years and in 2008 decided to build the medical centre," he said.

...

"There are now plans to increase the number of doctors from one to two and to seek specialist services to the new facilities," Mr Taylor said.

The outcome of this is more than simply a new medical centre. The group in Wongan Hills that won the bid to build the centre is made up of local residents who have come together to put back into their community. The vast majority of the tradies who were involved in the project were locals. The project created jobs and reinvested some of that funding back into the community, and it provides the community with an absolutely fantastic facility. It is worth visiting that medical centre.

There are a number of other projects. Dalwallinu launched its discovery centre a couple of weeks ago, and country local government fund money was invested in that. It is an outstanding facility, members, it is absolutely outstanding! In an article in *The Midwest Times* Councillor Nixon from the Shire of Dalwallinu said —

... the project would provide economic, environmental and social benefits for local and adjoining communities, particularly as Great Northern Hwy traffic was predicted to double in the next decade.

There are many other examples in the Agricultural Region of the country local government fund being used to not only fill the gaps in funding for the footpaths, the toilet blocks and all the rest of it, but also for strategic investment projects that will generate jobs and create better amenity for these communities.

Books are available that detail the projects that local governments have chosen to invest their money in. I emphasise that it is local governments that choose where they spend their money. It has absolutely nothing to do with me, Hon Wendy Duncan, Hon Col Holt or Hon Brendon Grylls; it comes down to how the local community wants to spend its money. That is the key to this fund; it is about local ownership. It is not subject to roting, and every time members opposite criticise a local government for spending its money on a footpath, toilet block or a talking toilet, they criticise one of their local shire councillors who do a hard job with not much money. The country local government fund was designed to give back to those councils.

I was going to speak about how the country local government fund brings shires together to work on regional projects, but I do not have much time, so I might do that in an adjournment debate.

**HON SALLY TALBOT (South West)** [11.10 am]: It is time to get some facts on the table. I am sorry that this motion has come as such a terrible shock to the National Party. I am sorry that it did not occur to them to do these numbers on the basis of electorates. And I hope that, from now on, because their eyes have been opened by this motion, that they are profoundly disturbed by the discovery that when we do these numbers for the electorates held by the National Party and compare them with those electorates held by the non-National parties that the most amazingly blatant and sustained roting is going on. So it is time to get some facts on the table.

Is the front page of today's *South Western Times* such a shock to Hon Wendy Duncan? The front page banner headline is "Are we getting ripped off?" It is beginning to dawn on electors that Hon Wendy Duncan and her colleagues in the National Party are pulling the most enormous stunt here. It is a stunt that will come back to bite members of the National Party. It is a stunt that electors throughout regional Western Australia are gradually having exposed—thanks to the work that is being done by some of the country members who are not going to stand idly by.

**Hon Wendy Duncan:** Do away with it, see how that goes down!

**Hon SALLY TALBOT:** Hon Wendy Duncan has had her turn; let me have my say now! Hon Wendy Duncan is interjecting saying that Labor does not support this funding for the country. As I said when I started, this is the time to get the facts on the table because Hon Wendy Duncan and her colleagues in the National Party are wrong. They are absolutely 100 per cent wrong when they say that we do not support funding for regional Western Australia. We do support it. But let me make it absolutely clear that we do not support the way in which the National Party is roting it. That is why we are going after the National Party. It is not about the headline statements. It is not about supporting people who live outside the metropolitan area. It is about the way in which the National Party is doing it. It is the way in which Hon Wendy Duncan and her colleagues in the National Party are doing it.

It has obviously come as a terrible shock to Hon Wendy Duncan and her colleagues in the National Party to see the numbers that we have presented to them this week. How sad and how tragic for National Party members to see on 22 September the two items heading the afternoon news and played on the electronic media all afternoon. The first of the two big items was the royalties for regions roting by the National Party, and the second was the failure of the country health system. That must have been a very dark moment for Hon Wendy Duncan when she saw those two stories facing her on the same day. That is, the revelation about how the National Party is spending \$95 million a year, mainly on National Party electorates, with no talk of efficiency, and no talk of per capita distribution. Hon Wendy Duncan just has to look! Hon Wendy Duncan was the one who talked about per capita funding; she must look at what she is doing! I seek leave to table this document.

Leave granted. [See paper 2572.]

**Hon SALLY TALBOT:** This document is headed “Royalties to Regions Local Government Fund — Expenditure Per Person 2008–09 and 2010–11”. This is going to be another terrible shock to Hon Wendy Duncan. I urge the member to look at it carefully. It shows that in the past two years the National Party has been prepared to buy the votes of people living in National Party electorates for over \$500 a year per person. How much was the National Party prepared to give to people who lived in electorates held by the Labor Party? In regional Western Australia they were prepared to give electors less than \$200 per person. That is less than half of that given to people in National Party electorates. That is the price of having the National Party sitting beside the Liberals in government. That is the price the electors of regional Western Australia have to pay.

The Labor Party is not against proper, efficient and properly audited spending in regional Western Australia. I do not have to go further than the 2008–09 capital works program, in which spending per capita in the regions under the Labor government—Hon Wendy Duncan should listen to this, because this is the point that nobody has given her; this is the fact that Hon Wendy Duncan has not yet grasped—was \$3 296 per person, compared with \$1 459 per person in the metropolitan area. Does Hon Wendy Duncan know what that figure is? It is \$1 837 more for every country elector in Western Australia than was spent on electors in the metropolitan area. That is, 126 per cent was the amount that was spent on every voter outside the metropolitan area in Western Australia under our government. That is because the Labor government was interested in efficiencies. We wanted to see that every dollar was being spent in an efficient way.

What Hon Wendy Duncan and Hon Mia Davies have done for us this morning is to show that they have no interest whatsoever in the efficiencies of the local governments to whom they are giving this money. Not once have they mentioned the word “efficiency”. They are just interested in propping up their own electorates. I have given members some figures to show the extent to which the Nationals are prepared to go to buy votes in those electorates.

As I said, this is the moment to get some facts on the table. The first fact is that the National Party is rorting royalties for regions and, particularly, this country spending program. The second fact I want to get on the table is that there is only one way it can be stopped over the next two and a half years. Only one group can stop the National Party from doing that, and that is the Liberal Party. That includes people like Hon Robyn McSweeney, who must be horrified when she looks at the spending in the South West Region and sees how much money her electors and mine are being denied by the fact that the National Party is being allowed to rort the country spending system. By the time I sit down, there will be ample opportunity for Hon Nigel Hallett to stand and explain how he is going to use his position in the Liberal Party as a member of the government to put a stop to this rorting of money that should be going to his electors, to the electors represented by Hon Robyn McSweeney and to the electors that I represent. Nowhere is that made clearer than if we look at some of the issues in the South West Region where this money needs to be spent.

At the same time that this royalties for regions rort was exposed earlier this week, we heard about the calamitous failure of the country health system. In Peel, they are very conscious of this. Do members know why? Only a matter of days ago six patients at the Peel Health Campus who required tertiary care could not be transferred to Fremantle Hospital. Why? Because of the chronic ambulance ramping problems. Where is this National Party money going? It is going to singing toilets and to plastic cows. And it is too cute by half for Hon Wendy Duncan to turn around and say that it is up to the communities to say how they will spend the money. Hon Wendy Duncan is in government. She has a voice in government, and she is allowing this to happen. Hon Wendy Duncan must face up to her responsibilities and if she will not face up to them, then I and my colleagues on this side of the house will stand here and serve it up to members opposite day after day on behalf of our constituents, who look at the situation at the Peel Health Campus and are horrified that the National Party is happy to spend money on singing toilets and plastic cows when we have sick people in hospitals in Peel who cannot get the care they deserve because the National Party will not put money their way. I say again that the only people who can change this over the next two years or so are the people sitting in the Liberal Party party room who today can call a party meeting and stand up and say that this has to stop for the sake of their constituents.

In the brief time remaining to me I will point out the terrible problems —

**Hon Wendy Duncan** interjected.

**Hon SALLY TALBOT:** I ask Hon Wendy Duncan to please listen to me! Transport in the Peel region is a disaster. Let me relay what Patrick McAllister, the manager of tourism in the Shire of Murray recently told me and Hon Ljiljana Ravlich, who was with me at these meetings. They have only one private bus that runs once a week from Pinjarra to Mandurah. Why will the National Party not put money into that?

Hon Wendy Duncan should not tell me that it is up to the community to decide how they spend their money. Members opposite are the people with the authority. They are the people with their foot on the hose; they are stopping the money going to these projects by allowing these stupid projects. Hon Wendy Duncan is allowing this rort to continue and we are here to stop it.

**HON COL HOLT (South West)** [11.20 am]: Interestingly, the motion refers to the malapportionment of the country local government fund. All we have been presented with is a statistical measure of where the money is going. Someone once said, "Lies, damned lies and statistics." We could apply any measure to where that money is going and come up with a different answer. If we looked at which regional federal electorates that money was going to in the regions, it would be a whole different story. If we looked at which Legislative Council regional electorates the money was going to and at which members from which party represented those regions, we would get another story. What if we talked about showing where it was going to based on the number of people with dogs in the community? That would come up with a different answer again. What the opposition has not done—I have been waiting for it to come out, and maybe that is why Hon Jon Ford has left the chamber—is pull apart the formula that has been used. The opposition has talked about malapportionment. How has the program been malapportioned? All the Labor Party is showing us is an end result. Members opposite can choose any measure to show where that goes. Has the Labor Party actually picked apart the formula? Not even the lead speaker did that. The Labor Party has not shown us how the country local government fund has been fiddled or how some electorates are getting more than others. The Labor Party has not shown that because it does not have the evidence. I thought Hon Ljiljanna Ravlich would have done that because she believes that the program has been fiddled, but she did not show us how we have done that. Has she looked at the formula and seen how it has been adjusted to affect the outcome? I do not think that the member has. She has not come up with an alternative about how the money should be distributed to local governments. It will be very interesting to see the Labor Party come up with a formula that it believes is better. I look forward to seeing some critical analysis of the formula that is being used now.

There are a number of different silos of money into which the royalties for regions funding is distributed throughout the regions, and the country local government fund is just one of those. That is a good way to distribute funds because it gets down to the local decision-making level and there is local accountability for the community. Local governments can also attract funds for their projects from either their own local sources or federal sources. I will touch on the federal allocations later on. Local governments had a range of projects that were ready to be funded and developed. Those projects are making a difference in their communities. I will touch on a few local government projects that I have been involved in. I will refer to the "Royalties for Regions South West Edition 1 June 2010". The Shire of Augusta – Margaret River used its money to implement a water recycling project. That is a good local project. It is ready to go and the shire is getting on with it. Members cannot argue that that is not a good project. The Shire of Capel has used its funding to redevelop the infant health centre and playground building, which is a good outcome for that community. This is local decision making working because local governments now have the funding to implement projects that have been sitting on their shelves underfunded for a long time. Some towns are upgrading their drainage systems and others are restoring historic buildings. People in local government are investing in a range of projects because they now have the funds to do it.

Obviously the federal government has recognised that it is good to invest in local governments too, because the federal government has invested very heavily in them. The federal government has a number of programs through which it distributes funding to country local governments. Through the Department of Infrastructure, Transport, Regional Development and Local Government, the Australian government contributes to the prosperity of the economy and the wellbeing of Australians by assisting local governments to manage their own futures, including the provision of essential services and the development of effective planning issues. That sounds like what we are trying to achieve, too. The federal government provides funding through the regional local community infrastructure program. That sounds to me like the federal government is trying to get local governments to provide infrastructure. The federal government also provides funding through financial assistance grants. The federal government uses local governments to distribute money to the regions. The regional and local community infrastructure program was announced by the Prime Minister at the Australian Council of Local Government's inaugural meeting on 18 November 2008 as part of the federal government's "Nation Building – Economic Stimulus Plan". At that time we were affected by the global financial crisis and there was a need to give the community funds, to get projects going and to get people employed to drive the economy. The federal government obviously recognised that local government had the ability to get those projects going. The projects were already sitting there and the federal government funded them to stimulate the economy. Since its inception, the regional and local community infrastructure program has provided more than \$1 billion to local government authorities to build and modernise community infrastructure. That sounds like the aim of the country local government fund in WA.

I have talked about measurements before and I will touch on that again in a minute. The federal government also provides funding to local government through the financial assistance grants. Both components of the grants are untied in the hands of local government and allow councils to spend the grants according to the local priorities. The federal government allows the local governments to make their own decisions. That sounds very familiar to me. Let us look at where those grants went to. This is just another measurement. I do not know what it means, but members opposite can make their own conclusions. In 2009–10, the federal government provided

\$1.9 billion to local government. New South Wales received \$605 million, Victoria received \$452 million and Queensland received \$378 million. I think they are Labor governments; I am not sure. If members want to put that measure on the funding, we can do that. Western Australia received \$225 million from the federal government, which is a fair way down the list, and South Australia received \$131 million. I have another table in front of me that I can table if members wish. To assist councils deal with the effects of the economic downturn, on 12 May 2009 the commonwealth government announced in its budget that it would bring forward for payment to all councils in June 2009 around one quarter of the 2009–10 pool. New South Wales received \$150 million, Victoria \$112 million, Queensland \$94 million and WA \$56 million. The federal government does not mind sharing the money around through local government because the federal government can see that it is an effective way to get funding on the ground in our communities when it is most needed.

The opposition has not shown us anything but a bunch of statistics. We could look at another couple of policies that show a different story and I could talk about the royalties for regions programs that Hon Wendy Duncan has already touched on. The country local government fund shows that more money is spent in those areas that have more local governments. I will look at Indigenous health and what that would have shown us if the opposition had broken that down into statistics. Where would members expect the highest proportion of those funds to go? They would probably expect it to go to those areas where there are more Indigenous people. If the opposition looked at the funding that was spent on Coastcare, how much funding do members opposite believe would have been spent on Coastcare in the Central Wheatbelt? I do not think it would be too much. I reckon that program is targeted at Coastcare. Where will that money be spent? It will be spent on the coast. The same is true of the country local government fund; it is a fund to support the activities of local government and therefore is spent on local government. The Pilbara Cities project has been touched on. The Ord stage 2 is another program. Where would opposition members spend the Ord stage 2 money? Would they spend it in Katanning? I do not think so. It is about developing the Ord and so the money would be spent in the Ord. The country local government fund is about developing and assisting local governments to deliver community outcomes, and so it is spent where the local governments are.

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [11.29 am]: The royalties for regions program resulted from a commitment made by the National Party at the last election, but it is being implemented by the Liberal–National government. Every decision about the expenditure is made by cabinet, which is made up of Liberal and National Party members, both of whom belong to the Liberal–National government of Western Australia. The money is spent in accordance with cabinet decisions. As members will be aware, there are more Liberal Party ministers than National Party ministers. To suggest that somehow the National Party ministers are the tail wagging the dog is absolute nonsense. The proposals are considered by cabinet and the funds are allocated on the basis of what we consider to be merit and need. If every project in the state had the same merit and every community had the same need, everyone would get the same amount of money. But the policy does not apply like that. As members all know, parts of the state have a desperately greater need than others.

In my experience as a member of Parliament for a long time, most parts of the state that are in greater need are in the bush. The country areas of Western Australia have been largely neglected over many, many years. One of the reasons we entered into an alliance with the National Party was because we agreed that the time had come to spend some extra money in the bush. If the Labor Party does not want to do that, its members should please say before the next election that they do not support it, and, if they do, they will be history. As the Newspoll showed yesterday, the Labor Party is already history, so it will be ancient history at the next election if they go down the path of saying that royalties for regions is no good. They should tell all those local governments that they do not need the money and those local governments will tell members opposite what they think of them. The bottom line is very simple: the fund we are talking about today, the country local government fund, is not the National Party local government fund, it is the Liberal–National local government fund, for which we take the credit that is due and of which we are part of the decision-making processes.

We have assessed the applications for funds through this project and all the other royalties for regions projects on the basis of merit and need. If anyone from the Labor Party can tell me where there is no need for those funds in the bush, and where the money that is going to places such as Koorda is being wasted, I would like to hear it. They might have a view about how the money should be spent, but if they look at it sensibly, without trying to be political, they will understand that there is merit attached to the programs that are being funded by royalties for regions.

This document, which was handed out today and which I had not seen before, details where the total royalties for regions funds are going. They are going to places in the state where the money is needed. We should remember one other thing, however; that is, the commitment made by the Liberal Party when it partnered the National Party was that the fund was to go to funding above and beyond what the government would normally spend, to provide country people with an opportunity to get a fair go from the state government's coffers.

Motion lapsed, pursuant to temporary orders.

**SMALL BUSINESS DEVELOPMENT CORPORATION***Motion*

Resumed from 15 September on the following motion moved by Hon Ljiljanna Ravlich —

- (1) That this house calls on the Minister for Commerce and the Minister for Regional Development to make public their positions on the future of the Small Business Development Corporation in light of the uncertainty in the small business community and given the Chamber of Commerce and Industry's position as outlined in its 2009–10 pre-budget submission to government, which states that —

CCI believes that there are significant opportunities for the core functions of the Small Business Development Corporation (SBDC) to be absorbed by other agencies.

- (2) That this house calls on the Minister for Commerce and the Minister for Regional Development to —
- (a) allay the concern of the small business sector and guarantee that the SBDC will not be privatised in full or part or carved up and its functions distributed to other agencies as part of the government's three per cent efficiency dividend; and
- (b) confirm that the future of the small business centres around the state is assured and that they will not be privatised in full or part or carved up and their functions distributed to other agencies as part of the government's three per cent efficiency dividend.

**HON MATT BENSON-LIDHOLM (Agricultural)** [11.33 am]: I want to continue my remarks from last week on the motion moved by Hon Ljiljanna Ravlich. I will not read it because it is rather lengthy. No doubt members will have it in their safe keeping.

In the time I had last week I commented briefly on the Small Business Development Corporation's future and noted that it was somewhat complicated by the Chamber of Commerce and Industry's pre-2009–10 budget submission, which sees opportunities for some or all of the corporation's functions being absorbed by other agencies. Having been a member of a Chamber of Commerce and Industry on the south coast I can fully understand that. There are, in some respects, sound reasons for that advocacy by the Chamber of Commerce and Industry. On the other hand, as I will indicate a little later, given the functions of the Small Business Development Corporation and the successes it has achieved in recent times, to my way of thinking they are compelling reasons for it to maintain and grow in importance in our society.

I mentioned the need to retain its presence, particularly in parts of the agricultural region. The reason for saying so should be fairly obvious to members. The agricultural region and, indeed, most parts of Western Australia, apart from the mining sector, are experiencing significantly difficult economic times. One of the things that economists, parliamentarians and media commentators have been talking about for many years is the need for us to become a more diversified economy, and an economy that value-adds. For those reasons, particularly in the agricultural region, I see a significantly enhanced role for the Small Business Development Corporation and, indeed, the various Chambers of Commerce and Industry. I think they all provide considerable services to local businesses and to people living in our country towns. The value-adding and diversification point I made last week seemed to underpin significant focus, if we like, of the Small Business Development Corporation.

I also went on to mention that the agricultural region surely reflects the rest of the state inasmuch as something like 95 per cent of all businesses in Western Australia are classified as small businesses. Not to put too fine a point on it, they are hugely important and represent a significant component of the state's gross state product. I also went on to suggest that if the agricultural regions are to survive as we know them, the current global financial conditions, the cost-price squeeze and the rising value of the Australian dollar are particular issues that we all need to cope with. Again, I put it to the house that the collective advice, knowledge and skills of organisations such as the Small Business Development Corporation, Business Enterprise Centres and various Chambers of Commerce and Industry need to be recognised and harnessed to provide our regional communities with some certainty.

Last week the Leader of the House gave some sort of assurance, for what it was worth, that this would not change. I suppose that, in the fullness of time, we may well be the wiser for things that happen. However, as I will indicate in a few minutes, the Small Business Development Corporation sees significant issues through the eyes of its membership that need to be addressed. On account of the research they do I think they provide us with some fairly compelling information that basically focuses on the need for maintaining their resistance.

To continue from last week, something the Minister for Education; Tourism finds great difficulty with in relation to the trend towards greater privatisation as an issue, is the closure of a number of regional tourism offices in

parts of our state. That is something of an indictment, if we like, of her commitment to people in businesses in rural and regional WA because, obviously, this is where significant parts of the state's wealth are generated. My contention is that we need people thinking outside the square. To think that something like a taxi ride through regional, rural and remote parts of Western Australia will suddenly see tourists flocking to Western Australia, I suggest, might have been pie in the sky. As Minister for Education, she is also starting to close access to years 11 and 12 at 21 district high schools. Those sorts of decisions do not show much of a commitment to the many families, communities and, indeed, small businesses, in those areas, and I particularly condemn the Minister for Education for them. I will not go into the whys and wherefores of how the removal of funding for year 11 and 12 students from 21 district high schools will affect local communities, but I put it to members that it will have a profound influence on those communities, particularly given that many people who run small businesses will leave those towns.

I took the time to download the Small Business Development Corporation's vision, mission, role, values and goals statement from its website to get some sort of a closer view, or personal idea, of the importance of the Small Business Development Corporation. Its statement is fairly compelling and re-emphasises the need for its continued existence. I will quote from the Small Business Development Corporation's vision, mission, role, values and goals statement. Its vision is —

To be the driving force in the realisation of small businesses as major contributors to the State's economy.

I think it does that well. Its mission is —

To create opportunity and wealth for small business in Western Australia.

As I earlier indicated, I see it as compelling that focus should be put on small businesses in the bush. The SBDC's stated role is —

To be a broker, facilitator, advocate and catalyst for change; to be innovative and practical in operations and excel in an environment of change.

The SBDC's stated values are to be —

- Independent
- Innovative
- Responsive
- Rewarding, stimulating and enjoyable workplace.

Its goals are that it seeks to —

- Remove barriers and impediments to business growth.
- Improve business skills and knowledge in the small business sector.

One of the big issues associated with the maintenance of a viable small business sector, given that so many go broke literally every day, is that very issue of improving skills and knowledge in the small business sector. If a presence can be maintained in the bush, whether in my region or any of the others, that is a positive, and it is something we need to continue and promote.

I will continue with the SBDC's stated goals, which are to —

- Foster an enterprise culture and emphasize the value and success of small business.
- Facilitate regional small business development.

If we take anything out of this morning's debate, it must be that a greater emphasis, or refocusing, of royalties for regions funding may very well help facilitate small business development. I do not believe that goal can possibly be addressed by the removal of organisations such as the Small Business Development Corporation.

Another important SBDC goal is to —

- Implement value added growth for existing businesses.

I think the community that I live in has some very good examples of how that can be done, one of which is the creation and development of Ravenhill Dairy in Narrikup. That is a fantastic success story of a family business that moved from North Walpole, some years ago after dairy deregulation, and that business now turns over literally millions of dollar a year and its product is all throughout Western Australia; all from a little family business that, no doubt, sought the contribution of organisations such as the Small Business Development Corporation.

**Hon Ljiljanna Ravlich:** What's the product?

**Hon MATT BENSON-LIDHOLM:** Hon Ljiljanna Ravlich, it has an enormous range of products, which is my whole point about diversification, but they are all based on dairy produce. They produce everything from the

various types of milk, to cheese, to ice-cream, to yoghurt, and this all comes from a family who, after dairy deregulation occurred and the milk trucks decided not to go to North Walpole anymore, decided that it could either leave North Walpole or use its expertise and set up another dairy in Narrikup, about 15 kilometres south of Mt Barker, and, as they say, the rest is history. The business has flourished and it is going from strength to strength. That is the sort of diversification that we need in regional Western Australia and that is why we need organisations such as the Small Business Development Corporation to assist businesses such as Ravenhill Dairy.

The final stated goal of the SBDC is to —

- Generate and maintain a culture for the SBDC to be a leader in small business development.

That is the very reason that we need to protect the future of the Small Business Development Corporation.

The SBDC makes compelling statements and it can offer so much. It is not an alternative to the Chamber of Commerce and Industry of Western Australia, but I believe that it has a role to play alongside organisations such as the CCI and can act as a conduit for linking business to government and communities, certainly in rural, regional and even a few remote communities. It needs to be adequately funded and given some sort of surety. If, as Hon Norman Moore stated, its future is assured, maybe he can provide a few extra assurances to small business arising from what I have said. I notice Hon Norman Moore is not in the chamber at the moment, but I want him to give particular consideration—if his assurance is to be delivered on—to a few very significant facts that stem from recent online polling via the Small Business Development Corporation. Some of the results really are worthy of contemplation by the government. Among those are the results related to the ever-increasing operating expenses that small businesses, particularly in the bush, have to deal with; a number of small business issues and concerns; and a number of small business expectations that I would also like to refer to.

Recent polling conducted by the Small Business Development Corporation resulted in a number of very interesting facts, one of which was, as I have indicated, the pressures of increasing operating costs. I will quote from the overall summary related to increasing operating expenses as found from the Small Business Development Corporation survey, which states —

While many small businesses expect a large increase in operating expenses over the next 12 months, most are planning to implement positive strategies to deal with this issue.

Increasing operating expenses might also explain the decrease in the number of small businesses expecting positive net profit results during the next year. Around 60% of opinion poll respondents expect net profit to increase or stay the same over the coming 12 months. This compares to 80% of respondents who said they anticipate net profit to increase or stay the same during 2010, according to the SBDC's Annual Business Expectation opinion poll conducted in December 2009.

There are definitely messages in that for us. I am particularly concerned about the Small Business Development Corporation's issues, and I will quote from that website again —

This April 2010 Ready Response Network poll asked respondents about the key issues facing their businesses, and what the Government could do to help.

The poll indicated that the number one concern for small business operators (21 per cent of responses) was local and international market conditions. Respondents were concerned about general market conditions and unpredictable consumer spending making staff and business planning difficult.

Attracting and retaining skilled and unskilled staff was the second key issue, with 16 per cent of responses indicating this was a concern.

Eleven per cent of responses identified dealing with red tape as an issue. Other key issues and concerns raised in the poll included:

- Increasing operating costs (10 %);
- Strategic and operational business planning difficulties (9 %);
- Access to and the cost of finance (9 %); and
- Cash flow concerns (8 %).

The business concerns mentioned by respondents in the Small Business Development Corporation's poll indicate that the government can play a significant role through the maintenance of the corporation. As part of its polling, the Small Business Development Corporation asked respondents how the government can help. Again, I quote from the Small Business Development Corporation document. It reads -

The poll suggested a number of ways in which Government could help address some of these small business issues and concerns.

The most popular suggestion (17 per cent of responses) related to providing small business tax incentives.

Obviously that is very much a federal issue, but it has implications for a number of state taxes. The document continues —

Further suggestions included:

- Reducing Red Tape (13%);
- Changes to State and Federal Government policy, e.g. economic, education, health, migration (12%);
- Providing financial assistance, e.g. loans and grants, funding operating expenses (10%);
- Changes to employment legislation (7%);
- Providing general business assistance and advice (6%);
- Assisting small businesses with skills development and training (5%)

Within that context there is obviously a significant regional reliance on the education system. It will be fairly difficult if the government starts closing year 11 and 12 classes at district high schools. The document continues —

- Investing in infrastructure and innovation to support small business growth (5%); and
- Advocating on behalf of small businesses on interest rates and bank fees (4%).

It is fairly obvious that there is much the government can do through the Small Business Development Corporation to assist businesses, especially those in regional, rural and remote Western Australia. There is much more to the poll. A number of challenges were mentioned, including attracting new customers, cashflow management, increasing transport costs—that is an interesting one given the tier 3 rail line—and achieving and managing growth. The message should be fairly obvious to the government inasmuch as we need not only a re-emphasis on the future of the Small Business Development Corporation, but also a strengthening of its role, particularly given the sort of polling that has been done. The Minister for Commerce and the Minister for Regional Development must address the issues in Hon Ljiljanna Ravlich's motion. Only then will the opposition's fears be allayed.

**HON LJILJANNA RAVLICH (East Metropolitan)** [11.57 am] — in reply: I thank members for their contributions to the debate. It has been a good debate. The Leader of the House has some difficulty with the lapse of time between the motion being placed on the notice paper and the motion being debated.

**Hon Norman Moore:** That applies to all these motions, not just this one.

**Hon LJILJANNA RAVLICH:** If either of the ministers who has held this portfolio had at any time responded to what had been put on the notice paper and had clearly articulated that there was no cause for concern, the sector would not have approached me to express its concerns and I would not have continued to view them as valid. However, the fact that the ministers never took the opportunity to release a media statement to address the issues and allay the concerns of the small business sector has meant that this motion is as valid now as it was when it was put on the notice paper in March 2009.

**Hon Norman Moore:** If we could make ministerial statements about the next half a dozen that you've got on there, would you take them off the notice paper?

**Hon LJILJANNA RAVLICH:** No. The government would have to put something more on the table. I am happy to do a deal with the Leader of the House, but he would have to put more than that on the table. He would have to put his heart or head on the table! I cannot blame the Leader of the House for asking.

There is no doubt that the industry has concerns. At least the Leader of the House clearly stated the position of the government on the record during his response. The issue has involved whether the Small Business Development Corporation has a future, industry concerns about that question and the involvement and expectations of the Chamber of Commerce and Industry of Western Australia. There is no doubt that the former Minister for Commerce, Hon Troy Buswell, was contemplating a move that would have resulted in a significant change in the way that the Small Business Development Corporation operates. His removal from that position has allowed for a softening in the attitude of the government towards the Small Business Development Corporation.

**Hon Norman Moore:** I don't think you can draw that conclusion at all.

**Hon LJILJANNA RAVLICH:** Yes, I can. It is no secret that Troy Buswell was meeting with the CCI on an almost daily basis, so close was their relationship. One need look only at how much money has been given to the CCI, and by whom, to know that the relationship was very strong. I make the point—I do not resile from it—that the current Minister for Commerce is somewhat more sympathetic to the wants and desires of the small business sector. He is much more conciliatory in the way he deals with the sector. It is good that there is finally a greater degree of certainty about the future of the SBDC.

The Leader of the House in his reply went on and on and on about my anxiety. I am certainly not an anxious person. During my trip home from Parliament that night, I had to do a lot of soul-searching about my level of anxiety. The Leader of the House nearly put me into an institution! I want to allay his fears about my level of anxiety.

He said that the future of small business centres around the state is assured and that they will not be privatised. That is good to know. That is the first time that someone has explicitly stated that.

**Hon Norman Moore:** Did anybody say they were going to be?

**Hon LJILJANNA RAVLICH:** It was certainly all over town—there is no doubt about that. Lots of people said that they were going to be privatised. In fact, the minister stated that —

We are looking at the way in which that might work in the context of the Western Australian situation. We are considering whether that role could be incorporated into the Small Business Development Corporation, and whether the powers and duties of the SBDC could be expanded to deal more broadly with the commercial tenancies legislation and the consequences for small business of any expansion of trading hours in Western Australia.

That certainly will be well received by the Small Business Development Corporation and by small businesses in Western Australia, and we at least finally know the government's intent. Having said that, the Minister for Tourism made a speech not long ago at an industry breakfast, and made it quite clear that as a part of the restructure of Tourism WA some of the industry development functions previously performed by the slashed regional offices that no longer exist will be undertaken by the small business centres, thereby strengthening those small business centres.

It is pleasing that we are finally moving some way to allaying the concerns of the small business sector. It is disappointing that it has taken so long. It is disappointing that the Leader of the House holds the view that perhaps this has not been a worthwhile debate. Regardless of when notice of this motion was put on the notice paper and regardless of the length of time it has taken to get to debate this motion, it has been a very positive debate. No doubt, people will be very pleased to hear what the government has proposed.

The issue of the future of the SBDC had died down and re-emerged when the new chair of the Small Business Development Corporation was appointed for a period of only one year. That is something that the government should have responded to in its press release announcing the appointment of Mr Mountney. At the time of his appointment, rather than simply stating that Mr Mountney had been appointed for a period of one year and consequently sending shockwaves through the small business sector, it would have made much better sense for the press statement to state the reason for his one-year appointment; for example, he was to be given a test run! Certainly, it could have been phrased a little more diplomatically than I have just phrased it. However, such an announcement would have meant that the sector clearly understood why Mr Mountney had been appointed for only one year.

Mr Deputy President, this has been a very worthwhile debate and I think that finally the fears of the SBDC employees, people in the small business sector who rely on the services of the SBDC and people in regional and rural areas who rely on the small enterprise centres have been allayed. I have to say that this would not have happened had this motion not been put on the notice paper back in, I think, March 2009. I thank everybody for their contribution to the debate.

Question put and a division taken, the Chairman casting his vote with the noes, with the following result —

Ayes (13)

Hon Matt Benson-Lidholm	Hon Sue Ellery	Hon Linda Savage	Hon Ed Dermer ( <i>Teller</i> )
Hon Helen Bullock	Hon Jon Ford	Hon Sally Talbot	
Hon Robin Chapple	Hon Lynn MacLaren	Hon Giz Watson	
Hon Kate Doust	Hon Ljiljanna Ravlich	Hon Alison Xamon	

Noes (18)

Hon Liz Behjat	Hon Phil Edman	Hon Nigel Hallett	Hon Helen Morton
Hon Jim Chown	Hon Brian Ellis	Hon Col Holt	Hon Max Trenorden
Hon Peter Collier	Hon Donna Faragher	Hon Robyn McSweeney	Hon Ken Baston ( <i>Teller</i> )
Hon Mia Davies	Hon Philip Gardiner	Hon Michael Mischin	
Hon Wendy Duncan	Hon Nick Goiran	Hon Norman Moore	

Pairs

Hon Adele Farina	Hon Simon O'Brien
Hon Ken Travers	Hon Alyssa Hayden

Question thus negatived.

**TRAINING POLICY — BARNETT GOVERNMENT***Motion*

**HON LJILJANNA RAVLICH (East Metropolitan)** [12.09 pm]: I move —

That this house condemns the Minister for Training for his failure to produce a training policy and calls on the minister to outline what he will do to assist industry and Western Australian workers who have been adversely impacted by the global financial crisis, and calls on the minister to outline —

- (a) his government's policies to deal with the impact of the global financial crisis on workers who lose their jobs and need retraining;
- (b) how many training places will be delivered to apprentices and trainees over four years;
- (c) how many training places will be delivered in green skills areas;
- (d) how much funding will be allocated by the state government to retraining retrenched workers across the state;
- (e) how much funding will be allocated to VET in schools; and
- (f) what is the government's plan for training infrastructure in Western Australia.

For the benefit of members, I repeat that the motion states that this house "calls on the minister to outline: (a) his government's policies to deal with the impact of the global financial crisis on workers who lose their jobs and need retraining", keeping in mind that, of course, we are still feeling the ripples of the global financial crisis. However, we will explore that a little —

**Hon Peter Collier:** Is that in the motion?

**Hon LJILJANNA RAVLICH:** I am not reading that bit of it.

**Hon Peter Collier:** But you were a minute ago!

**Hon LJILJANNA RAVLICH:** Okay. I am just explaining part of it. The motion continues —

- (b) how many training places —

**Hon Peter Collier** interjected.

**Hon LJILJANNA RAVLICH:** I can read it in any way I like! The motion continues —

- will be delivered to apprentices and trainees over four years;
- (c) how many training places will be delivered in green skills areas;
- (d) how much funding will be allocated by the state government to retraining retrenched workers across the state;
- (e) how much funding will be allocated to VET in schools; and
- (f) what is the government's plan for training infrastructure in Western Australia.

**Hon Peter Collier:** That's a dorothy dixer if I ever heard one! It is really a dorothy dixer.

**Hon LJILJANNA RAVLICH:** The member keeps saying that, but he will get his chance!

Several members interjected.

**The DEPUTY PRESIDENT (Hon Matt Benson-Lidholm):** Order, members! We have just started. The member still has 48 minutes yet. I see we have one hour, 26 minutes left on the debate, which is ample time for members to have a word or two themselves.

**Hon LJILJANNA RAVLICH:** The only comment I make about the minister's response is that if it is such a dorothy dixer, why did the minister not put it on the notice paper! He clearly had not thought about it.

However, the problems with training really go right back to the beginning when the minister failed to produce any policy for training. In fact, no-one in the current government had the foresight to produce any —

**Hon Donna Faragher:** What did you do in government? You did nothing!

**Hon LJILJANNA RAVLICH:** Did nothing—for goodness sake! Anyway, it does not really matter because I will not be distracted.

The current government did not go to the election with a training policy and that has followed this minister right through in the lack of production of critical reports. Certainly, plenty of press releases have been put out there that do in fact indicate that things are happening, or that would lead people to believe things are actively happening, in the training area. However, when we scratch the surface, it is not the case.

I will not talk about, for example, the establishment of the Department of Training and Workforce Development because we have focused on that on numerous occasions. I want to touch quickly on the budget. When we look at the budget papers, we see that there has been no great increase in funding for training. In fact, from 2010–11 to 2012–13 there will be a decrease in the amount allocated to training in total. We have to ask ourselves why this would be the case, given that a period of economic boom has already started and that we are already hearing skills shortages are in fact starting to emerge in some industries.

There is no doubt that what this government aspires to—what any government aspires to—in the area of training and workforce development is the provision of a skilled workforce that meets the needs of Western Australia. That service is principally delivered in two ways—institution-based training and employment-based training. We will explore that, particularly employment-based training. I want to have a really hard look at what is really happening in preparing skilled workers to take up opportunities, whether they be in the growing mining sector or any other sector of the economy. However, we need to ensure that we cover all bases to avoid the sort of skills shortages that can be very, very costly to industry and to the state as a whole. When we do not have sufficient skilled workers within our economy, it really means that we forgo opportunities. During the last boom, we found a paradox, if we like, existed whereby on the one hand we had skills shortages and on the other hand we had people who were unemployed or people whose skills were underutilised and could not be used. Therefore, we need a remix, if we like, of strategies to ensure that we do not end up with that sort of difficulty in the future. It will be interesting to see how the minister proposes to deal with that issue.

Hon Donna Faragher said that Labor achieved nothing when we were in government. We went to the last election with a very clear commitment to the skilling of people. We were and remain committed to providing all Western Australians with the knowledge and skills that they need to become economically and socially successful participants in our economy. Since 2001, we have revolutionised the Western Australian training system to increase the quality and quantity of skilled workers. In fact, during that period, we doubled the number of apprentices and trainees in training. When we look at the data cube, which we will go through in quite some detail, there is no doubt in my mind that this minister has not advanced those achievements, particularly in the area of apprenticeship and traineeship training. The minister has been an abject failure, in fact, when it comes to growing the apprenticeship and traineeship number. I notice that the minister is very, very quietly sitting on the other side and I will not ask him to interject —

**Hon Peter Collier:** I will interject all you like! I can tell you that I am going to have a field day when it's my turn!

**Hon LJILJANNA RAVLICH:** It will be interesting because the minister is very, very quiet. I am going to disaggregate those figures and demonstrate to members that if the minister thinks this motion is a dorothy dixer, he probably has another think coming.

**Hon Michael Mischin:** Do you want him to interject?

**Hon LJILJANNA RAVLICH:** No.

**Hon Michael Mischin** interjected.

**The DEPUTY PRESIDENT:** Order, members! I believe that the minister is showing remarkable restraint. Can we continue with that focus?

**Hon LJILJANNA RAVLICH:** Yes, we can.

I will quickly go through Labor's achievements. I have already put on the public record that during our seven and a half years in office we doubled the number of apprentices and trainees, one-third of whom were in regional areas. We tripled the number of Aboriginal and Torres Strait Islander apprenticeships and traineeships. We committed a record \$284 million in funding to training since February 2005. We increased the total number of apprentices and trainees in Western Australia to 39 000. Keep in mind that figure of 39 000 trainees and apprentices in total in training. I will refer later to the cube data which provides the figures at August, which are just a bit, not a lot, under that 39 000. I will explore that a bit later. We increased the compulsory school leaving age to ensure that all young Western Australians are in school, work or training. We provided an additional \$43 million to ensure that TAFE facilities and equipment met contemporary industry standards. We established and led the skills formation task force to reform the apprenticeship and traineeship system from a time served-based training system to a competency-based training system. The Labor government made it easier for employers to take on apprentices and trainees by cutting red tape. We reformed the training system to allow nearly 10 000 young people to take up trade training while completing their schooling. It will be very interesting to see how many young people we have now under that category. We promoted apprenticeships to employers, school students and the community through an apprentice centre campaign. We created a master class—this is very important. The master class was a new qualification which was higher than an apprenticeship. It gave people who wanted to add to their apprenticeship qualifications, a further qualification to strive for. Master class trades were created in metals, automotive, hospitality, and building and construction. That was very successful,

and it will be interesting to see how this program is travelling under this government. We established the Small Business Institute. We opened up an apprenticeship training market to allow private providers to access apprenticeship funding, and so on and so forth.

To underpin and to assist parents to be able to support their children, in particular teenagers, to take up training opportunities, complete their trade qualifications or their traineeship qualification we introduced the \$400 It Pays to Learn allowance in 2005 to assist those young people in training. What did this government do? As soon as members opposite took office, they looked for money to be harvested through the three per cent efficiency dividend and they chopped that allowance.

There is no doubt that the record of Labor in training is a very good record. Not only did we do all that, we also revitalised the Aboriginal school-based program and continued our program of renewing the state's training infrastructure. There was no doubt that one of the criticisms that was faced by technical and further education by industry was that the TAFE infrastructure was not quite up to modern industry standards, particularly in trades such as sheet metal working in the metals area, and sometimes there was a mismatch in the equipment that was being used to train students and what they found when they got into the workforce and what was available. The Labor government undertook a massive renewal of the state's training infrastructure, and we completed work on the \$10 million automotive centre at Challenger TAFE's Kwinana campus. We opened the \$21 million state-of-the-art training facility for oil and gas workers in Henderson. We opened a new \$8.4 million Central TAFE facility. Some of the works on those TAFE facilities are ongoing. We had a clear program on all those things that we wanted to achieve in training infrastructure for the next four years. It included a state-of-the-art education and training precinct in Karratha to provide a seamless transition from school to employment. We had planned for the building of a \$59 million multistage redevelopment of Central TAFE and the Clarkson trade training facility. Some of the promises that were partly in the pipeline have to some extent been followed through by this government. It was also our intent to extend the building and construction workshop at South West Regional College of TAFE's Bunbury campus. I understand that has happened, as well as a new metal fabrication and electrical and automotive training centre in Kalgoorlie.

I was up in Kalgoorlie not so long ago, and it was pretty eye opening. There was an issue with Kalgoorlie not having its own TAFE facility because of a complicated set of arrangements with Curtin Vocational Training and Education Centre. Two years into this government that issue has not been resolved

**Hon Peter Collier:** Almost there.

**Hon LJILJANNA RAVLICH:** The minister might be "almost there" but that has taken two years.

**Hon Peter Collier:** It was not the government's problem.

**Hon LJILJANNA RAVLICH:** I understand that, because I started to look at the issue. However, it is very concerning, given we have the resources boom, that TAFE has not got its own TAFE facility in Kalgoorlie, and they want one.

**Hon Peter Collier:** They still have delivery through Curtin. We have been dealing with Curtin to get that resolved.

**Hon LJILJANNA RAVLICH:** The minister knows that they desperately want one, and they should have one.

If we go to the question of policy, the fact is this government never had an election policy for training or workforce development. Members opposite obviously did not consider it important. I do not want to go through what happened in relation to "Training WA Planning for the Future 2009–2018" because the minister said it is his training policy, and he established that. That is not quite so. The minister then made it quite clear that he had been given a new department and he would be creating a new plan that would basically set the direction for training in Western Australia. The minister announced that he would be putting together a workforce development plan. For the past 18 months or thereabouts, or at least the past 12 months —

**Hon Peter Collier:** Ten months!

**Hon LJILJANNA RAVLICH:** It has been a long time. The minister did not have a plan; he copied that Training WA document.

**Hon Peter Collier:** No.

**Hon LJILJANNA RAVLICH:** The minister did! Anyway, we will get over that. We know the minister copied it, but I do not want to get nasty in this debate because the minister has been very well behaved lately and I want him to continue being well behaved. The minister announced 10 months ago that he would put out this workforce development plan. It was due first of all in —

**Hon Peter Collier:** October

**Hon LJILJANNA RAVLICH:** — October 2009, then May, and then June! I have gone through this very thoroughly, I have to say. I refer members to the Department of Training and Workforce Development's website.

Under “Current status”, the department states it is currently preparing the Western Australian workforce development plan and that five workforce briefing papers have been released followed by a series of information exchange sessions and consultations with a range of key stakeholders; it is working with industry and government stakeholders to identify workforce development applications. It says this work has been undertaken during the period of 2009–10. Another document on the department’s website is titled “Reform Agenda January - July 2010 Version 070410”. Listed under “Reform Priority” is “Workforce development” and under “Measures” it states “First draft of the Western Australian Workforce Development Plan by May 2010”. We are not in May 2010 anymore; we are in September 2010! On the department’s website, under “Issues paper”, there is a document titled “Workforce development — planning and coordination May 2010” in which it states that this briefing paper is a one of a series of five papers that will form the basis for consultation as part of the development of the Western Australian workforce development plan which is due in June 2010. First of all, it is due in May 2010, then —

**Hon Peter Collier:** No, October.

**Hon LJILJANNA RAVLICH:** The minister should let me get to that, because this is where I say that the minister cannot be trusted. We have gone from May 2010 to June 2010 —

**Hon Peter Collier:** No.

**Hon LJILJANNA RAVLICH:** No, the minister should not scratch his head! He should just sit still and listen!

**Hon Michael Mischin** interjected.

**Hon LJILJANNA RAVLICH:** I am not getting very agitated at all.

**Hon Peter Collier:** I have not said a word. I really haven’t. I have been a very good boy.

**Hon LJILJANNA RAVLICH:** It is the way the member looks.

**The DEPUTY PRESIDENT (Hon Matt Benson-Lidholm):** I have not said anything either, but I might have to fairly soon, members.

**Hon LJILJANNA RAVLICH:** First it was May and then it was June. On 4 May, I asked question on notice 2015 to the Minister for Training and Workforce Development. My question began —

I refer to the Minister’s comment in *The West Australian* newspaper of 13 January 2010, that the Government had ‘launched a workforce development plan with industry six weeks ago’ —

The minister said that he had launched the plan six weeks ago. I asked the minister —

(1) Is this document referred to an issues paper and not a workforce development plan?

In other words, does the minister have his wires crossed? Is he talking about a workforce development plan or an issues paper? I also asked the minister —

(2) Will the Minister admit that his issues paper sets out a timeline to produce a final report in October 2010 at the earliest?

(3) Given that the business community expect skills shortages well within this year, will the Minister admit that his leisurely approach to producing a workforce development plan is inadequate and will be too late to assist industry when it most needs it?

(4) Will the Minister apologise to readers of *The West Australian* newspaper, and the Western Australian public, for misrepresenting his issues paper as a workforce development plan?

The answer the minister gave was —

(1)–(4) I announced a comprehensive approach to workforce development including the creation of the Department of Training and Workforce Development.

The final report was due in October 2010 however the process has been fast tracked and I expect the report significantly sooner.

First it was to be due by May 2010, then June 2010 and now it is October 2010. The minister was going to fast-track it. When is it coming?

**Hon Peter Collier:** I will give my response. I will not compromise the quality for a couple of weeks, I can tell you now.

**Hon LJILJANNA RAVLICH:** I do not care what the minister does. What I care about is the minister shifting the time frames all over the place and misrepresenting something. I do not believe that is good and it creates a lot of uncertainty among the people. I think it is a disgrace that after two years as the minister, the minister still has not set the strategic direction.

**Hon Peter Collier:** Who is your shadow for workforce development?

**Hon LJILJANNA RAVLICH:** I am.

**Hon Peter Collier:** You are? It's not on your letterhead or website.

**Hon LJILJANNA RAVLICH:** Big deal, Mr Signage! The only thing the minister is interested in is his letterhead and TAFE signs with the minister's name on it. If I were asked to sum up all that the minister has done as minister, it would be that he has rebadged TAFEs and got a new letterhead; the rest of what he has done has absolutely no substance at all. Let me go on.

**Hon Donna Faragher:** Do you have to?

**Hon LJILJANNA RAVLICH:** Yes, I do.

Originally, the department's website said in relation to the reform agenda that the skills shortage list would be published by June 2010 and that it would update workforce data quarterly. That was listed under reform priority 1 workforce development measures. I understand that on 8 July the minister announced the skills priority list in a media statement. I will not go through the media statement.

I would like to touch on the skilled migration strategy. Unfortunately, I do not have enough time to explore this in detail because I have only another 20 minutes and 50 seconds left, and time flies when one is having fun.

**Hon Helen Morton:** It is not going fast enough for us!

**Hon LJILJANNA RAVLICH:** I am sure it is not.

**Hon Michael Mischin:** It helps if you are mesmerised by your own voice.

**Hon LJILJANNA RAVLICH:** It makes it much easier, I can assure the member!

The skilled migration strategy was supposed to have been developed in May as part of the reform agenda for January–July 2010. This is version 070410 on the department's website, which states that the skilled migration strategy would be developed by May 2010. That was paid for, I think, to the tune of some \$70 000, which the minister gave to the Chamber of Commerce and Industry of Western Australia —

**Hon Peter Collier:** And the Chamber of Minerals and Energy.

**Hon LJILJANNA RAVLICH:** Well, yes.

**Hon Peter Collier:** Don't you think we should engage with those groups?

**Hon LJILJANNA RAVLICH:** I did not see the minister give any money to a union.

**Hon Peter Collier:** They are part of the process. You have a union rep on the State Training Board. They contributed to the document.

**Hon LJILJANNA RAVLICH:** Very interesting.

**Hon Peter Collier:** Didn't you know that?

**Hon LJILJANNA RAVLICH:** I probably appointed him or her.

**Hon Liz Behjat** interjected.

**Hon LJILJANNA RAVLICH:** Everyone knows that a union representative is on the State Training Board but that the unions are not involved at the level they should be. There is one union representative on the State Training Board. That is absolutely woeful.

The skilled migration strategy was supposed to have been developed in May 2010. It is almost the end of September and there is absolutely no skilled migration strategy, irrespective of the fact that moneys had been handed over. The minister might as well put on the public record that the Chamber of Minerals and Energy was not being paid for the delivery of its contribution to the minister's skilled migration strategy.

**Hon Peter Collier:** I said that they contributed to the skilled migration.

**Hon LJILJANNA RAVLICH:** Yes, it did, but I was talking about who got paid for it at that time. Can the minister explain why the CCI got \$70 000 for its contribution to this strategy whereas the CME got nothing?

**Hon Peter Collier:** We consulted with the CCI. That was always transparent.

**Hon LJILJANNA RAVLICH:** Let me go on. I think it is absolutely hopeless.

We have seen three clear cases. The minister set his own deadlines and in each of those cases he has talked to the media and got himself a big slap on the back for getting the media out there.

**Hon Peter Collier:** The media didn't cover it.

**Hon LJILJANNA RAVLICH:** I have the press release. The minister created the expectation that all this was going to happen and that there was a clear direction for the future of training. Two years into the portfolio —

**Hon Peter Collier:** It is two years today.

**Hon LJILJANNA RAVLICH:** Do not remind me. It has been two years today and the minister has still not produced a workforce development plan. When I asked industry how all this emerged, I was told that the minister asked the industry to produce a regional development plan and that those regional development plans would be compiled to make a comprehensive state plan. It is not as though the minister is even doing the work himself; the regional bodies are putting it together for him. I am calling on the minister to explain why there have been delays in the release of the workforce and training strategies. Where are the three major strategic plans that have been promised by the Department of Training and Workforce Development and the minister? I want to put on the public record that it is quite ridiculous that the minister who has had responsibility for training since September 2008 still has been unable to release his workforce development plan, his skilled migration strategy and his department's strategic plan. It is not like the minister has a huge portfolio. He has the energy portfolio, which he has made an absolute mess of. What a disaster! While I am making that point, Mr Maurizio got another bill for \$700. The minister can think about that in his spare time.

**Hon Peter Collier:** He is having his audit on 28 September.

**Hon LJILJANNA RAVLICH:** Yes; I know, but Mr Maurizio got an \$800 bill and now he has another \$700 bill—\$1 500 for a pensioner. The minister can think about that in his spare time.

The point I am making is that it is not as though he is doing a great job in the energy portfolio; it is an absolute disaster and we find that training is a disaster also. Time and again the minister has promised these things will be delivered but, of course, they have not been.

I now go to the heart of what I want to speak about; namely, what has happened to training numbers. I think I mentioned a figure of 39 000 when the Labor Party left office. The cube data that shows the total number of apprentices in training in Western Australia, put out by the Department of Training and Workforce Development, is very revealing. I have in my hand the statistical summary as at 31 July 2010. The number of apprentices and trainees in training as at August 2008, a month before the Labor Party left office, was 37 812. Let us call it 38 000, minister. How many apprentices and trainees are in training as at July 2010?

**Hon Peter Collier:** There are 39 000.

**Hon LJILJANNA RAVLICH:** No, there are not.

**Hon Peter Collier:** Yes, there are.

**Hon LJILJANNA RAVLICH:** There are 38 770.

**Hon Peter Collier:** No, wrong; it is 39 000.

**Hon LJILJANNA RAVLICH:** This is the minister's information. The net increase is something like 700 or 800 apprentices and trainees. Can members believe that there has been an increase of only 700 or 800 apprentices and trainees in training since Labor left office? Is it not concerning at a number of levels that, firstly, apprentices and trainees are clearly not getting the opportunities? Is it not concerning that we have a boom on our doorstep and we are not skilling enough people and only 700 or 800 extra apprentices and trainees have gone into training since Labor left office? It begs the question: what has the minister been doing? If the minister thinks this is a dorothy dixer, he has rocks in his head.

**Hon Peter Collier:** Wait until I stand to say why it is.

**Hon LJILJANNA RAVLICH:** He has got rocks in his head. During the global financial crisis the minister presided over an absolute disgrace when he knew that thousands of people who were partially trained were allowed to exit the training system—to walk away with the investment the state had made—but he did nothing to address that issue. Thousands of people; I think in response to a parliamentary question he referred to it as “taking a sabbatical”.

**Hon Peter Collier:** What?

**Hon LJILJANNA RAVLICH:** Yes, he did. He does not want me to find it because I will find it.

**Hon Peter Collier:** Please do.

**Hon LJILJANNA RAVLICH:** The fact is that probably 5 000 or 6 000 young, and not so young, people walked away from their training during the height of the global financial crisis and the minister did nothing about it. Because he did nothing about it, his own department's data now shows that as at 6 September 2009, when Labor left office, 37 812 apprentices and trainees were in training, which I will round up to 38 000, but only 38 770 apprentices and trainees are in training now.

**Hon Peter Collier:** In your own mind, do you really think when you have a global downturn you have an increase in trainees?

**Hon LJILJANNA RAVLICH:** Does the minister honestly think 770 extra —

**Hon Peter Collier:** As a former minister do you honestly think that?

**Hon LJILJANNA RAVLICH:** The minister did nothing and he should have done something. We are already paying the price because his quick-fix solution for getting skilled migrants in here, through his deal with the Chamber of Commerce and Industry of Western Australia and the Chamber of Minerals and Energy, means that our kids in Kwinana, Midland and Geraldton will be unemployed because the minister has failed to secure from Treasury the funding to train Western Australian young people and not so young people to take up Western Australian jobs. He should be hanging his head in shame because of that. No, he is not doing a good job as a training minister; he is doing an appalling job.

I will refer now to some of the detail. The minister seems to be running the line that, because places are not funded, students are being turned away. When students apply for a position that is unavailable, he thinks this is a success story. The *Wanneroo Weekender* of 2 September 2010 quotes the minister in an article that reads —

Take-up of traineeships and apprenticeships has increased sharply in the past 12 months and has even been too successful, according to Training and Workforce Development Minister Peter Collier.

“We’ve had a significant increase, and not just in enrolments, which is about 10 per cent in this current semester ... “The important thing is, the commencement of apprenticeships to June this year, compared to 2009, is about 27 per cent.

Does the minister know what? He does not compare his figures to those of 2008, which was the high point. What he has done and continues to do—I will go through more of this—is compare his 38 770, which is the current figure, to 2009 figures, which was at the height of the global financial crisis. It is a low base; he does not compare it to the Labor figures of September 2008.

**Hon Peter Collier** interjected.

**Hon LJILJANNA RAVLICH:** The minister can have his say. His comments in the *Wanneroo Weekender* article continue —

“It’s been very successful, actually too successful — we’re now at the point where our providers are flush, full and that is good for the future in terms of providing for a skilled workforce.”

How can it be successful to have achieved fewer than 1 000 apprentices and trainees in training since August 2008? How can it be a great success if TAFE colleges are turning away apprentices and trainees?

**Hon Peter Collier:** We have never turned away an apprentice.

**Hon LJILJANNA RAVLICH:** That is not what Pat Ford says. The minister knows that is not what the education department —

**Hon Peter Collier:** Find me one apprentice that we’ve turned away.

**Hon LJILJANNA RAVLICH:** Do not worry about it; we will find plenty. This success story is not looking very successful to me. He goes on to say —

As part of splitting education and training into separate departments, many Tafe colleges were branded as Institutes of Training ...

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As part of splitting education and training into separate departments, many Tafe colleges were branded as Institutes of Training.

Once again, that is the big achievement which, according to Minister Collier, removed the stigma attached to the TAFE colleges. I do not have a lot of time, and I want to quickly get through this because we have looked very closely at the source data of the minister’s claim of great success. I refer for instance to the automotive area,

which, by the way, is listed first as a priority industry area in the recent productivity places program. In 2008 under the Labor government, 3 514 apprentices commenced training in the automotive industry. As at July 2010 the figure was 3 124. That is 300 fewer in the minister's own priority area for training. In 2008, in building and construction, which is second on the minister's list of priority industry areas, when we left office, 4 763 apprentices had commenced. By July this year there were 4 403. That is, minister, 360 fewer. Look at me!

**Hon Peter Collier:** I beg your pardon. You've been out of the classroom for 20 years. Old habits die hard!

Several members interjected.

**Hon LJILJANNA RAVLICH:** Come on; members are taking up my time!

In another priority industry area of metals, manufacturing and services, under the former Labor government 5 434 people took up an apprenticeship; by July this year that figure was down by nearly 1 000, to 4 453. If we look at commencements by employment status—the source of this is apprenticeship and traineeship statistics commenced by employment status and gender—8 779 apprentices were employed in 2008, minister, but by July 2010 that had decreased to 6 664, representing a decrease of 2 115. The number of people taking up apprenticeships has dropped from 16 918, minister, to 10 776—just over 6 000 fewer people. This is sounding really successful so far, and I am very intrigued to hear what the minister has to say. I guess he will say, “Oh well; what did you expect to me to do during the boom?” I have to tell the minister that no-one—no-one; not even me—expected that the results would be so bad for the minister. Quite clearly, the minister has not been able to get any funding to go out and create places.

I will move on to the area of TAFE places and, in particular, the skills shortage area of mining and engineering. I remind the minister of the ABC news article entitled “Training wreck – has WA learnt anything?” written by Pamela Medlen. That article stated that 1 470 people applied for mining and engineering courses, and only 968 places were available in 2009; and, in 2010, 1 100 applications were received for only 800 available places. We can see what is happening: people want training and they want to make a contribution, but they cannot because the places simply are not there.

**Hon Peter Collier:** How many missed out in 2005; do you know?

**Hon LJILJANNA RAVLICH:** It is no secret that mining and engineering skills are considered to be those most needed by the resources sector, with billions of dollars worth of projects currently underway or commencing in Western Australia, yet we are in a situation whereby this government has not provided enough places in the priority skills area. Any way I cut this, it is indeed a very, very bad story. I know that I am running out of time, but there is so much more to this.

**Hon Peter Collier:** Put another motion on; I'd love to debate it all day!

**Hon LJILJANNA RAVLICH:** I am happy to; do not worry!

**Hon Peter Collier:** Please do!

**Hon LJILJANNA RAVLICH:** The minister has, quite clearly, worked himself up.

**Hon Peter Collier:** I'm not worked up at all.

**Hon LJILJANNA RAVLICH:** The minister has worked himself up; he should just go easy on himself.

**Hon Peter Collier:** Hon Ljiljanna Ravlich has no idea of how relaxed I am!

**Hon LJILJANNA RAVLICH:** The minister should not beat himself up; I will do it for him!

With only one and a half minutes remaining, I have to say that this is very disappointing. The house should condemn this minister for his failure not only for not producing a training policy, but also for not being able to produce, within the required time frames, any documents that would provide certainty in training in Western Australia; or, indeed, he should be condemned for not providing sufficient training opportunities so that every Western Australian who wants to be trained, and who should be trained to make a productive contribution to the economic prosperity of the state, has the opportunity to do so. It is a major lost opportunity to this state and nation that that is not the case. The minister should, without a shadow of a doubt, be condemned for that.

**HON PETER COLLIER (North Metropolitan — Minister for Training and Workforce Development)** [12.55 pm]: I will say at the outset that the government will be opposing this motion quite emphatically.

I have been looking forward to today for so long, and I think 45 minutes really does not do credit to this debate. I have an enormous amount to get through and I would like to deal with each of the issues.

**Hon Ed Dermer:** Would you like an extension?

**Hon PETER COLLIER:** Very much so, Hon Ed Dermer, if that could be arranged!

As far as training is concerned—I am going to be perfectly honest and up-front—if I had heard from anyone else, including members of the union movement throughout Western Australia, that I should be condemned for what I have done in training in Western Australia, I would be concerned. But I have not and I am not; not one other person, other than Hon Ljiljanna Ravlich, has complained. In fact, the Chamber of Commerce and Industry of Western Australia put out its scorecard today, and the top two portfolios were energy and workforce development. That comes from people in industry who actually listen to me on a day-to-day basis and who understand, acknowledge and support what we are doing as a government. I have heard that right across the state, wherever I go. I have engaged with industry and I have engaged with the community at large to make sure that we reflect exactly what is needed. We have opened doors wherever we have had to, and that has been very successful.

Hon Ljiljanna Ravlich went through a plethora of her so-called achievements as training minister; if she was such a success, Alan Carpenter got it wrong when he sacked her! She was obviously a training genius and he missed out on her attributes; he missed out on her qualities as training minister! Why is it that everyone in the industry and education sectors in Western Australia was baying for her blood on a daily basis and saying how hopeless she was? While they were saying that, former Premier Hon Alan Carpenter saw the wisdom and sacked her. That was because, of course, she was not coping with the portfolio. I find it extraordinary that she can come into this place and talk about condemning me on a portfolio when, in fact, we have hit the ground running and we have runs on the board.

I will turn to one thing that Hon Ljiljanna Ravlich goes on and on about—although she did contradict herself today. If she reads *Hansard* she will pick up on that subtlety, although it may bypass her. Firstly, we are looking at the decline in trainees and apprentices. Can I say yet again—for at least the twelfth time, if not the twentieth time—that whenever there is an economic downturn there will be a decline in apprentices and trainees. It is an inevitable consequence of a downturn that employers put off apprentices and trainees. For some unknown reason—although, considering the fact that Hon Ljiljanna Ravlich was such a failure as a minister, it does not surprise me that she does not understand this most basic fact—Hon Ljiljanna Ravlich does not seem to understand that it happened right across the nation. It did not happen just in Western Australia; it was a nationwide phenomenon; and, not only was it a nationwide phenomenon, it was an international phenomenon. According to the National Centre for Business and Economic Research figures, from June 2008 to December 2009—the 18 months at the height of the economic downturn—the number of trainees and apprentices in each of the states declined as follows: Victoria declined by 4.04 per cent; Queensland declined by 10.05 per cent; Tasmania declined by 18.06 per cent; South Australia declined by 5.13 per cent; and, nationally, there was a decline of 4.68 per cent.

What happened in Western Australia? From what Hon Ljiljanna Ravlich said, it must have been terrible in Western Australia—I mean, the devil incarnate hit this state! I hit the state and I must have decimated training and apprenticeships. No; in Western Australia the figure declined by 2.92 per cent. We actually experienced less of a decline than there was nationally and in most other states.

**Hon Michael Mischin:** Well done, minister!

**Hon PETER COLLIER:** I thank Hon Michael Mischin. I will take a bow for that one, but I have to say that I represent the training sector, and I am grateful for the contribution and help provided by industry, the union movement, and the community at large to ensure that we softened the blow of the downturn.

As a direct result of that downturn the government was very, very proactive. The first thing it did was inject \$47.4 million into a stimulus package to look after those people who were directly affected by the economic downturn—it was exactly that, a stimulus package. I will run through some of the points of the stimulus package to show how successful they have been, and I will do that after lunch.

*Sitting suspended from 1.00 to 2.00 pm*

**Hon PETER COLLIER:** Before the lunch break I was referring to the fact that in comparison with the rest of Australia, Western Australia had in fact done very well in retaining apprentices and trainees during the economic downturn. That point seems to have eluded Hon Ljiljanna Ravlich.

Aside from that, this government invested an immediate \$47.4 million to assist those affected by the economic downturn. The notion that we have done nothing and that I have been sitting on my hands is abject nonsense. I outline what we did with \$47.4 million and I will leave it to members to determine whether they feel that we have been successful in our endeavours. First of all, we provided fee-free exemptions for the unemployed to access training. That seems to be a logical thing to do. People who had lost their jobs were provided with fee-free exemptions. What a great initiative. An amount of \$17.6 million was used on this. As of the beginning of August 2010, over 10 000 previously unemployed people are now directly involved in training. I would say that that is a great success story. People who had previously been unqualified or unemployed are now directly involved in training. I would say that that warrants a tick. We also provided a rebate on workers' compensation

premiums for employers of apprentices. Again we are trying to help employers—to assist them with a financial package. As of the beginning of August 2010 we have had 2 362 claims affecting 1 078 employers that we have funded to the tune of \$1.5 million—\$1.5 million paid to employers. Again that warrants a big tick. We also developed and rolled out 14 workforce development centres to 1 April 2010; 14 workforce development centres right across the length and breadth of the state. Let me explain where they are —

**Hon Ljiljanna Ravlich:** Where are the apprentices and trainees?

**Hon PETER COLLIER:** The member should wait until I get on to it. She should hold her breath for a little bit longer because when I tell her, it will be worth it! I know that was a look of disdain from the member, I did not even have to look over there!

The workforce development centres are intimately and intricately weaved throughout the state to make sure that we cover all areas and to assist people in need of a seamless transition into the workforce. There are workforce development centres in the regions of Swan, Canning, Fremantle, Peel and West Coast. We have a centre for culturally and linguistically diverse clients in Wembley; we have a centre for ex-offenders, Outcare Incorporated, in East Perth. We are looking after everyone in our community with our training policies. We understand that training should be for everyone. We also have them in the regions: in Midlands—Narrogin, in the Kimberley, in the Pilbara, one in the Mid West, one in the eastern Goldfields—a wonderful place to be—one in Warren—Blackwood, one in Bunbury and one in Albany. Fourteen workforce development centres right across the length and breadth of the state that are doing magnificent work in assisting people back into the workforce. Again that warrants another tick. We have three ticks so far; that is pretty good.

We also developed and expanded recognition of prior learning throughout the state. We introduced a recognition of prior learning course fee concession; that is, a concession of 50 per cent on RPL fees provided for approved students. To the beginning of August, over 6 800 students have accessed the RPL concession fee. What a wonderful good news story. In addition, to improve the recognition of prior learning services in Western Australia, registered training organisations can apply for funding for an RPL leader who will work with the career centre to provide a rapid and streamlined recognition of prior learning process for clients—\$1.6 million over two years. For this project—I am sure members on this side are fascinated because they like hearing good news stories—eligible RTOs received notification of the recognition of prior learning leader initiative up to June 2009 and applications closed on 1 July 2009. Sixteen applications, nine from private RTOs and seven from public RTOs, have been funded to the tune of \$763 526. RPL leaders commenced and participated in the RPL community of practice meetings. The funding for the first year has thus far been used. The 2009–10 RPL leader project concluded on 31 July 2010. The RTOs have submitted their final report. Statewide there was a very significant increase in the uptake of RPL in 2009. The Training WA Planning for the Future 2009–2011 target was to increase successful RPL outcomes from 30 087 in 2008 to 40 000 in 2012. This target has already been achieved. In 2009 there were more than 52 400 successful RPL outcomes. How good is that? At last we are actually reforming, moving forward, and recognising that people who perhaps do not have training or have not had training are going to be recognised for the skills that they have—practical life skills—right throughout the state.

We also established the critical support unit as part of the stimulus package. This is a mobile response team that has helped to coordinate and respond to the needs of businesses, employers and employees, and apprentices and trainees affected by the global economy. It has been phenomenally successful. Yet again, intimately and intricately forming a dialogue between members of the community that were suffering—industry and individuals as a whole.

We also had a very extensive advertising campaign. We have had blanket advertising throughout the state, in print media through regional and metropolitan newspapers, and on electronic media through television and radio, which has been phenomenally successful. The comments by Hon Ljiljanna Ravlich that I spent the money advertising myself and my department grew so repetitive that they were almost obscene. That was not the case and I have said on the public record on a number of occasions that not one cent of that money went to advertising the new Department of Education and Training. Hon Ljiljanna Ravlich took great delight in rolling out those media statements. I tell members, the media statements that she rolls out border on incompetent. No actually, they are incompetent! This money went out to advertise the attributes of trading. The campaign has been phenomenally successful. We have had a tremendous uptake in training. The campaign has been so successful that we now have our public and private training providers burgeoning at the scenes. They have had a massive uptake in enrolments and that is good for the future.

I challenge anyone to say that that is not a success story; \$47.4 million in a stimulus package and we now have a massive uptake in enrolments. That is fantastic. We have come from a low base as a result of the economic downturn, we took proactive action, and as a direct result there has been a massive uptake in enrolments. I will go through some figures: the number of apprentices and trainees in training at the end of June 2010, the last

quarter, was 39 029 compared with 36 871 at the end of June 2009. That is an increase of 5.9 per cent. Hon Ljiljanna Ravlich was a bit naughty about this. In the 12 months to the end of June 2009 —

**Hon Ljiljanna Ravlich** interjected.

**Hon PETER COLLIER:** The member is very good at that; she misrepresented the Prime Minister, and she should not ever forget that, because I am going to remind her of it next time I see her. I have a good relationship with Julia! When she finds out that the member has misrepresented her, she is not going to be very happy!

In the 12 months from the end of June 2009 to June 2010—that is a 12-month period; there is nothing tricky about that, it is totally transparent —

**Hon Ljiljanna Ravlich:** You are tricky.

**Hon PETER COLLIER:** — there has been an increase in commencements of —

**Hon Ljiljanna Ravlich:** You're using 2008 data.

**Hon PETER COLLIER:** The member should listen to what I have to say so that she does not fabricate and rubberise the figures all the time. In the 12 months from the end of June 2009 to 2010 there has been an increase in commencements of apprentices of 27 per cent. That tells us that we are doing something right, as Hon Ljiljanna Ravlich would well know. As I keep saying, when there is an economic downturn, employers put off their apprentices. Guess what? They are putting them back on, so ultimately, of course, we are going to benefit. To explain the extent to which they are putting them back on, the number of employers in training in the 12 months to 30 June 2010 has increased by 339. There are now 339 more employers directly involved in training; that is a good news story. We currently have 39 000 apprentices and trainees—around 20 000 apprentices and around 19 000 trainees. Training WA said that there would be an increase in trainees of 5 000 over the four-year period to 2012. The new projections suggest that that will increase by 26 per cent; 47 100 apprentices and trainees is the new prediction from the State Training Board. That is an increase in apprentices to 29 200 and trainees to 17 900. That shows that the government is working; there has been a phenomenal uptake. The projections are always altered according to economic circumstances. The current projections, based upon economic activity and the contribution from the industry training councils is that those predictions are accurate. Hon Ljiljanna Ravlich needs to hear that; there has been a massive increase in the number of commencements, and a significant increase in projections for the numbers of trainees and apprentices.

As a result of that, in the last budget we added \$19.6 million for an additional 7 600 places. Again, that shows our commitment. That needs to be remembered. Funding for training delivery increased from \$334 million to \$460 million between 2008 and 2010. That is an increase of approximately 37 per cent. Again, that shows our commitment to training. User choice funding increased from \$37 million to \$90 million between 2008 and 2010, an increase of approximately 240 per cent. Around 17 000 additional training places under the productivity places program were delivered in 2009. This was approximately 3 000 places above the state's target of 14 000 course enrolments under the national partnership agreement; that is better than any other state. We are a success story; our policies are working. Early data on the 2010 training activity indicates that Western Australia is on target to deliver this year's target of 21 000 additional training places under the national partnership agreement. It is working.

It gives me a great deal of pleasure to turn now to "Training WA: Planning for the Future 2009-2018". It is a wonderful document and it has been embraced unanimously in Western Australia, bar one member of Parliament.

**Hon Ljiljanna Ravlich:** That's the one you forged.

**Hon PETER COLLIER:** Sorry?

**Hon Ljiljanna Ravlich:** That's the document you copied.

**Hon PETER COLLIER:** It is not copied at all. I am so glad Hon Ljiljanna Ravlich brought this up; she just keeps giving. She is a little treasure! I only have 25 minutes! Can I get an extension?

"Training WA" is this government's document. I will go through this again because Hon Ljiljanna Ravlich —

**Hon Ljiljanna Ravlich** interjected.

**Hon PETER COLLIER:** Hon Ljiljanna Ravlich is a bit of an irritant at the moment; I am going to ignore her.

**The DEPUTY PRESIDENT (Hon Jon Ford):** Members, let us keep the debate civil; Hon Peter Collier cannot call Hon Ljiljanna Ravlich "the honourable member" and then call her an irritant. It is disrespectful to the house and to the people who elect us here. I know that it is late, after three weeks, but let us try to keep the debate civil and on track.

**Hon PETER COLLIER:** Thank you, Mr Deputy President; I can assure you that no disrespect was intended, and I take on board your advice.

“Training WA” is not a document of the previous government; I want to make that clear. We have been through this on several occasions, but Hon Ljiljanna Ravlich is a little slow on the uptake sometimes. The Labor Party’s plan for training was called “Labor’s plan for skilled people”. If we really want to be pedantic, we can also look at this document, called “Skills for Western Australia: A Plan to Transform the Training System 2008-2018”. I have been through this before, because this is the document that Hon Ljiljanna Ravlich tabled when I asked her to. This is the document that was formulated by the State Training Board. The minister who took over from Hon Ljiljanna Ravlich after she was sacked thanked the State Training Board for developing the plan and stated that he looked forward to working with industry and training partners to transform Western Australia’s training system. It is, and always has been, the role of the State Training Board to provide policy advice to government. Again, contrary to the false comments of Hon Ljiljanna Ravlich, she did not establish the State Training Board; nor did the state Labor Party. Hon Norman Moore established the State Training Board. The role of the board is to formulate a plan for successive governments, and that has always been its role. Hon Mark McGowan acknowledged that fact. Hon Ljiljanna Ravlich wants to be able to say that it is a Labor Party plan, but it is not. I could move an entire motion on the Labor Party’s plan. The predictions of that plan, compared with the Leader of the Labor Party’s plan, reveal a few mighty indiscretions.

I was intimately involved in the entire “Training WA” document. Again, I acknowledge the State Training Board for its assistance. If Hon Ljiljanna Ravlich thinks this is a Labor Party plan, she should come out and endorse the competitive processes, and what the Liberal–National government is doing for Aboriginal people and people in regional and remote areas of the state, but she does not; all she does is moan and groan and cast these aspersions without any foundation. I was completely, absolutely and intimately involved with the entire document. It reflects the Liberal–National government’s attitude towards training. It incorporates profiles that we established and the stimulus package. We have had nothing but complaints from Hon Ljiljanna Ravlich about the stimulus package. It incorporates everything that the Liberal–National government believes in, in respect of training in Western Australia. It is a wonderful document and has been embraced across the state. It has a number of pillars to deal with a higher skilled workforce. It deals with the rural and remote areas of the state, people who are marginalised in the community and a flexible training sector. It is a comprehensive document that is entirely and fundamentally a Liberal–National government document. I want to make that quite clear because it is very important and it comes down to the crux of this motion. The government has a plan and a direction. The training sector, industry and the community all know where we are going: it is called “Training WA”. The only person who does not know where we are going is Hon Ljiljanna Ravlich. That is the first one.

I will now move on to the next area. I refer to the new Department of Training and Workforce Development. Hon Ljiljanna Ravlich was a little flippant about this in her comments, and I am sorry to hear that. I stand by my decision—it was my decision—to establish a new Department of Training and Workforce Development. I have to be honest. I feel the Labor Party was wrong to morph training back into education in 2003. I think it was a flawed decision. I know for a fact that members of the Labor Party did not agree with that decision, because they have spoken to me. I was very cognisant of the fact that people within the Western Australian education sector who wanted to choose a non-academic pathway were essentially being treated as second class. That culture permeated through not just our schools but the community at large. It was very important to me, and it remains very important to me, to raise the status of training in the community. The only way we could start to do that was to ensure that we gave training the profile that it so richly deserves.

Prior to the establishment of the new Department of Training and Workforce Development last year, we had one department called the Department of Education and Training. As I said, the departments were combined by the Labor Party in 2003. In essence, training was pretty much an afterthought, almost a subset or a second cousin to education; lost in the bowels of East Perth’s Silver City. It was a shame. This was at a time when we as a community were starting to say to children in our schools, with the courses of studies and the direction upon where we were going from an educational perspective, “Don’t think for a moment that you have to choose an academic pathway. You can choose a VET pathway. You can choose a training pathway.” In order to make sure we raised the profile of training, we needed to give it a new department to have a dedicated focus on training. It was not just an afterthought. The Premier and I had a couple of discussions. We were at one with that. What was also important to me was the fact that I did not want it just to be the department of training. I felt that if we called it the department of training in essence we would lose sight of what it was all about. We could train people, but if it was left in isolation and we did not have dialogue with industry or the community, we would be wasting our time. We had to remove the barriers and open the doors to ensure a seamless transition from training into the workforce. That is why I wanted to expand the new department. I wanted to ensure that the new department provided those opportunities, and removed the barriers. That is why we now have a new Department of Training and Workforce Development. It is a brand spanking new department with a new profile, new prestige, new acceptance, with almost unanimous endorsement from the community, apart from Hon Ljiljanna Ravlich! Everyone likes it. Since we, number one, made the announcement and, number two, established the department in October 2009, not one person, other than Hon Ljiljanna Ravlich, has said it is not a good idea. If there was one or two, or a dozen, or some industry sectors that said to me, “No, it’s not the right thing to do” I would think I

was doing the wrong thing. But I am not, because I know it reflects the sector. I know this is what the sector wants. The sector wants to give training the profile it so richly deserves.

Training is not significant just on the state scene; it is significant on the national and the international scene. It is a global phenomenon. We must come to terms with the fact that we have had skills shortages ad infinitum. If we are to overcome it, we have to provide opportunities for people to come into training; not just come into training but to work with industry to make sure that industry opens up its doors. Whenever industry meets with me—I meet with industry every single day—we always talk about how we can work together. I say, “I’ll train them; you give them a job.” They are on board. They are really keen to work with us, as a government and community, to ensure that occurs. The department has been phenomenally successful. The workforce development component has been phenomenally successful. To suggest that I should be condemned or I am a disgrace, as I heard an hour ago, is unbelievable.

While we are talking about workforce development, we now have a national committee called the Workforce Development, Supply and Demand Principal Committee. I am the chair of that committee. Do members opposite know who appointed me to that position? The current Prime Minister. So, the current Prime Minister obviously does not think I am a disgrace. The current Prime Minister does not actually think I am doing a terrible job. If she did, why on earth would a Labor Prime Minister appoint me as chair of a national committee? She has the numbers on MCTEE; I am the only Liberal on MCTEE. I am now the chair of that committee. I know I will do a damn good job. I know damn well how much we can continue to contribute as a state, not just within Western Australia, but to the national good. As I said, I am delighted with that decision. I think it was the right decision, and I think it has been very well received.

I will talk about the workforce development plan in a moment; I have no problems with that one. I decided that skilled migration was being lost in the Department of Commerce. Not enough was done at the state level about skilled migration. I spoke to Troy at the time, the former minister, and said, “Why don’t we bring skilled migration into my department and therefore give it not just recognition but a job; it can work hand in hand with all of industry?” What a great idea. We did it like that. Now skilled migration is within the Department of Training and Workforce Development, where it rightly belongs.

I also established 10 industry training councils. They will provide stimulus for where we are going, representative right across the industry sectors. I will not go through all of them, but just a couple of them are: the Community Services, Health and Education Training Council; the Construction Training Council; the Electrical, Utilities and Public Administration Training Council; the Engineering and Automotive Training Council; the Food, Fibre and Timber Industries Training Council; the Financial, Administrative and Professional Services Training Council; the FutureNow—Creative and Leisure Industries Training Council; the Logistics Training Council; the Resources Industry Training Council; and the Retail and Personal Services Training Council. That is all 10 of them. They used to be industry training advisory bodies. The ITABs were pretty ineffective; they were not doing the job they wanted to do. We combined them into industry training councils. On those industry training councils we have a broad representation of industry groups, the community, the unions, right across the board. They communicate with government, with me; they tell me what they want. They tell me their profiled areas of need. They tell me the training needs of their sector. I met with every one of those industry councils last year; I am halfway through meeting with them again. Do members know what? On not one occasion have any of those industry councils indicated anything but 100 per cent support for where training is going in Western Australia. They are very supportive of the direction we are taking. They are very supportive and appreciative of the fact they are part of the decision-making process. That is what I say to each and every one of them: “I do not mind if you come here. I have a thick skin; I have a hard chin. I don’t mind if you give me criticism as long as you provide some options and alternatives as well, because what I will say to you is if you need to have —

**Hon Ljiljanna Ravlich:** You don’t have a thick skin!

**Hon PETER COLLIER:** You need a thick skin!

I tell them if they need to improve their industry area, that is fine, but provide some alternatives. They do. It is done very well indeed. I am delighted with the way the industry training councils are working cooperatively and collaboratively with government to achieve positive outcomes for training in this state.

Aboriginal training is an area I want to get onto. I want to make sure I deal with this because I am running out of time. I am only about halfway through, which is a bummer. We have done so much in training. One area that is very important to me is Aboriginal training. I said that right at the outset. I said to Keith Spence and the State Training Board, “I am fed up to the back teeth with the fact that one of the most marginalised groups within our community is not being provided with real opportunities through training.” There are some terrific things happening for Aboriginal people in training; there really are. But there is a lot of duplication and a lot of inefficient use of resources. To the cynic it is just another program—it is not. I understand there are the dieticians

of doom out there who say that the program I have initiated is not going to work. I think it will, because everyone is on board.

I am a Kalgoorlie boy, as I keep saying. I grew up with the Wongi people. I have a deep affection for Aboriginal people. I will do all that I possibly can. I will live and breathe on this notion that I will improve the outcomes for Aboriginal people through training.

**Hon Ljiljanna Ravlich** interjected.

**Hon PETER COLLIER:** Hon Ljiljanna Ravlich would not know about it. She should not start on this one because she will not win! What happened with the Training together – working together initiative? The State Training Board established the Training together – working together committee. Twenty-six people ended up as members of that committee. I have to say that at the start it was a bit unwieldy, but they worked magnificently. It was co-chaired by Keith Spence and Dr Sue Gordon, who are on the State Training Board. I went with Sue and Keith and members of the committee all over the state. We accessed the view of Aboriginal people, the local community, industry, local government and government departments. It was magnificent. It was a wonderful, wonderful, positive experience. It is the best thing I have ever done in my public life. It was magnificent.

**Hon Kate Doust:** You can quit now!

**Hon PETER COLLIER:** No way! I have only just started. The best is yet to come. I can tell members right now that there is so much goodwill out there in the community to ensure that Training together – working together works.

The Training together – working together committee came up with a series of five recommendations. I will briefly go through them and tell members what we have done to implement each of those recommendations.

The first recommendation of the committee is to assist in connecting employers and Aboriginal jobseekers to meet Western Australia's growing work opportunities. We then immediately established the Aboriginal Workforce Development Centre. It is now operational and is in Murray Street, and I invite members to go and have a look at what is going on there. The centre will work with industry, the community and Aboriginal groups. It will join the dots and look at where we can overcome duplication and where we can remove the barriers and assist Aboriginal people into training.

The second recommendation of the committee refers to engaging local knowledge and capacity, recognising that the one-size-fits-all approach does not work. I am conscious of the fact that although the Aboriginal Workforce Development Centre in Murray Street will have an impact, it will not necessarily be that effective in the Pilbara, the Kimberley, the Goldfields or wherever. We are rolling out four regional Aboriginal workforce development centres. They will be up and established by the end of this year. There will be one in Broome, one in Geraldton, one in Kalgoorlie and one in Bunbury. They will be up and operational and will be working intimately with the local communities to provide positive outcomes for Aboriginal people and ensuring that the training opportunities for Aboriginal people are readily available.

The third recommendation of the committee is to improve the transitioning of Aboriginal people through quality mentoring and other support. That is absolutely essential, because we can train Aboriginal people and assist them through training. However, a lot of Aboriginal people then need that mentoring and the support mechanisms to get into the workforce. A comprehensive mentoring strategy is being constructed as we speak and, without reinventing the wheel, we will work with groups that currently exist. I am talking about wonderful groups that already exist, such as the SMYL Foundation, the David Wirrpanda Foundation, the Aboriginal Education Council and Clontarf Foundation. We will ensure that we work together to provide positive outcomes. David Wirrpanda has become a good, valued friend. He is the public face of Training together – working together. He is doing wonderful things with his foundation, and is but one example of how we can work together to provide positive outcomes for Aboriginal people.

The next recommendation of the committee is to develop a strategic systematic response to individual and institutional barriers to Aboriginal participation in the workforce. Dr Ruth Shean, the first director general of the new department, chairs a committee of government directors general to work together to provide, again, opportunities and to make sure barriers in government are removed.

The final recommendation of the committee is to raise awareness of Aboriginal employment opportunities and to promote new Aboriginal role models. Again, that is very important. There are very many Aboriginal people doing tremendous things out there in the community. Hon Ken Travers talked last week about Kaila at West Coast Institute of Training. She is a tremendous young lady; a wonderful young lady. As a direct result of her achievements in training, her self-esteem has developed enormously in the space of six months. To see that young lady blossom and grow as she has in the past six months is just magnificent. That is what we have to do and that is why we will be developing and continuing to develop a raft of different role models and mechanisms for campaigning or marketing for Aboriginal people to ensure that they know what is available for them.

I would like to table first of all the “Training together – working together: sustainable employment outcomes for Aboriginal people through training: Aboriginal workforce development strategy” and the government’s response to those recommendations.

[See paper 2573.]

**Hon PETER COLLIER:** Let us look at infrastructure. I really want to talk about state providers and what we are doing with the former TAFE colleges. There is another motion on the notice paper that I could talk to for another 45 minutes, so I might hold off on that one.

**Hon Ljiljanna Ravlich:** Let’s hope it’ll be before the next time!

**Hon PETER COLLIER:** Who else is Hon Ljiljanna Ravlich condemning before we get there? There are about another four or five notices of motion there.

Several members interjected.

**The DEPUTY PRESIDENT:** Order, members! You are wasting your own time.

**Hon PETER COLLIER:** Again we have hit the ground running with infrastructure. We have a multi-pronged attack with regard to infrastructure, I have to say. I will just go through a few of our successes with infrastructure over the past couple of years. We have seen significant increases and improvements in investment in the training infrastructure. Over the period 2008–09 to 2010–11, 23 training building projects valued at \$189 million have been developed in Western Australia. This includes total funding of \$29.57 million in 2008–09; \$108.03 million in 2009–10; and \$52.108 million in 2010–11. This has enabled expanded trade training facilities and new training centres in 10 regional locations. Projects completed in 2009–10 include the new state-of-the-art training facilities in the Perth central business district; specialist metal workshops to expand and enhance training delivery at Midland, Kalgoorlie and Karratha; new building and construction trade workshops at Thornlie, Balga, Bunbury and Geraldton; and new automotive workshops at Albany, Northam and Bunbury. In addition, we have a new training centre for the far north metropolitan suburbs, which will be completed in 2010 at Clarkson. I actually launched that centre with John Quigley about six months ago when he and a number of my other colleagues were there. This facility will cover building and construction trades, metal fabrication, electrical, carpentry and joinery.

**Hon Ljiljanna Ravlich:** Who funded it?

**Hon PETER COLLIER:** No, no. We funded it. We are government. Hon Ljiljanna Ravlich keeps telling us we are government. She cannot pick and choose, I have to say. We funded it. We are in government. Move on!

In terms of infrastructure what I would like to see—this goes hand-in-hand with —

**Hon Ljiljanna Ravlich** interjected.

**The DEPUTY PRESIDENT:** Order, members! The Hansard staff will be having a lot of trouble hearing what is going on. The minister has the call.

**Hon PETER COLLIER:** Thank you, Mr Deputy President; I am having difficulty hearing myself at the moment.

I will talk about state training providers at greater length when we look at a motion on that matter that will be debated later. That will be a terrific motion to debate, because we have done so much with state training providers. However, I am also aware that the provision of training is becoming much more competitive now. In Training WA we have said that we want funding for competitive processes to go from 27 per cent to 50 per cent by 2012. I know Hon Ljiljanna Ravlich does not agree with that, even though her own document said 40 per cent. But we have already reached that 50 per cent competitive process target.

**Hon Ljiljanna Ravlich** interjected.

**Hon PETER COLLIER:** We have done it in less than two years, and the world has not collapsed. I tell Hon Ljiljanna Ravlich that the sky has not fallen in. Our state training providers are continuing to grow in confidence and grow in prestige; they are rising to the occasion. Our state training providers, which are already and always have been good providers of training in Western Australia, are now being provided with even more opportunities. They see them as opportunities, as that is what they are. There are more than 350 private registered training organisations in this state. They are very good providers of training. There is therefore a plethora of opportunities in training delivery. But I want to make sure that our state training providers become even better, so that when students in year 10 in our schools are given the opportunity to visit the West Coast Institute of Training or the Central Institute of Technology, or whatever—I would like to think more and more of them will make those visits—they can look in and say, “These are magnificent institutions, this is genuinely where I want to go at the end of year 12.” To do that, of course, we must make sure that those state training providers are adequately facilitated in terms of infrastructure and resources for training delivery. As I have just

articulated over the past 45 minutes, we are more than adequately meeting those challenges. I am also conscious of the fact that industry wants to be directly involved in the process. It wants to be involved in ensuring that it can also provide for training. We are finding that everywhere, not just in the big sectors of industry, but also in the mid-range sectors of industry. We need to ensure that we engage with industry on infrastructure delivery. One of the best ways to do that is through public-private partnerships. It is fantastic. It is a great opportunity for industry to be involved in the process, and it is very keen to be involved. State training providers are very keen to engage with industry. That is another direction in which the government is going.

Debate adjourned, pursuant to temporary orders.

**CEMENT WORKS (COCKBURN CEMENT LIMITED) AGREEMENT AMENDMENT BILL 2010**

*Second Reading*

Resumed from 14 September.

**HON JON FORD (Mining and Pastoral)** [2.40 pm]: The opposition supports the Cement Works (Cockburn Cement Limited) Agreement Amendment Bill 2010. This is a very important bill for a very important piece of state infrastructure. Cockburn Cement Ltd is a private company, but it is the largest lime producer in the country and is particularly important for the expansion of industry and for the civil construction industry because it needs the cement. It is also very important that the company be managed in an effective way, particularly from an environmental perspective, to ensure that this asset is secured for the state. One of the great things about this bill is that it will provide certainty for this company for the next 20 years, which will allow it to invest, and it will give some certainty to the supply of lime for construction in the state. It is a very important bill.

Unfortunately, there has been some controversy surrounding the company's operations over the years. It has been subject to some fairly spectacular failures from an environmental perspective. There has been long-term damage to the seagrass south of the area, not, I am advised, because of the long-term dredging operations, but because of terrestrial discharges from the onshore plant. For those people who are unfamiliar with the operations, I am talking about a subsea mine site. It is the same as a quarry, except that it is under the water. There is a range of concerns, particularly from an environmental perspective and from an amenity perspective for the people who live in that area. I was happy to hear the Leader of the House point out in his second reading speech one clause in particular. He said —

Clause 4(6) varies clause 6A of the state agreement to provide for the company to submit a dredging and management program each year commencing in 2010, rather than every two years as currently required, ...

That is a particularly important provision because if these assets are not managed carefully, there can be absolute disasters. On a recent trip to Bali—people might wonder about the relevance between Bali and here—I went to a place called Candi Dasa. Candi Dasa had a big boom because it was going to take over from Sanur, Seminyak and Legian as the next beach resort. In its rush to build tourist accommodation and civil works, it dredged and mined the reefs off the coast of Candi Dasa; in fact, within 10 years it did not have any beach at all. That shows what can happen if these issues are not managed properly.

I have said that the opposition supports this bill, but people have raised with me health concerns from dust and other emissions from the terrestrial side of the plant. Although this is not directly related to the agreement act, I would like the government to put a bit of a squeeze on Cockburn Cement with regard to the emissions from its furnaces. I understand that it is investing a significant amount of money—about \$25 million—to build a dust-suppression unit for one or maybe two of its furnaces. But it seems to me that if Western Australian taxpayers are to provide certainty for this company to have feed stock applied to it for the next 20 years, it is reasonable to expect that it will deal with amenity issues and community concerns in the long term. That would encourage the company to deal with its emissions in a holistic way. I know that the government's powers to deal with this company are limited, but I urge the government to encourage the company to deal with those issues.

As I have said, this is an important state asset for a whole range of reasons. There are significant benefits to the state, but there are also significant risks to a very environmentally sensitive area. Cockburn Sound is a very significant marine environment that is already under great stress. Perhaps the company could play a role in long-term monitoring. Perhaps it already does; I do not know. Perhaps the minister can enlighten us about that matter. I think there is a legitimate argument to say to that company that it is getting a fair cop because the government is giving its business certainty and it will do well out of the agreement, and so part of its return should be to go above its statutory obligations in protecting the environment and amenity of the area and deal with the concerns of the local community, as well as the broader community, about Cockburn Sound. I welcome the amendment bill and the improvements that it will make to the state agreement, particularly in monitoring more frequently the operations of the company. The opposition will not seek to take, and sees no point in taking, this bill through the committee stage. We will support the second reading and the third reading of the bill. I look forward to the minister's response. The opposition supports the bill.

**HON GIZ WATSON (North Metropolitan)** [2.48 pm]: The Greens (WA) do not support the Cement Works (Cockburn Cement Limited) Agreement Amendment Bill 2010 primarily because we do not support state agreement acts and the nature of state agreement acts that bind the state to certain companies for extended periods. If members ever wanted to see a case study of how disastrous a state agreement act can be, the state agreement act that was originally established in 1961 with Cockburn Cement Ltd is an excellent case study. I have had a lot to do with this particular company, its activities in Cockburn Sound and Owen Anchorage, and the health of the seagrass. In fact, I was part of the successful court action that brought the Environmental Protection Authority to task for its report into the ongoing seagrass dredging, but I will get to that matter in a moment.

This bill does some good things and some bad things. Members need to be aware that the Parliament has very little opportunity to have a say about state agreement acts. The original act and variations to it are brought before the Parliament but the only opportunity we have to amend it is to either accept or reject the matters that come in. This bill will ratify an agreement made on 14 June 2010 between the state, the Minister for Transport, Cockburn Cement Ltd and the Fremantle Port Authority. The second reading speech tells us that it is necessary in order to give effect to amendments in the Cement Works (Cockburn Cement Limited) Agreement 1971. The variations that we are considering this afternoon will reflect the environmental approvals that Cockburn Cement received in 1999 and 2002 as well as subsequent approvals to bring new areas under the state agreement that have received environmental approvals. Ministerial statement 599 requires Cockburn Cement to cease dredging in the stage 1 area and relocate to stage 2 of the long-term area by 8 July 2010. It will include a new area, area B, into provisions of the state agreement act. The second reading speech also tells us that the company cannot commence operations in the major proportion of stage 2 of the long-term area until the variation agreement has been ratified by Parliament. The existing agreement defines an area within five miles of a point on the coast that Cockburn Cement has access to under a state agreement for the taking of shell sand. The amendment that we are dealing with today will extend that well out into a new area to the west on Success Bank, which enables the company to move forward into its long-term dredging plan, which I believe goes through until 2034.

The provisions in the bill will extend the state agreement area to include all of the stage 2 long-term area that is currently not under the state agreement and to also require that the company submit a dredging and management program each year, commencing this year, rather than the existing arrangement, which is every two years. It provides for dredging to occur over that part of area A that is outside the western boundary of the port area and provides for a number of exploration licences that the company currently holds over the west area to continue to be held under the provision of the Mining Act that has an end point of February 2031. It extends the term of the state agreement to February 2031 to accommodate and be consistent with the company's long-term dredging operations. It also allows Cockburn Cement to continue its lime and cement operation at Munster for at least a further 20 years. In essence, that is what the variation to the agreement will do.

The case for urgency has been made today. I acknowledge that the Greens (WA) have given their consent to debating this bill as a matter of urgency so it has come up on the notice paper a little quicker than we anticipated. That meant that some of us were doing some homework overnight, which was rather unfortunate after a long sitting day yesterday. The case for urgency is not absolute. I realise that the government has a preference for this bill to be debated today. The existing agreement between the company and the state says that the state will make every endeavour to pass the bill by September 2010.

**Hon Norman Moore:** That is actually what I'm doing. If you want to delay it beyond today, it's entirely up to you.

**Hon GIZ WATSON:** I am happy to.

**Hon Norman Moore:** Then you can do it. Just keep talking.

**Hon GIZ WATSON:** I am just saying that it is not an absolute requirement. The expectation and the hope that this bill would be passed by today was only brought to my attention yesterday.

**Hon Lynn MacLaren:** It actually ran out in July.

**Hon GIZ WATSON:** That is right; certain changes occurred in July.

I wanted to give a bit of history and context to this debate. I think it is important for members to understand a little about the state agreement with Cockburn Cement Limited. I understand that Cockburn Cement has been amalgamated or absorbed into Adelaide Brighton Ltd. In essence, it is still the same entity but it has a different name these days. We have to go right back to the 1950s to look at when the first push was made to establish cement-making within the state. That objective was met by negotiations with Cockburn Cement to establish a cement-making facility on the shore of Cockburn Sound to drive the development boom that was happening in the state. That incentive was structured into a state agreement act provided to Cockburn Cement Ltd, which at that stage was a wholly-owned British company that paid no royalties, got the shell sand resource for free and had very little obligations to conserve the environment. The state agreement act that was established in 1961 was subsequently replaced in 1972. In essence, it was the same arrangement in which the state agrees to certain

things and the company agrees to certain things. It was first established in 1961, it was replaced in 1972 and varied again in 1986 to require compliance with the Environmental Protection Act. Prior to 1986, there was no requirement for the company to comply with environmental protection legislation and, in effect, the state agreement act exempted the company from complying with the Environmental Protection Act.

The company started to dredge shell sand from Cockburn Sound or Owen Anchorage. It is a little semantic. Now it is described as Success Bank and Parmelia Bank, which are in Owen Anchorage, whereas it is still part of the greater area of Cockburn Sound, which is enclosed by Garden Island and provides the only sheltered bit of water in close proximity to Perth. It is a very significant habitat for the marine environment, and is the breeding ground for substantial fish stocks, snapper in particular. Cockburn Sound has been under pressure from a range of environmental impacts, not just the removal of the seagrass beds that sit on top of the shell sand deposits but also declining water quality and other industrial impacts in Cockburn Sound. We had an area that was subject to pressure and a company that had a state agreement act to take the shell sand resource from an area within five miles of a particular point on the coast. Interestingly, the state agreement act said in 1961, and continues to say, that if the shell sand resource ran out or the government of the day wanted to prevent the company from accessing the shell sand resource, the state is obliged to provide it with an equal value resource at the cost of the state. It is a very beneficial arrangement for this company. It has done very well out of it. In fact, it only started to pay royalties in relatively recent times. Prior to that, it was basically shipping all its profits to the United Kingdom. It was certainly providing employment and a resource into the Western Australian economy. But let us not pretend that this company was doing anything other than making an enormous amount of money out of dredging this coastal environment.

Hon Jon Ford said that this is the same as a quarry, except that it is under water. That is true. However, the dredging that is required to remove the shell sand is a pretty messy operation, and it causes a lot of movement of sediment. Therefore, the dredging has a significant impact on the surrounding seagrass, because it increases the turbidity of the water column. I acknowledge that the company has made some fairly significant improvements in methodology, and that has reduced that impact. Nevertheless, the dredging continues.

In the 1970s, when the then Department of Environmental Protection started to take a serious look at the health of Cockburn Sound, it found that Cockburn Cement's activities were a significant contributor to the loss of seagrass. This is in an area that has already lost 80 per cent of its seagrass.

In the 1980s, the Department of Environmental Protection put out some reports that basically put Cockburn Cement on notice and said that the DEP did not consider that Cockburn Cement's activity in continuing to remove seagrass beds was compatible with the health of Cockburn Sound. The environmental protection component of this issue is very much part of this variation to the agreement act. Therefore, it is important that members understand the background to how we have come to this point.

In May 1994, in bulletin 739, the Environmental Protection Authority made some comments about the proposed short-term continuation of the dredging of shell sand on Success Bank and Owen Anchorage. That bulletin also made some comments about the long-term continuation of shell sand dredging, because the company had indicated that it wants to continue to access this resource at least through until 2034. That bulletin raised some significant concerns. I know this bulletin very well, because I was involved in writing submissions to it, and also in appealing it in court. The EPA said in that bulletin that Cockburn Cement could continue to remove seagrass beds from Cockburn Sound, and that, in making its decision, it had taken into consideration local employment and the economic benefits of the company's activities. That led to a court case that found that the Environmental Protection Authority, in making its decision, had taken into consideration matters that are outside the scope of the Environmental Protection Act. The court said that it is not the role of the Environmental Protection Authority to take those matters into consideration. Its role is to give advice to the environment minister of the day, and it should limit its advice to environmental matters; in other words; any decision that is made taking into consideration those two matters is a decision that should be made at a ministerial level.

After that report had been dismissed, another report was prepared. That report basically said that Cockburn Cement would be allowed to continue with its activities. What had happened is that Cockburn Cement had said to the EPA that it did not mind what the court might say or what the EPA might say; it had a state agreement act, and that act said that it could continue to access that resource no matter what. So, Cockburn Cement continued to dredge.

There have been a number of further reports about the medium-term and long-term continuation of dredging on Success Bank, Parmelia Bank and Owen Anchorage. There is a significant shifting of the goalposts in these reports. A report in 1995, report 792, basically got around the issue of the loss of seagrasses by looking at the importance of seagrass meadows to the ecosystem of Cockburn Sound and Owen Anchorage. The 1995 report basically redefined the area of seagrass to be from Eucla to Shark Bay, an area of approximately 2 million hectares, and found that the loss of seagrass on Success Bank and Parmelia Bank was insignificant in the scope of this particular biome. That is a very dodgy piece of science indeed.

Further reports that were produced by the EPA relied on a trading off of research commitments from the company to allow it to continue to dredge. If members read the reports—I took the time to read them all again between one o'clock this morning and now—they will see that the compromise has been to require the company to fund research into assessing the health of the seagrass and the success of transplanting the seagrass, and, in the meantime, the company can keep dredging and removing the seagrass. I find it most extraordinary that a company can pay to get the result that it wants. However, that is, in effect, what we have in this state with the operation of this company.

This bill will extend the area to which Cockburn Cement is given access under the state agreement act. My understanding is that the proposition that has been put is that this area contains no seagrass. I ask the minister to clarify exactly what is meant by that statement. I have looked at the reports, particularly report 1033 of November 2001, which deals with long-term shell sand dredging in Owen Anchorage. That report says that the area that Cockburn Cement is proposing to dredge is a total of 783 hectares, comprising 168.5 hectares of seagrass, and 614 hectares of unvegetated habitat. I am familiar enough with this area to understand that at Success Bank the seagrass cover is pretty minimal. However, I question whether what we are being asked to tick off here will include the loss of that 168 hectares of seagrass, because that is certainly what the EPA report said would happen if approval was given for long-term shell sand dredging, which I understand is what we are dealing with today.

It is worth noting that the bill will significantly extend the area that is included in the state agreement act to the new area B, which goes west of Carnac Island, right out along the west of Success Bank. My understanding is that the state is signing up to a further 20 years of the agreement. If for some reason that resource fails, it cannot be accessed; or if there are environmental considerations in the future, because who knows what will happen over the next 20 years, and the state wants to say that it considers the environmental impact of the activity unacceptable, the state will have to provide Cockburn Cement with a resource of the same quality.

The suggestion has been made in the assessment in report 1033 that shell sand dredging on the west of Success Bank will change the wave dynamics, because that bank provides in effect a breakwater for the storm surges and wave activity that come into Cockburn Sound. If that area is mined out, it will change the wave dynamic in Cockburn Sound. The Environmental Protection Authority recognises that and argues that it is manageable. If at some time in the future, weather patterns change and it is found that the impact on Cockburn Sound and the beaches, and even the industrial infrastructure, is unacceptable, then, if we sign up to this agreement, as I understand it, the company can just say that that is tough. It can say that it will stop dredging any more of Success Bank but the government will have to provide it with a resource of the same quality, which is over 92 per cent purity of calcium. That purity is one of the reasons that the company has always argued that it wants only that resource and not any other resource, because it is of such high quality and very accessible for the company, even though there are environmental impacts. What happens if at some time in the future there are unacceptable environmental impacts? If we are bound by this state agreement act, surely the company will just say that the state must pay. It binds the state to having to pay if something arises. I would be very interested if that is not correct, because one of the things that were pointed out to me last night in the briefing that I had on this bill is that there are some new insertions in this bill that deal with compliance with the Environmental Protection Act, the wording being "subject to obtaining all necessary approvals under the EP Act". What happens if approvals are not granted? How does the agreement come into play if environmental approvals are not granted? The whole point of state agreement acts is to provide certainty for a company of access to material.

I am not quite sure what the new provisions on adherence to environmental approvals are, because in 1986 the state agreement act was modified to make it subject to the Environmental Protection Act. There are quite a number of references in the bill to adhering to environmental approval, so I am not quite sure what is new in that regard. It is not something that we object to, because it is the least that can be done, but I am not quite sure how it would actually have any effect if an environmental issue arose that had even more impact than the one that we know is already going on, which is the loss of seagrass.

Another interesting aspect to note is that page 11 of the bill makes a point of saying that Cockburn Cement will not be "required to comply with the expenditure conditions imposed by or under the Mining Act in regard to the mining lease". I know that Cockburn Cement pays royalties now. It never used to pay royalties. I would be interested to hear from the minister what royalties it pays and how they are determined. Is it likely that these royalties will be varied? It is a company that has an extraordinary advantage in a state where there is a significant building sector, both industrial and domestic. It also supplies lime to both the alumina and gold producing industries. It is virtually the only company that is enjoying this benefit, provided to it by a very generous state agreement act. I have had this conversation with other companies that seek to provide lime to this sector. People who have limestone resources to the north say that this is anti-competitive and that it is a monopoly practice to have a company that has this very beneficial agreement with the state to guarantee that it has access to this cheap and very high quality limestone.

This goes not only to several very significant environmental issues, but also some very significant issues about favouring companies in this state, which is spelt out in legal terms by way of state agreement acts. We have a fundamental objection to state agreement acts. Whereas it might have been arguable back in the 1960s that a state agreement act was necessary to entice companies to invest or place themselves in a particular locality, which I understand is the rationale for the original state agreement with Cockburn Cement, that is no longer the case. I believe that there is a very strong argument for taking state agreement acts back off those companies to allow competition. Far be it from me to be arguing free enterprise and competition, but I think we cannot really have it both ways, and state agreement acts have a significant anti-competitive component.

I just have a few questions. I am sure the minister will be pleased to know that in the interests of not making this last any longer than it has to, I might ask the questions now rather than in committee.

**Hon Norman Moore:** Let me make a point. You can take as long as you feel you need to. I am going to make every endeavour to get one bill passed this week. This is the one I am seeking to get passed. However, if you need to take more time today, that is your prerogative.

**Hon GIZ WATSON:** Okay. In that case I think it might be easier to ask the questions in more detail during the committee process. I have not got a great many questions, but I think that probably procedurally it would be easier to do that then.

What I have already said might be sufficient to cover the points I wish to make. In summary, we will oppose this bill. Some of the components in this bill are an improvement on the state agreement act, and I recognise that, but we do not support other components. Fundamentally, our position is that we cannot support the arrangement that the state agreement act gives to Cockburn Cement to facilitate its ongoing environmental destruction of the environment of Cockburn Sound and Owen Anchorage.

There are so many fundamental problems with the way in which access has continued to be granted to this company because the overarching consideration is that the state is bound by a state agreement act. I know that because, when we successfully took the case to court, the first thing that the company did after it was completed was say, "We don't care; we've got a state agreement act, and we will continue to do in Cockburn Sound whatever we like." That was the company's attitude, and probably continues to be its attitude. It has been subject to ongoing criticism. There was an enormous amount of community concern and activity to try to redress the damaging environmental impact that this company is visiting upon Cockburn Sound. If its activities took place on land and we could actually see them, people would be much more aware; it is fortunate for the company that it is all happening out there under the waves and therefore, by and large, goes unnoticed. However, it does not go unnoticed in respect of the impact on the health of Owen Anchorage and Cockburn Sound.

The company has made efforts to transplant areas of seagrass, and has had some success in picking up and transferring seagrass turfs that have subsequently survived in other places. However, there is very little sign that this is actually a healthy ecosystem in recovery. Quite frankly, it is just a fig leaf for environmental vandalism. To suggest that dredging in areas that do not currently have seagrass cover has no impact on that environment makes a nonsense of the other recommendation by the Environmental Protection Authority that the company explain how it is going to limit impacts on existing seagrass beds and potential seagrass habitat. Some members will be aware that seagrass does not stay in one place, and just because one area happens to be bare of seagrass at some point does not mean that the seagrass will not recolonise or re-establish itself in that area in the future; it varies a lot, depending on storm events, movement of sand and a range of other things. It is a fallacy to suggest that just because an area currently has minimal or no seagrass cover, it is not a significant component of the ecosystem. With those words, the Greens (WA) will oppose the bill.

**HON LYNN MacLAREN (South Metropolitan)** [3.23 pm]: I rise to also speak to the Cement Works (Cockburn Cement Limited) Agreement Amendment Bill 2010 and to add my concerns to those raised by the main speaker for the Greens (WA), Hon Giz Watson. I want to highlight a couple of points because, as a member representing the people in the South Metropolitan Region, I am deeply concerned about the activities of Cockburn Cement Ltd, and this is an opportunity to raise our concerns about this agreement act.

The Greens (WA) are fundamentally opposed to agreement acts, and I am very alarmed by the potential they have to create monopolies in this state. I will be very interested to hear how the minister responds to the concerns raised by Hon Giz Watson. Cockburn Cement is an important company for the people of the South Metropolitan Region. It employs 350 people, it has a turnover of \$230 million and it spends \$150 million locally on goods, services and wages. We are certainly mindful of that in all the decision making that we do about Cockburn Cement. However, that contribution to the economy comes at a cost. Currently, the communities around the plant are raising this matter at many levels. We recently looked at the new licence for Cockburn Cement, and my office has made a submission about it, so I have done a bit of research on the potential impacts of its operations in that area. In this instance, we are looking to extend for a further 20 years the operations of this company. I would like to know the cost of Cockburn Cement operating in the South Metropolitan Region. Is there a cost in

public health? We are now trying to assess, with some epidemiological studies, whether there are impacts from the activities that the company engages in and the emissions that are descending on the residents in that area. Have we calculated the cost of that to the economy? Do we have any intention to calculate the cost? Hon Giz Watson mentioned the impact on seagrass in that area, and seagrass is important to the marine life. There is a potential cost to the fisheries in that region. What is the cost of the company's activities to the fisheries? Finally—this is the most important point in respect of the agreement bill—how much will Cockburn Cement invest in replanting and replacing some of the seagrass it has damaged and destroyed? We know that there has been research into whether it is possible to somehow restore the environment that the company has forever changed. I would like to know whether the significant financial gain that the company is making through that area is somehow feeding back into the environment. In the form of environmental offsets, is Cockburn Cement really investing in those areas that we know it has forever changed by damaging the seagrass?

Hon Giz Watson explained that the Greens (WA) are concerned about the environmental licensing. I must say to the minister that it was disappointing to us that the government did not take the opportunity, when the current agreement act came before us for reassessment, to negotiate with the company to modernise its washing plant so that the impact around Woodman Point would not be so extreme. It is my understanding that by modernising its washing plant, it could improve the quality of the water that is going into that area. This could have been an opportunity to negotiate with Cockburn Cement to get it to invest a bit in modernising its washing plant so that the water coming out would be a bit fresher. I understand that the water is also a bit heated when it comes out. There is also an environmental impact as a result of warm water being pushed out into the sound. I also want to know whether the government actually tried to negotiate a bit more money from Cockburn Cement for the fund to restore seagrass. Did we use this opportunity to try to improve the environmental licensing so that the impacts of turbidity on the environment could be dealt with?

I know that Cockburn Cement was initially permitted to do this dredging for the very important purpose of gaining access to lime and making cement, but it also had the pay-off of creating a shipping channel for us. That is an important benefit to the state, and perhaps the government could look at that as a contribution that Cockburn Cement has made to our infrastructure. However, the lack of examination of the cost of its operations is, I think, significant, at least to the people of the South Metropolitan Region. We do not think it should be the case that anybody can do anything at any cost, and we would like the government to use its might, when it is giving the company access to the shell sand, to oblige it to improve its environmental record, if indeed that is possible. I understand that dredging techniques have improved over time, that they are more sensitive now and potentially create less turbidity—that is all good. I also understand that this state agreement act has been negotiated, over time, to try to push the company out into areas where there is not quite so much seagrass. I also think that is good and that those steps are in the right direction; however, I echo Hon Giz Watson's concerns about the 168 hectares that are potentially at risk or that have already been lost due to the operation so far.

The citizens of Cockburn, although very concerned about the impact of the cement plant on their health, want to see the operations improved; that is, they have made it clear to me that they do not want Cockburn Cement to close down, but are concerned that the company clean up its act. These amendments to the state agreement act present another opportunity to bring this matter to the attention of the government and that is why I am speaking. The Greens (WA) will oppose the Cement Works (Cockburn Cement Limited) Agreement Amendment Bill on those grounds.

**HON NORMAN MOORE (Mining and Pastoral — Leader of the House)** [3.31 pm] — in reply: The reason the Cement Works (Cockburn Cement Limited) Agreement Amendment Bill is coming on today is the provision in the bill that states, as part of the agreement between the company and the state, that the government will make every endeavour to secure the passage of the bill prior to the end of September 2010—which is what I am doing. As I have said to Hon Giz Watson by way of interjection, if the house needs more time than today to deal with this bill, it will take more time. However, I asked members to bear in mind that we have indeed used a fair bit of the house's time in recent times for purposes other than the government's business. I also want to say that when I send out to members on Fridays the anticipated legislative program for the following week, I anticipate that members will be ready to debate any of those bills. Because they are listed in an order, it does not necessarily mean that is the order they will be dealt with in the following week. Therefore, there is an expectation—a proper expectation on behalf of the government—that if a bill has been sitting in the house for more than a week, it could be dealt with in the following week. We send that list out so that everybody has a chance to be prepared to debate the legislation on the list. I assume that Hon Giz Watson would have been aware that this bill could have come on this week. However, I accept the fact that the member did not know for sure until last night, and I appreciate the fact that she has made some effort to find out what it is the bill does and to refresh her memory about the history of this particular company.

I wish to thank Hon Jon Ford and the Labor Party members for their support of the bill. As has been quite rightly pointed out, it is an important contributor to the economy of Western Australia—in the form of 1.8 million tonnes of lime and cement a year. Cement is obviously a very, very important part of the construction industry in

Western Australia, and becoming increasingly so. Lime is a very important ingredient in mineral processing, particularly with regard to gold and alumina. Therefore, we are very anxious that this company continue to produce in the way that it does its high-quality produce, because of the contribution that it makes to our growing economy.

Hon Jon Ford mentioned seagrass, as did others. I make the point that this variation to the state agreement act reflects that the approval will be given by the Environmental Protection Authority. If some members do not like the EPA from time to time because it does not make the decisions that they like, that is all very well for them; however, members cannot pick the bits of EPA advice that they like and ignore the rest. Members cannot say that the EPA is good because it came up with a conclusion that they agree with, but is no good when it comes up with a conclusion that they do not agree with.

The proposed extension of areas in which dredging can take place is being done in the context of EPA approvals, as is required. Indeed, in the future, nothing can happen in area B until such time as it has the environmental approvals. This state agreement will enable the company to retain the exploration licences that it has over area B and not be required to meet the normal conditions of an expiration licence so that it can keep area B for future production, even if that is in 20 years.

Hon Jon Ford commented that clause 4(6)(a)(i) of the schedule requires a dredging and management plan every year instead of every two years, which is another positive in this agreement. He also talked about the dust and emission problems at Munster. A parliamentary committee will inquire into this; therefore, I will not spend a lot of time talking about it other than to say that I understand there may be an issue about who came first. Sometimes, airports and industrial sites are built only to find suburbia encroaching, closer and closer to their establishments, and people then start to complain about the airport that makes too much noise. So we close the airport down, when indeed there should never have been any residential development anywhere near that airport to start with. People tell me—although I am not sure; I am speaking on the basis of no great knowledge—that some of the residential developments surrounding the Munster facility came well after the Munster facility was put in place. Maybe that is when the problem should have been solved, and not now. However, I do not have a problem with the government seeking to require the company to do what it can to improve its emissions.

As we have heard, the company employs 350 Western Australians, which I think is a very significant contribution to our economy, and it spends \$150 million on locally made goods and services. Hon Giz Watson and the Greens do not support the bill; that means we should not have an agreement—that the agreement should not be extended. In reality, if the Greens have their way, this company will cease to exist once its current mining approvals conclude.

**Hon Giz Watson:** Why would it cease to exist?

**Hon NORMAN MOORE:** This state agreement act variation is to allow the company to have a future beyond the current state agreement act. If we do not agree to the variation, we are stuck with the original state agreement act that will see the company run out of its resource. If that is what Greens members want to do, they should say so. They should say that they are quite happy for those 350 people to lose their jobs; that they are quite happy for the state not to have access to the resources produced by this particular company; and that they are quite happy not to have \$150 million spent in Western Australia each year, thereby providing jobs and other benefits to the people in Western Australia who provide those goods and services.

Not liking state agreement acts is no reason to not have any. Indeed, Western Australia has a lot of state agreement acts, and many people would argue that state agreement acts are one of the reasons that we have a very successful economy. Indeed, I would say that the Western Australian economy is at present performing significantly better than the other state economies in Australia. Part of the reason for that is that our resources industry, which is largely based on state agreement acts, is providing significant wealth to Australia, significant employment for Western Australians and Australians, significant taxation revenues to the federal government and significant royalties to the state government. I would suggest that without state agreement acts, we would not have the successful resources sector that we have in place now. The Greens, for as long as I can recall, have been arguing against state agreement acts. They can, if they wish, and will on this occasion, vote against it. Interestingly, one of the good things about state agreement acts is that Parliament knows what is in the agreement. Parliament can see and stop, if it wishes, an agreement between a company and the government. It is possible that governments can enter agreements with companies without a state agreement act provided the requirements of various state laws are met. In that case Parliament would not see it and members would not vote on it. It would be put in train and that agreement would operate to the terms of the agreement. State agreement acts at least give Parliament a say in whether it wants a state agreement act. If it turns out some time into the future, heaven help us, that the Greens have a majority in this chamber, they could start knocking out state agreement acts. The irony is that a government in the future under those circumstances will not have state agreement acts. It will just have agreements outside of Parliament, and members will not know as a right what is in them and will have no say on whether they should happen. Members cannot have it both ways.

I will not go into the history of this particular company because I am not anywhere near as well informed of this project's recent environmental history. My job here today is to seek a variation on the state agreement act, which basically provides that mining of shell sand be extended for 20 years or so. It will allow the company to continue its operations in mining shell sand and therefore continue its operations on its terrestrial site at Munster. It will continue to provide the lime we need for our mining industry and the cement we need for our construction industry.

Hon Giz Watson talked about corporate ownership. I do not know the significance of that question other than to say that Cockburn Cement is a wholly owned subsidiary of Adelaide Brighton Ltd. I do not know that there is any change of ownership. I do not think it is owned by the Zimbabwean government or anything like that. I do not think it is anything other than a good corporate citizen that has entered into a state agreement act going back to 1961 with the then state government, in good faith obviously; and, as a result of that state agreement act, it is entitled to carry out certain activities in Western Australia. That is what it is doing. As it is entitled, it has sought and worked with government to produce variations to the state agreement act to meet its ongoing requirements. As the member said, it has been amended a few times. This is a further variation to give it another 20 years of certainty.

The member talked about Cockburn Sound at great length. She talked about seagrass and other environmental issues at Cockburn Sound. If members look at a map, they can see that this is about Owen Anchorage; it is not about the whole of Cockburn Sound. It is the top end of Cockburn Sound. There is a temptation sometimes for people to exaggerate slightly and say that this company has caused all the problems in Cockburn Sound when indeed it has not.

**Hon Giz Watson:** I think I made that distinction.

**Hon NORMAN MOORE:** I want to make the point that Hon Giz Watson talked about problems in Cockburn Sound in the context of this bill. This bill is not about Cockburn Sound; it is about Owen Anchorage. We should constrain our comments to that.

**Hon Giz Watson:** That is not what the Department of Environment and Conservation said.

**Hon NORMAN MOORE:** I acknowledge that the member has a long history with Cockburn Sound and this particular project, but I intend to concentrate my comments on the issues that relate to this bill. A couple of questions were asked that I do not have the answers to at the moment because I have not had a chance to be briefed on that; we will do it in committee.

In respect to area B, the clause in the agreement that exempts expenditure conditions on exploration licences is included because under the Mining Act there is a requirement to spend certain amounts of money every year to do certain things on those leases, otherwise they are forfeited. This provides the company with the capacity to hang on to exploration licences for a longer period of time than is usual so they are available to the company for expansion in the future. That is a bit like the iron ore policy that relates to iron ore exploration in Western Australia in which iron ore companies are given special long-term tenure over exploration licences not available to other minerals in order to allow the gradual expansion of businesses over a longer period of time. Any activity that will take in area B will need future environmental approvals before any can take place.

Hon Giz Watson asked what royalties have to be paid. Proposed clause 6E on page 18 refers to how the royalty process operates. I do not know how much the company has to pay. I will find that out, if the member wants to know, when we get into committee stage. Hon Giz Watson talked about environmental vandalism, which I suppose is the sort of language we expect from the Greens from time to time, to try to emphasise that this is much worse than perhaps it is. She was not impressed with all of the Environmental Protection Authority's decisions in respect to Cockburn Sound over time. She is entitled to that view, but at the end of the day a government's environmental protection authority has an element of independence of government. One ignores its rulings at one's peril. We will take its advice in respect to whatever else happens.

Hon Lynn MacLaren was deeply concerned about Cockburn Cement's activities, but then said that everybody still wants it to continue. Again, this is like having two-bob each way; that is, "We don't like the fact you're dredging shell sand, we don't like the fact you might be destroying seagrass, and we don't like the fact you have emissions from your terrestrial plant, but on the other hand we like the jobs and the money you spend"! I would have thought that there is an environmental cost to every economic activity. It is important for society to try to get the right balance between economic development and the effect that economic development will have on the environment.

Hon Lynn MacLaren also suggested that state agreement acts create monopolies. They can, but they do not always have to. Indeed there is nothing to stop any other company in Western Australia going into the business of producing lime and cement in large quantities. If other companies want to put forward a proposal to government, they can. This state agreement act does not in any way give Cockburn Cement any monopoly in respect to these products.

**Hon Giz Watson:** There is a big advantage, though.

**Hon NORMAN MOORE:** It was put in place when we wanted the company to come here to Western Australia and produce the product.

**Hon Giz Watson:** Why is that so now?

**Hon NORMAN MOORE:** Do members think that because circumstances change we will take away what we gave at a time we actually needed the company to come and do something; that is, “Now we don’t need you any more we’ll get rid of the advantages you might have had.” We cannot expect companies to go into particular investment activities and do what the government wants them to do in the sense that the government might provide them with some favours up-front so that they get the investment in the first place and then say, a few years down the track, “Things have improved. We’re going to change all the rules.” One has to take the good with the bad. It is a bit like the federal government’s resource rent tax. The federal government was quite happy to come up with the proposition to say, “Now you’ve got good times, but even though you’ve gone through bad times we’re going to whack you with this massive new tax”, having seen those companies invest their capital up-front at a time when things were not necessarily good. We cannot keep changing the rules as we go along and expect people to regard that as a good investment climate.

Hon Lynn MacLaren asked in a rhetorical sense, I suspect, about the cost to public health. Obviously I do not know the cost to public health. The committee might tell us in due course whether there is a cost to public health. There might be no cost at all. What is the cost to fisheries? I do not know. My understanding is that Cockburn Sound is doing quite nicely in respect to snapper these days. It is a spawning ground. It has been very successful; Hon Jon Ford would know better than I know. There was a closure of crab fishing in Cockburn Sound for three years and now there are crabs everywhere. Trying to determine the economic cost to the fisheries is very difficult to do. However, I can tell members that there is an economic benefit of \$150 million a year of expenditure. I think the company invests \$230 million a year. I do not know the answer to the questions asked by Hon Giz Watson about any amount to be invested for damage to seagrass and about restoration funds. I will have to find the answers to those questions. I am not sure there is any answer. However, we can look at those questions at the committee stage.

I thank the Labor Party for its support. I regret that the Greens (WA) continue to take the view that we should stop economic development in Western Australia by opposing everything anybody wants to do in this state. I seek the support of the house for the second reading.

Question put and passed.

Bill read a second time.

#### *Committee*

The Chairman of Committees (Hon Matt Benson-Lidholm) in the chair; Hon Norman Moore (Leader of the House) in charge of the bill.

#### **Clause 1: Short title —**

**Hon GIZ WATSON:** I want to make some comments on the short title of the bill, as I think it is the appropriate time. Just in general comments in response to the minister’s reply to the second reading debate, I want to clarify—because we are dealing with a state agreement act—exactly what the problems are with state agreement acts. I will not take long, but I think it is important that we do state exactly what the problem is with state agreement acts. They are agreements that are for a long period of time and, therefore, are not flexible in dealing with circumstances that arise. I think that was made very evident in this example with Cockburn Cement in the state agreement act that was established in 1961. It became apparent that there was an impact on the environment, yet there was no provision in the state agreement act to modify the act to recognise that impact. It also clearly overrides environmental considerations. I would like to go into a little detail when we get a bit further into the bill about how this agreement act, as it is to be varied, interacts with the Environmental Protection Act. I do still argue that state agreement acts have an anti-competitive component. I certainly have had meetings with other suppliers and owners of lime resources who clearly believe that the arrangement that has been entered into with Cockburn Cement has meant that virtually no other company can get a foothold in the very lucrative market for producing lime and cement in the state. Perhaps the minister himself alluded to this by responding that if the variation to the state agreement act contained in this bill is opposed, Cockburn Cement will pack up and finish as it cannot operate without this state agreement act. That assumes that there is no other limestone resource in the state. There are other sources of limestone. In fact, the WA coastline has an enormous amount of limestone. It has long been argued by those of us who want to end the dredging by Owen Anchorage–Cockburn Sound that there is a terrestrial source of limestone and that Cockburn Cement could access that, and that Cockburn Sound is not the only source.

Finally, I recognise that the Environmental Protection Authority has made its views on the continuation of this dredging known in various reports. I sought to explain how those reports are riddled with inconsistencies and show a shifting of the goalposts at regular intervals. It is worth reiterating that at the time of report 739 in 1994, which really kicked off this argument, the then chairman of the Environmental Protection Authority was Dr Ray Steedman, who was formerly the director of Cockburn Cement Ltd. I think that just says something about how this state sees that intersection between industry and regulatory bodies. I questioned at the time and I question again how someone who was in charge of that company could then be in charge of the EPA, which made the decision that the company's ongoing activities were environmentally acceptable.

**Hon NORMAN MOORE:** I am not going to enter into an argument with Hon Giz Watson today about state agreement acts; I would love to some time when we have several hours. In respect of some of the questions that she asked, I draw attention to clause 10C of the third schedule of the agreement act 1971, as varied, and in compliance with the EP act. It states —

- 10C. Nothing in this Agreement shall be construed to exempt the Company from compliance with any requirement in connection with the protection of the environment arising out of or incidental to its activities under this Agreement that may be made pursuant to the EP Act.

The EP act has primacy over this state agreement act.

If this state agreement act variation is not agreed to, my advice is that the company probably has another couple of years' of activity ahead of it and after that it will have to go and find some other source. I was interested to hear the member say that the Western Australian coastline has plenty of limestone. She should tell me which part of that coastline the Greens would let anybody go and mine. Would she care to tell me one bit, one square inch? We are looking at using about 500 metres of the coastline in the Kimberley for a liquefied natural gas plant and the Greens are opposed to that. Can Hon Giz Watson just tell me one inch of the Western Australian coastline, which is a limestone area, that the Greens would agree should be mined?

I think the answer is obvious—none. The Greens would not agree to any. The member should not say that there are other sources and then acknowledge that the Greens would not allow it to happen anyway if they had any choice.

The member made a comment about Dr Ray Steedman. I do not know much about him. I do remember his name as being a chairman of the Environmental Protection Authority in the past. I have no idea whether he was a director of Cockburn Cement or whether he was head of the Greens; I would not have a clue. But if the member is suggesting that he made decisions that were in any sense corrupt by virtue of his previous membership of a company, then she really ought to say that, as opposed to just casting an aspersion across the board that because he was a director of Cockburn Cement, somehow or other he could not make a good decision as an EPA chairman.

**Hon Giz Watson:** It's hardly independent.

**Hon NORMAN MOORE:** Hon Giz Watson is not either.

**Hon GIZ WATSON:** I want to just thank the minister for pointing out the existence of clause 10C of the third schedule of the agreement act. I am aware of that and that was my question. If this bill is supposedly, as I have been advised, about making the agreement act subject to—as it says elsewhere—obtaining all necessary approvals under the Environmental Protection Act, how is it that existing clause 10C does not already do that, because that is how I read 10C? Either clause 10C does not do that at the moment and what we are doing now will bring it under the Environmental Protection Act —

**Hon Norman Moore:** Why doesn't it do it now?

**Hon GIZ WATSON:** That is my question.

**Hon Norman Moore:** You're making the assertion that it doesn't work now.

**Hon GIZ WATSON:** No, I am not. If clause 10C does it now, how does it do it? Why are we adding other things? It either does it and we do not need anything else, or it does not do it, in which case what are we doing?

**Hon NORMAN MOORE:** Clause 10C is not new. It is contained within the agreement as it is now.

**Hon Giz Watson:** I understand that.

**Hon NORMAN MOORE:** The agreement provides that the EP act has primacy over the state agreement.

**Hon GIZ WATSON:** What, then, do the new provisions provide in addition? Why do we need in the agreement the additional words "Subject to obtaining all necessary approvals under the EP Act" if it is already covered?

**Hon NORMAN MOORE:** I draw the member's attention to clause 6B(1) of the agreement, which will be amended by some of the variations contained in this bill. Clause 6B(1) begins by stating "On receipt of a DMP,

the Minister shall” and the addition is that it will be subject to the EP act as well as those other things. There are a number of variations to that clause—that is, the requirement under this state agreement act variation for the processes that relate to EPA approval.

**Hon GIZ WATSON:** We can continue on the short title, but I was going to raise these issues under clause 6 of the bill. I realise that this is a hypothetical question, but it relates to the matter I raised in my contribution to the second reading debate. If unacceptable, unforeseen environmental impacts occur as a result of removing a large part of Success Bank west, how will the Environmental Protection Act have a bearing on this state agreement? What does it mean to say that this act will be subject to the Environmental Protection Act? What does that actually mean?

**Hon NORMAN MOORE:** When a company is given environmental approval by the EPA to undertake a particular activity, generally there are ministerial conditions attached to that approval. There may be requirements for reporting and monitoring, environmental management plans, annual reporting or, as provided for in this bill, dredging reports on an annual basis. In the event that the company does not meet its requirements under those conditions, it will be required to stop carrying out its activity or fix the problem.

**Hon GIZ WATSON:** If the company does not adhere to the environmental conditions, is the minister saying that this bill provides for some penalty or consequence for the company?

**Hon NORMAN MOORE:** The activities of a company, whether it be this company or any other company that has environmental approvals, will be monitored by the EPA. The company is subject to the conditions that I just described a moment ago. If the company does not meet its obligations, there are penalties under the Environmental Protection Act. Indeed, the company may well be required to remedy the problems it has created or to stop its activity if it does not meet its obligations. There are all sorts of penalties—it cannot proceed or a fine can be imposed. If the company caused some sort of environmental damage, penalties would attach to that under the EP act. If the member wants the government to close down the company, that is what would happen in the event that it did not meet its obligations under the conditions of the state agreement act and the requirements of the Environmental Protection Authority.

**Hon GIZ WATSON:** Just to be clear, no additional consequences would apply under this legislation in that regard.

**Hon Norman Moore:** It is just a variation.

**Hon GIZ WATSON:** There are no additional consequences in either the act as it is at the moment or the variation that we are considering in this bill, in which case I am not quite sure what the advantage is of having it in there.

**Hon NORMAN MOORE:** Forgive me, but the member is suggesting that this company has been an environmental vandal ever since it started and she reckons it is going to continue to be one. That is what she believes. I do not. The state agreement act is subservient to the EP act, and there are obligations in respect to that. There are some variations to clause 6B(1) of the state agreement, and the penalties that apply to any company in this state will apply to this company. If that is not good enough for the member, I cannot help her any further.

**Hon LYNN MacLAREN:** I also want to ask a question in this regard. As a new member, I am trying to understand how state agreement acts work. I am given to understand that the agreement will be amended so that it makes specific reference for the first time to the Environmental Protection Act in the Cockburn cement works agreement.

**Hon NORMAN MOORE:** No. As I said a moment ago, clause 10C of the agreement, which is part of the act, requires compliance with the EP act. That is already in the agreement. There are some variations to the processes contained in clause 6B(1) of the agreement. I presume the member has been provided with a document that shows the amendments to this variation and the original agreement. The point I am making is that it will be subject to the EP act; indeed, that is made very clear in respect to the processes that can be undertaken under clause 6B(1) because it adds the words “subject to the EP Act” to clarify the whole issue.

**Clause put and passed.**

**Clauses 2 to 4 put and passed.**

**Clause 5: Section 6 inserted —**

**Hon GIZ WATSON:** I thank the minister and his advisors for providing a marked up copy of the variation. It is useful to see it in this way. Could the minister indulge me by allowing me to refer to that amended document so that I can refer to particular words? I direct the minister to page 7 of the consolidated copy, which incorporates the variation with the existing state agreement act. It says that if and when it should become impracticable for a company to obtain shell sand from within area A pursuant to this agreement, the state will use every endeavour

to find other shell sand within a reasonable economic distance from the jetty and if other shell sand is not available, then other equivalent material. I understand that this will now include area B. Because we are changing the boundary of the state agreement from the five miles that currently exists—which includes the area that Cockburn Cement is mining, which is area A, which is inside that boundary—to this variation, we will include area B in that agreement. Could the minister clarify whether that means that this part of the agreement will come into effect, which says that if it is impractical for the company to obtain shell sand within that area, which will now be area B as well, the state will use every endeavour to find an equivalent resource? Are we expanding the area that is subject to that provision by this variation?

**Hon NORMAN MOORE:** Area A has sufficient resources to last for another 20 years without having to go to area B. This subclause will cease in 2021, which is in 11 years. It simply says that it can continue to obtain shell sand in area B for the next 20 years.

I need to interrupt this debate because a number of other issues need to be dealt with by the house in the final 20 minutes of government business today.

**Progress reported and leave granted to sit again, on motion by Hon Norman Moore (Leader of the House).**

*Sitting suspended from 4.15 to 4.30 pm*

### QUESTIONS WITHOUT NOTICE

#### WESTERN AUSTRALIAN REFUGES — ACCOMMODATION OF CHILDREN

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

How many children are turned away from Western Australian refuges every night?

**Hon ROBYN McSWEENEY replied:**

I thank the member for some notice of this question. The department does not have this information. The “Demand for government-funded specialist homelessness accommodation 2008–09: a report from the SAAP National Data Collection”, dated July 2010 and produced by the Australian Institute of Health and Welfare, provides the following information from data collected during two one-week sample collections—namely, 3 to 9 December 2008 and 6 to 12 May 2009. In Western Australia, on a daily average, 29 people—adults and children—approached domestic violence women’s refuges seeking help to be newly accommodated; of those 29, 16 were successfully accommodated, and 13 were turned away.

I am sure the member is very much aware of the National Partnership Agreement on Homelessness. Under that agreement, this state, along with the commonwealth government, has set up 14 initiatives in this state, with funding of \$135 million between both governments. I could read out all the new initiatives, but I will not do that. Has the member ever been provided with a copy of the agreement?

**Hon Sue Ellery:** Yes.

**Hon ROBYN McSWEENEY:** Good.

#### EARLY CHILDHOOD POLICY

**742. Hon SUE ELLERY to the Minister for Community Services:**

- (1) Does the minister support the call by the Western Australian Council of Social Service for the establishment of an early childhood office as an independent statutory authority; and, if not, why not?
- (2) When will the Barnett government commit to a coordinated approach to early childhood policy and programs through a single agency?

**Hon ROBYN McSWEENEY replied:**

I thank the member for her question.

- (1)–(2) This state, along with the national government, is looking at early childhood. We are looking at it very seriously. In Western Australia, I guess because it is such a vast state, there is childcare, there is early childhood and then there is school years. I think the federal government has also just come to realise that there is a difference between the three, because Kate Ellis has just been appointed the minister for childcare, and Peter Garrett has been appointed the minister for early childhood. I have yet to see whether this will be the case, because the Ministerial Council on Employment, Education, Training and Youth Affairs has not met since this new government has come to power, but I think we might find that there is a bit of a shift in the national partnership standards. So I am waiting to see what will happen, and we will go from there.

## INFORMATION AND COMMUNICATIONS TECHNOLOGY — FUNDING

**743. Hon KATE DOUST to the Leader of the House representing the Minister for Science and Innovation:**

I refer to Western Australia's information and technology industry.

- (1) Can the minister confirm that in August 2008, the then shadow Minister for Science and Innovation, the member for Serpentine–Jarrahdale, promised to appoint a minister for information and communications technology?

**The PRESIDENT:** Order! There are too many audible conversations, mostly coming from around the member who is asking the question.

**Hon KATE DOUST:** Thank you, Mr President.

- (2) What amount, by project, was spent in 2009–10 on ICT, and what has been allocated in the 2010–11 budget?

**Hon NORMAN MOORE replied:**

I thank the member for some notice of this question.

- (1) The Minister for Science and Innovation has advised that this was never endorsed as Liberal Party policy.
- (2) In 2009–10, the following support was provided for the Western Australian information and communications technology industry: \$1.94 million, Interactive Virtual Environments Centre, iVEC; \$12 000, ACS Western Australia Foundation ICT scholarships; \$5 000, sponsorship, WA Information Technology and Telecommunications Awards; and \$7 500, Australian Telecommunications Users Group Regional Roadshow. In addition, a component of the following grants has been allocated to ICT: \$10 000, Centre for Microphotonic Systems; \$475 475, Data Linkage Australia; \$98 800, CRC spatial information; and \$455 693, e-Med, International Centre for Mobile Health Care Solutions. The following support has been allocated in the 2010–11 budget: \$3 626 million iVEC; \$12 000, ACS Western Australia Foundation ICT scholarships; and \$5 000, sponsorship, WA Information Technology and Telecommunications Awards. Similarly, a component of the following grants is also allocated to ICT: \$10 000, Data Linkage Australia; \$101 400, CRC spatial information; \$455 693, e-Med, International Centre for Mobile Health Care Solutions. This reflects government spend on ICT industry development activities for the portfolio only and does not include whole-of-state-government expenditure on ICT infrastructure and services. Further, there is the \$120 million that this government has allocated to critical communications infrastructure for regional emergency communications and addressing regional mobile phone black spots.

## WASTE AUTHORITY — BUSINESS PLAN

**744. Hon SALLY TALBOT to the Minister for Environment:**

Why has there been such a long delay in releasing the Waste Authority's business plan?

**Hon DONNA FARAGHER replied:**

I thank the member for her question. Again, like the member's question yesterday, there has been no long delay in releasing the business plan. The business plan has not yet been finalised; and, when it is, it will also be considered in the context of the draft waste strategy.

## URANIUM EXPLORATION TENEMENTS — RADIATION SAFETY REPORTS

**745. Hon GIZ WATSON to the Minister for Mines and Petroleum:**

I refer to question on notice 2670, answered on Tuesday, 7 September and asked by Hon Robin Chapple, about uranium exploration tenements.

- (1) Is ground-disturbing activity occurring during the proving up of the resource and in preparation for mining?
- (2) If yes to (1), what monitoring of —
  - (a) environmental impact; and
  - (b) occupational health and safety
 is occurring at these sites?
- (3) If the answer to (2) is none, will the minister please explain how the environment and workers' health are being protected?

- (4) If monitoring is occurring, would the minister please provide details, in particular under what legislation or regulation this monitoring is occurring.

**Hon NORMAN MOORE replied:**

I thank the member for some notice of this question.

- (1) Yes. Ground-disturbing activity does occur during the proving up of a resource and in preparation for mining.
- (2) (a) Monitoring of the environmental impact occurs as a result of inspections carried out by the environmental inspectors appointed under the Mining Act 1978 and associated Mining Regulations 1981. Inspections are carried out on a risk-based approach. Monitoring can also occur as a result of annual environmental reporting conditions imposed on a tenement and required for some large-scale exploration programs. Monitoring can also occur as part of native vegetation clearing permit conditions imposed for exploration activities that are carried within environmentally sensitive areas as defined in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.
- (b) Monitoring of occupational health and safety at these sites may occur as a result of field inspections carried out by mines safety inspectors. Monitoring can also occur in the reporting options of the regulations in relation to the radiation management plan, which outlines processes and procedures related to occupational health.
- (3) Not applicable.
- (4) Environmental monitoring occurs under the Mining Act 1978 and associated Mining Regulations 1981, as well as the Environmental Protection Act 1986 and associated Environmental Protection (Clearing of Native Vegetation) Regulations 2004.
- Occupational health and safety monitoring occurs under the Mines Safety and Inspection Act 1994 and part 16 of the Mines Safety and Inspection Regulations 1995.

DANNY GREEN – PAUL BRIGGS FIGHT — INQUIRY

**746. Hon KEN TRAVERS to the Leader of the House representing the Minister for Sport and Recreation:**

I refer to the minister's answer yesterday to question without notice 723.

- (1) When is the Professional Combat Sports Commission expected to complete its inquiry into the Danny Green – Paul Briggs fight?
- (2) Did the Professional Combat Sports Commission take a formal decision to engage Verifact to collect statements and evidence?
- (3) If no to (2), who appointed Verifact and by what authority?
- (4) Is Verifact collecting statements from members of the commission as part of its inquiry?
- (5) If yes to (4), does the minister now accept that there is a substantial conflict of interest in the commission potentially investigating its actions?

**Hon NORMAN MOORE replied:**

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

- (1) Preliminary findings from the inquiry into whether the Green–Briggs fight was a sham will be completed in October 2010. Final outcomes will be determined following appropriate opportunities for affected parties to respond.
- (2) Yes.
- (3) Not applicable.
- (4) Statements are being collected from all involved parties, including duty commissioners.
- (5) No.

ROCK LOBSTER INDUSTRY — ALSTON CARTOON

**747. Hon JON FORD to the Minister for Fisheries:**

I draw the minister's attention to a document sent out recently to all Western Australian rock lobster fishers, which included an Alston cartoon making light of the current duress that Western Australian rock lobster fishers and their families are facing.

- (1) Does the minister endorse the inclusion of this cartoon in Department of Fisheries correspondence to the Western Australian rock lobster industry?
- (2) If no to (1), what is the minister's view of the Department of Fisheries' inclusion of this cartoon?
- (3) Will the minister apologise to the affected fishers and their families?

**Hon NORMAN MOORE replied:**

I thank the honourable member for the question.

- (1)–(3) I became aware of this matter today, and I have to say that I was very angry when I realised what had been sent out to rock lobster fishers. It was a cartoon by Alston that is a poor reflection of the circumstances faced by rock lobster fishers, in some cases, in Western Australia; not all cases. I sought the reasons behind this and I have been told that licence renewal packages for the west coast rock lobster fishery are posted out annually to rock lobster fishers. I am advised that, in keeping with past practice—this may well have happened in Hon Jon Ford's time as Minister for Fisheries—the brochure that is sent out with the renewal package features a cartoon on a topical issue facing commercial rock lobster fishing; I gather that the cartoon has been done by Alston from time to time. If one visits the centre at Hillarys, one will see a lot of his cartoons on the walls. I gather that the person who has been doing this for years did it again this year, but in my view, this particular cartoon is very insensitive. The chief executive officer of the Department of Fisheries, Stuart Smith, has written to all rock lobster fishers to apologise on behalf of the department.

COCKBURN CEMENTS — MUNSTER PLANT

**748. Hon LYNN MacLAREN to the minister representing the Minister for Planning:**

- (1) How many homes exist within the air quality buffer zone around Cockburn Cement's Munster plant?
- (2) Is the construction of new homes permitted in the buffer zone?
- (3) Why are some residents permitted to live within the buffer around the Cockburn Cement plant?

**Hon ROBYN McSWEENEY replied:**

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

- (1) There are 153 homes and approximately 10 vacant rural blocks within the Cockburn Cement buffer area.
- (2)–(3) A landowner is legally permitted to construct a single dwelling on a lot. The Kwinana air quality buffer does not prohibit the construction of residential dwellings but does not support the intensification of residential uses, either through the rezoning of land or further subdivision. This position is reflected in the City of Cockburn's rural subdivision policy APD7.

REGISTERED TRADING ORGANISATION — ISSUE OF DIPLOMAS

**749. Hon LJILJANNA RAVLICH to the Minister for Training and Workforce Development:**

I refer to the minister's answer yesterday to question without notice 726.

- (1) Which registered training organisation was issuing diplomas in project management when it did not have the scope to do so?
- (2) How many diplomas in project management were issued by this RTO, and over what period?
- (3) When was the matter brought to the attention of the Training Accreditation Council?
- (4) When was the investigation conducted and by whom, and was any penalty applied to the RTO?
- (5) Will the minister table the investigation and audit report; and, if not, why not?

**Hon PETER COLLIER replied:**

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

- (1)–(5) This matter is the subject of an appeal. Therefore it would not be appropriate to respond to this question, as doing so may undermine the appeal process. I will say, however, that after the appeal process has been concluded—I have no idea when it will be concluded—I will not have any problems responding to the question.

REWARDS GROUP LTD — ROYALTIES FOR REGIONS GRANTS

**750. Hon MATT BENSON-LIDHOLM to the parliamentary secretary representing the Minister for Regional Development:**

I refer to the minister's contribution through the royalties for regions scheme of \$100 000 in 2008–09, and \$100 000 in 2009–10 to the collapsed Rewards Group Ltd for grapefruit disinfection protocol verification.

- (1) Has this money now been lost?
- (2) Can this money be recovered?
- (3) Did the minister or his department contribute the additional \$100 000 recommended in 2010–11?
- (4) Who decided to contribute the money to Rewards Group Ltd, and on what basis?

**Hon WENDY DUNCAN replied:**

I thank the honourable member for notice of this question. The minister has responded in the following terms —

- (1) The Rewards Projects Ltd grapefruit cold disinfestation verification project commenced in 2008–09, part-funded by a grant from the regional grants scheme administered by the Kimberley Development Commission. Rewards Projects Ltd is a subsidiary of Rewards Group Ltd. The project involved verifying disinfestation protocols for red-fleshed grapefruit to enter the Japanese market. The Department of Agriculture and Food advised the Kimberley Development Commission that the technical work in the project was completed in October 2009. Two milestone payments were made, based on satisfactory progress of the project. The work completed by Rewards Projects Ltd, with technical guidance from the Department of Agriculture and Food, resulted in the Japanese government announcing that the import protocol was approved on 4 June 2010. The project has now been satisfactorily completed. However, the final grant payment was not made at the time that Rewards Group Ltd entered voluntary administration in May 2010.
- (2) The proponent completed the project, and thus its commitment within the formal agreement with the Kimberley Development Commission. The project has been satisfactorily completed, and the entire industry is now able to benefit from the import protocols that have allowed the opening of the Japanese market to red-fleshed Australian grapefruit.
- (3) No. The final grant payment of \$100 000, scheduled to be paid in 2010–11, has not been paid, and will continue to be the subject of consideration by Rewards Group Ltd; the administrator, Ferrier Hodgson; the Kimberley Development Commission; and the State Solicitor's Office.
- (4) The board of the Kimberley Development Commission assessed the application and business cases as part of the competitive grant round of the Kimberley regional grants scheme, and recommended approval of the grant to cabinet. Cabinet subsequently endorsed the Kimberley Development Commission board's recommendation. The decision to withhold the final grant payment at this time has been made by the Kimberley Development Commission, acting on the advice of the State Solicitor's Office.

GNANGARA MOUND — WATER EXTRACTION

**751. Hon ALISON XAMON to the parliamentary secretary representing the Minister for Water:**

I refer to the answer to question (12) of question on notice 2651 and subsequent media reports that a local council has exceeded its water licence entitlement.

- (1) What is the name of the council that exceeded its water licence entitlement by 1.1 gigitalitres?
- (2) What action has been taken by the Department of Water to address this and to ensure that there will not be a repeat of any over-extraction?
- (3) Will the council be issued with any fines for exceeding its water licence?

**Hon HELEN MORTON replied:**

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

- (1) The City of Joondalup.
- (2) As per the Department of Water's compliance and enforcement procedures, the City of Joondalup was issued a formal letter of warning for unauthorised taking of water in the 2008–09 financial year. The Department of Water worked with the City of Joondalup, which subsequently reviewed its irrigation program and gave a commitment to work within its allocation. Since then it has operated within its allocation. In the 2009–10 financial year the City of Joondalup has reduced its water usage through improved irrigation procedures by a total of 37 per cent.
- (3) No.

MINISTER FOR REGIONAL DEVELOPMENT — TRANSPORT AND TRAVEL

**752. Hon ED DERMER to the parliamentary secretary representing the Minister for Regional Development:**

I refer to question without notice 694 about travel and transport. Was any other minister or member of Parliament on the helicopter flight from Karratha to Cape Preston on 29 May 2009; and, if yes, who?

**Hon WENDY DUNCAN replied:**

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

Passengers on the helicopter flight manifest from Karratha to CITIC Pacific and Balmoral South mine sites at Cape Preston on 29 May 2009 were Hon Brendon Grylls, MLA; Professor Clive Palmer; Hon Colin Holt, MLC; and two ministerial staff members.

## ENVIRONMENTAL PROTECTION AUTHORITY — ASSESSMENT OF MINING PROPOSALS

**753. Hon ADELE FARINA to the Minister for Environment:**

For each of the 2008–09 and 2009–10 financial years —

- (1) How many mining proposals did the Environmental Protection Authority assess?
- (2) Of those assessed —
  - (a) how many did the EPA recommend were not environmentally acceptable and should not proceed; and
  - (b) how many did the EPA recommend were environmentally acceptable subject to conditions?
- (3) How many and which proposals identified in (2)(a) and (b) were not approved by the Minister for Environment?

**Hon DONNA FARAGHER replied:**

I thank the member for some notice of this question.

- (1) The Environmental Protection Authority released nine mining proposal assessment reports in each of the years 2008–09 and 2009–10.
- (2) The EPA recommended that all 18 of the mining proposals that the EPA reported on in 2008–09 and 2009–10 could be managed to meet the EPA’s environmental objectives and could be implemented subject to recommended conditions.
- (3) Ministerial statements that the proposal can be implemented have been issued for 17 of the mining proposals referred to in the answer to question (1). The proposal that is yet to have a ministerial statement issued is currently subject to consultation with the decision-making authorities on whether the proposal can be implemented and, if so, the conditions that will apply.

## BURRUP PENINSULA — ROCK ART

**754. Hon ROBIN CHAPPLE to the minister representing the Minister for Indigenous Affairs:**

I refer to vandalism and the potential theft of an Aboriginal petroglyph on the Burrup Peninsula and photographs contained in “2010–09–22 New Vandalism in Kangaroo Paw Valley.pdf” at my website.

- (1) Is the minister or his department aware of this graffiti and attempted theft of the archaic geometric petroglyph at this location?
- (2) If no to (1), why not?
- (3) If yes to (1), what is the minister or the department doing to stop these illegal acts?
- (4) If yes to (1), what action is the minister taking to ensure that the identified archaic geometric petroglyph is protected from theft?
- (5) If no action is being taken in respect of (4), why not?

**Hon PETER COLLIER replied:**

I answer on behalf of Hon Simon O’Brien. I thank the honourable member for some notice of the question. The Minister for Indigenous Affairs has provided the following response.

- (1) No.
- (2) The Department of Indigenous Affairs was not aware of this matter but will now commence an investigation.
- (3)–(4) See response to question (2).
- (5) Not applicable.

## “WA MENTAL HEALTH TOWARDS 2020: CONSULTATION PAPER”

**755. Hon LINDA SAVAGE to the parliamentary secretary representing the Minister for Mental Health:**

I refer to the “WA Mental Health Towards 2020: Consultation Paper” that has been prepared by PricewaterhouseCoopers following widespread consultation.

- (1) Did the consultation process include a visit to the Bentley adolescent unit?
- (2) If yes to (1), on what date or dates did the visit or the visits occur?
- (3) When will the government release its WA mental health policy and plan which the consultation paper says will outline the state government's policy for mental health and provide a blueprint for mental health priorities and reform in WA over the next decade?

**Hon HELEN MORTON replied:**

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

- (1) Yes.
- (2) On 28 June 2010, prior to the launch of the "WA Mental Health Towards 2020: Consultation Paper" two Mental Health Commission staff visited the Bentley adolescent unit and met with the consultant psychiatrist. The staff at the Bentley adolescent unit were advised of the consultation and encouraged to put forward feedback and a submission.
- (3) The final WA mental health policy and plan that will outline the state government's policy for mental health and provide a blueprint for mental health priorities and reform in WA over the next decade is planned for release at the end of 2010. The commission has undertaken 10 public forums across the state, nine of which were in rural areas. Nearly 300 people have attended these forums. To date the commission has also received over 200 individual submissions from the community. It is extremely important that the large amount of information and feedback received from the community to the consultation process is integrated and informs the final document. This may result in a slight delay to the release of the final policy and plan as the commission works to incorporate the community feedback.

GAS-INTENSIVE PROJECTS

**756. Hon KATE DOUST to the Leader of the House representing the Minister for State Development:**

- (1) Which proponents for Western Australia's gas-intensive projects are currently talking to the state government about future development in this area?
- (2) What advice is the minister giving these proponents regarding gas availability?
- (3) What advice is the minister giving these proponents regarding gas prices?

**Hon NORMAN MOORE replied:**

I thank the member for some notice of this question. I provide the answer on behalf of the Minister for State Development, so when the member asks if I am doing things, this is what the minister has answered.

**Hon Kate Doust:** Yes, I understand that.

**Hon NORMAN MOORE:** The Minister for State Development replied —

- (1) The Western Australian government has regular contact with gas-intensive companies, where gas provides an energy source or industrial input, across a diverse range of projects at varying stages of development or potential development. *Prospect* magazine, jointly produced by the Department of State Development and the Department of Mines and Petroleum, includes as a regular feature an overview of projects in the resources industry in Western Australia.
- (2)–(3) The supply and price of gas to projects is negotiated between project proponents and gas suppliers. These are commercial issues. However, the Western Australian government has a domestic gas policy under which up to 15 per cent of gas from LNG projects is to be made available for the domestic market with application of the policy occurring on a case-by-case basis. The Minister for Energy's strategic energy initiative is currently examining energy supply and demand issues more broadly.

ALCOA AUSTRALIA — BREACH OF LICENCE CHARGE

**757. Hon GIZ WATSON to the Minister for Environment:**

I refer to the fine of \$45 000 handed down by the Perth Magistrates Court on 15 September 2010 to Alcoa Australia due to dust from the mud lakes at its Wagerup refinery blowing across neighbouring properties.

- (1) Why were the charges downgraded from criminal negligence to a breach of licence?
- (2) Who was responsible for downgrading the charges?
- (3) On what basis was the decision made?
- (4) Why was this case adjourned on so many occasions?
- (5) Why were the terms "criminal" and "pollution" dropped from the charge?

- (6) Why was the fine and charge downgraded when Alcoa has been convicted of pollution charges on previous occasions?
- (7) Why did an analysis of the dust not occur?
- (8) What mechanisms are in place to ensure that this does not occur again?

**Hon DONNA FARAGHER replied:**

I thank the member for some notice of this question.

- (1) After considering legal advice from the State's Solicitors Office, the Department of Environment and Conservation determined that the allegation of criminal negligence could not be sustained on the available evidence. The charge was amended to "pollution" under section 49(3) of the Environmental Protection Act 1986. The matter was then scheduled for a three-week trial commencing 16 August 2010. After considering further legal advice from the State Solicitor's Office and in accordance with the department's enforcement and prosecution policy 2008, the Department of Environment and Conservation agreed to a negotiated outcome and acceptance by Alcoa to a plea of guilty to a charge of breach of licence under section 58(1) of the Environmental Protection Act.
- (2)–(3) The decision by the Department of Environment and Conservation was based on legal advice from the State Solicitor's Office and in accordance with DEC's enforcement and prosecution policy.
- (4) I have been advised that the adjournments were for further information to be provided between the parties.
- (5)–(6) See answer (1).
- (7) The dust incident occurred on 14 May 2006; however, the then Department of Environment was not notified of the incident until 15 May 2006. The department did not receive any complaint during the incident on 14 May 2006, and as a result did not have an opportunity to collect samples of evidentiary value.
- (8) Alcoa has since fully upgraded its sprinkler systems on the resident disposal area and undertaken a number of other dust minimisation measures to reduce the potential for future dust incidents.

**ROY HILL – CLOUDBREAK MINES — SHIRE OF EAST PILBARA RATES**

**758. Hon JON FORD to the Leader of the House representing the Minister for State Development:**

I refer the minister to Hancock Prospecting's Roy Hill mine and Fortescue Metals Group's Cloudbreak mine.

- (1) Will the Shire of East Pilbara be able to rate these mine operations?
- (2) If no to (1), why not?

**Hon NORMAN MOORE replied:**

I thank the member for some notice of this question.

- (1) Yes. Roy Hill mining operations will be conducted under the Mining Act and are therefore subject to the normal rating provisions. FMG's Cloudbreak mining operations are conducted under the Iron Ore (FMG Chichester Pty Ltd) Agreement Act 2006, which does not provide for any rating exemption.
- (2) Not applicable.

**POWER — MID WEST 10-MEGAWATT PHOTOVOLTAIC PROJECT**

*Question without Notice 720 — Answer Advice*

**HON PETER COLLIER (North Metropolitan — Minister for Energy)** [5.00 pm]: Yesterday I provided an undertaking to give an extension to the response I gave to Hon Kate Doust with regard to the 10-megawatt power project and I seek leave to have that response incorporated into *Hansard*.

Leave granted. [See paper 2634.]

The following material was incorporated —

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**Question Without Notice  
Legislative Council  
Wednesday, 22 September 2010**

Hon Kate Doust to the Minister for Energy

I refer to the 10 megawatt photovoltaic project in the Mid West announced yesterday and I ask:

1. Did this project go through a formal tender process and if not, why not?
2. Does the project meet the capacity requirements stated in the IMO's Statement of Opportunities and if yes, what are these capacity requirements?
3. If not, why has the project proceeded?
4. Did this project adhere to the same transmission access processes as any other generation project and if not, why not?
5. Was this project assessed according to the same rule as any other generation project and if not, why not?

**Answer:**

1. Yes. Verve Energy completed a formal procurement process in the selection of the preferred supplier for the 10 megawatt photovoltaic solar project, consistent with its Procurement Guidelines.
2. The Independent Market Operator's Statement of Opportunities forecasts electricity demand in the South West Interconnected Network over a 10 year period and establishes a firm Reserve Capacity Target two years ahead of when this capacity will be required. The IMO forecasts do not identify specific types of generation capacity required or distinguish between renewable and non-renewable capacity.  
  
Verve Energy is to apply for certification of the generation capacity for the Mid West solar project for the 2013/14 Capacity Year. The forecast Reserve Capacity Target for this year is 5,937 megawatts of capacity.  
  
The Mid West project will also contribute towards achieving the national renewable energy target.
3. Refer to response to question 2.
4. Yes.
5. The project is currently being assessed by Western Power in the same way as any other generation project.

**CANNABIS LAW REFORM BILL 2009***Third Reading*

**HON PETER COLLIER (North Metropolitan — Minister for Energy)** [5.01 pm]: I move —

That the bill be now read a third time.

**HON GIZ WATSON (North Metropolitan)** [5.02 pm]: Just briefly I want to reiterate that the Greens (WA) are not supporting this bill. We believe that it is ill-conceived. If the policy intent is to reduce cannabis use in the state, legislation that deals with a very small percentage of the population that come in contact with police in regard to their cannabis use will not be effective at all. In fact, it has the likelihood of actually increasing criminal activity around cannabis, particularly by removing the capacity for people to grow plants sufficient for their own use. For those reasons, the Greens (WA) will continue to oppose the bill.

Question put and passed.

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

**SHIRE OF CAPEL — KEEPING AND WELFARE OF CATS AMENDMENT LOCAL LAW 2009 —  
DISALLOWANCE  
SHIRE OF KOORDA STANDING ORDERS LOCAL LAW 2009 — DISALLOWANCE**

*Cognate Debate — Motion*

On motion by **Hon Robin Chapple**, resolved —

That orders of the day 1 and 3 be debated cognately.

*Motion — Cognate Debate*

Pursuant to standing order 152(b), the following motions by **Hon Robin Chapple** were moved pro forma on 17 August and 14 September —

That pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the Shire of Capel — Keeping and Welfare of Cats Amendment Local Law 2009 published in the *Government Gazette* on 4 May 2010 and tabled in the Legislative Council on 18 May 2010 under the Local Government Act 1995, be and is hereby disallowed.

That pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the Shire of Koorda Standing Orders Local Law 2009 published in the *Government Gazette* on 6 August 2010 and tabled in the Legislative Council on 10 August 2010 under the Local Government Act 1995, be and is hereby disallowed.

**HON ROBIN CHAPPLE (Mining and Pastoral)** [5.05 pm]: On behalf of the Joint Standing Committee on Delegated Legislation I table in this house the forty-second report, which deals with both these matters. The report deals with the issues of local laws that do not comply with the mandatory procedures of the making of

local laws as set out in section 3.12 of the Local Government Act 1995. The Joint Standing Committee on Delegated Legislation was advised by both the Shire of Capel and the Shire of Koorda that in each instance the wrong local law was gazetted as a result of an error on the part of their staff. The local laws were referred to the committee on gazettal, as is the practice. The committee was confronted with the situation in which it received evidence that the local laws before it had been invalidly made and therefore had no effect in law. Historically, on the advice of a former Clerk of the Council, the committee has not disallowed local laws that have failed to comply with the requirements of section 3.12; that is, they had no effect in law. The advice was based on the view that the local law was invalidly made and that there was not a valid instrument for the committee to consider. However, members of the public utilising the State Law Publisher would not be aware that, indeed, there was any question as to the validity of local laws. Therefore, from an external perspective, they would not be availed of the fact that the law had no validity. The committee has taken this opportunity to review its practice in this area, and has concluded that by virtue of the Interpretation Act 1984, both laws were operational from the day of gazettal and presumed to have been validly made. This presumption can only be altered by a decision of a court to the effect that the local laws are invalid. As set out in this report, which I tabled on 16 September, the committee has concluded that it is open to it to recommend disallowance of both these local laws on the basis that they are not authorised or contemplated by the Local Government Act, and as such we moved that both of these local laws be disallowed.

**HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition)** [5.07 pm]: On behalf of the opposition I thank Hon Robin Chapple for his explanation of the reasoning behind the decision of the Joint Standing Committee on Delegated Legislation, and I indicate that the opposition agrees with the committee's recommendation and supports the disallowance in both recommendations.

**HON PETER COLLIER (North Metropolitan — Minister for Energy)** [5.08 pm]: The government supports the disallowance motions. Both were gazetted due to administrative errors, and the Shires of Capel and Koorda support the motions to disallow. The Department of Local Government is issuing a circular to all local governments that will include reference to these disallowance motions and the associated report prepared by the Joint Standing Committee on Delegated Legislation. The circular will highlight the importance that local governments ensure that these issues are considered in their local-law making processes. The government supports the disallowances.

Questions put and passed.

#### PAPERS TABLED

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

#### POLICE AMENDMENT BILL 2010

##### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Peter Collier (Minister for Energy)**, read a first time.

##### *Second Reading*

**HON PETER COLLIER (North Metropolitan — Minister for Energy)** [5.12 pm]: I move —

That the bill be now read a second time.

In 2004 the Royal Commission Into Whether There Has Been Corrupt or Criminal Conduct by Any Western Australian Police Officer noted a deficiency in the commissioner's ability to charge fees, cost-recover or facilitate third-party funding for police services at special events. A recommendation was made to include a provision within the proposed police administration bill to remedy this situation. In recent years a number of amendments have been made to the Police Act to bring important aspects of that act up to modern-day standards. As a result, the wider police administration bill project has yet to proceed. Accordingly, the government is introducing this bill to ensure that the intent of the royal commission's recommendation is met without any further delay.

The premise of this legislation is to facilitate the method by which the commissioner can seek cost recovery for large-scale events of a commercial nature. This recognises the impact that these events have on local police resources and ensures that the community of Western Australia is not left footing the bill for such events while the organisers reap considerable commercial and/or economic gain. The concept is one of user pays, as it envisages that event organisers will pass on the cost of policing services to patrons via a rise in ticket prices. The rise is not expected to be substantial. For example, in the case of a typical Australian Football League match at Subiaco Oval, the cost of policing services is not expected to add more than 60c to the price of the ticket for each patron.

The bill introduces a charging regime only for events at which a charge is made for admission to the event or to participate in the event or events which are run for commercial gain or which are promoted, advertised or

sponsored under a commercial arrangement. The event also has to be major in nature, and that is defined as an event that is expected to attract at least 5 000 participants or an event for which the Commissioner of Police considers it is necessary to assign at least 10 police officers to provide policing services.

The bill limits the types of services that the commissioner can charge for to keep order at the event and provide an immediate emergency management capability and traffic management in the immediate vicinity of the event. The bill achieves a balance by providing several exemptions, including for charitable events, events run for the benefit of local communities and public events such as Australia Day fireworks or the Anzac Day parade. The bill also has facility for further exclusions to be prescribed in regulations or for the minister to exempt a government-sponsored event. These exemptions will be made for events that the minister is satisfied will provide significant economic benefit, or publicity or contribution to the state's national or international profile. The bill quite deliberately provides clarity of the method by which the commissioner may calculate the chargeable services to ensure that there is the flexibility to include all costs incurred by the commissioner in providing policing services for the event, while at the same time ensuring that the charging regime is purely a cost-recovery exercise and not a commercial venture. The bill seeks to ensure that the charging policy is transparent by providing that the commissioner must make this policy publicly available.

Finally, the bill inserts a new provision in the Police Act at proposed section 138AA. This is to correct the disparity that exists between the constitution of the police force under the Police Act and the manner in which public funds are dealt with under the Financial Management Act and the Auditor General Act. It was discovered during drafting that there is an anomalous situation in that moneys received by the commissioner in his capacity as the head of WA Police may technically not be included in the net appropriation arrangements that apply to the police department. Proposed section 138AA will resolve this for moneys collected by the commissioner under any legislation.

I commend the bill to the house.

Debate adjourned, pursuant to standing orders.

## **CHILDREN AND COMMUNITY SERVICES AMENDMENT BILL 2010**

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Robyn McSweeney (Minister for Child Protection)**, read a first time.

### *Second Reading*

**HON ROBYN McSWEENEY (South West — Minister for Child Protection)** [5.16 pm]: I move —

That the bill be now read a second time.

The Children and Community Services Act 2004 came into operation on 1 March 2006, replacing laws more than 50 years old. This important legislation, development of which commenced during the Court government, transformed the nature of Western Australia's response to supporting the wellbeing of children, families and communities. As is often required following the implementation of ground-breaking legislation, the bill before the house today proposes a suite of amendments to improve and strengthen the operation of that act.

Importantly, this bill also proposes two significant developments for vulnerable children and young people in Western Australia. The first is the establishment of a secure-care facility for children and young people at extreme risk, for whom no other option is available to manage that risk. Secondly, the bill introduces special guardianship orders for children who, for various reasons, are unable to live permanently in the care of their own families.

I turn first to the proposal in part 2 of the bill for the establishment of a secure-care facility. The need for a facility of this type has long been deliberated and was raised most recently in a 2006 Ombudsman report and in the 2007 review of the Department for Community Development by Prudence Ford. Secure facilities operate in, or are planned for, various other jurisdictions. The model introduced in this bill draws largely on Victoria's model.

The proposed facility will form part of a continuum of strengthened protection and care services for children in the care of the CEO of the Department for Child Protection, providing an option of last resort for managing the highest levels of risk that some young people present. Placing any person in secure care must always be a measure of last resort, particularly when it is done for purposes other than criminal justice or psychiatric care. Under this bill a secure-care arrangement may be made only when the CEO or the Children's Court is satisfied that a child meets the highest threshold of being at substantial and immediate risk of causing significant harm to himself or others, with no other way to manage that risk and ensure that he receives the care that he needs.

The secure-care facility is not for use as a bail option or for punitive purposes or as a placement option in the absence of any other being available—nor is it to be used as an alternative facility for the treatment of children or young people who otherwise require psychiatric intervention and management. Using best practice consistent with recognised therapeutic models of intervention, the aim of a secure-care admission is to stabilise young people and keep them safe while developing a suitable plan to address their needs and return to the community. A multi-agency response can assess complex needs and ensure that transition plans are developed and services provided to support the child's return to a suitable placement. Emphasis will be on reducing the likelihood of another period of secure care in the future.

The period of time a young person is kept in secure care under a secure-care arrangement should be the shortest necessary to stabilise the child. The bill allows for a secure-care period of up to 21 days. When there are exceptional reasons only, a young person may be kept under a secure-care arrangement for a further period of up to 21 days. Admission may be administrative or judicial. Children for whom the CEO already has parental responsibility under a protection order that is time limited, or a protection order until they are 18, may be administratively admitted by the CEO provided the CEO is satisfied the children meet the high admission threshold previously referred to and set out in clause 9 of the bill. For children who are either already in provisional protection and care or taken into provisional protection and care in emergency situations and placed in the facility under a secure-care arrangement made by the CEO, a judicial order is required. In these circumstances, the CEO must apply to the Children's Court for an interim order before a child is admitted to the facility or, in emergency situations, a continuation order as soon as practicable after the admission. It is anticipated emergency admissions will be rare.

Important protections are provided, including options for review of an administrative secure-care arrangement by the State Administrative Tribunal. Further, assessors will have the powers to enter and inspect the secure-care facility at any time to check on the operation of the facility and the wellbeing of any child in the facility.

The bill also makes amendments to the Working with Children (Criminal Record Checking) Act 2004 to require people who work in connection with the secure-care facility to undergo a working with children check. This government is committed to ensuring that children and young people in care are provided with the best possible opportunities to thrive, learn and grow. Long-term, stable care arrangements are vital for ensuring that a child is presented with these opportunities. The bill introduces a new guiding principle that, so far as is consistent with the child's best interests, planning should occur as soon as possible to ensure long-term stability for children who have been removed from their family. Removing a child from his or her family is always a measure of last resort. The Department for Child Protection works towards a child's reunification with the family if it is in the best interests of the child. Sadly, reunification is not always possible or in a child's best interests and in these cases the special guardianship option may be an appropriate alternative to achieve permanent care for a child.

During the 2008 election, the government announced its intention to introduce special guardianship orders similar to those available in the United Kingdom. To meet this commitment, part 3 of the bill introduces protection orders (special guardianship) to replace the existing protection order (enduring parental responsibility). Marking a significant change to the current provisions for a protection order (enduring parental responsibility), carers who have a child in care under a placement arrangement with the department for two years or more immediately prior to the application will be eligible to apply for a protection order (special guardianship). As with the current protection order for enduring parental responsibility, a protection order (special guardianship) will transfer parental responsibility for a child to a carer until the child reaches 18 years of age, giving the carer all the duties, powers, responsibilities and authority that, by law, birth parents have for their own children.

Part 4 of the bill introduces parentage testing orders that may be required if a question arises about the parentage of a child during protection proceedings in the Children's Court and consent to the testing is not forthcoming from those concerned. These provisions are based on provisions used under the Family Court Act 1997.

Finally, part 5 of the bill contains a number of miscellaneous amendments, some of which are required to clarify intentions or address oversights in the act. I will deal only with the more significant amendments.

At the time of the last election this government committed to review the Aboriginal and Torres Strait Islander child placement principles, which give priority to placing Aboriginal children with Aboriginal carers whenever possible and appropriate. To ensure that Aboriginal children are placed in the best possible family environment regardless of race, an amendment to the child placement principles emphasises the requirement that placement decisions for Aboriginal children are made in accordance with the child placement principles and are consistent with the best interests of the child. The bill also contains amendments to ensure that the consultation required before making a placement arrangement for an Aboriginal child is more meaningful, because it must be carried out with Aboriginal people or agencies with relevant knowledge of the child or the child's family or community.

A cornerstone to coordinated and collaborative service delivery is the exchange of relevant information between agencies in the interests of promoting children's wellbeing. The act currently allows information exchange between the Department for Child Protection and certain other agencies and individuals. This bill introduces powers to enable the exchange of information between public authorities prescribed in regulations, provided the information is relevant to the wellbeing of a child or a class or a group of children.

Protecting children from inappropriate employment continues to be a priority of government. Investigations conducted in recent years have highlighted the need for additional powers that enable the chief executive officer to issue a notice to an employer or prospective employer prohibiting or imposing limitations on the employment of children in a particular business or place. The current powers enable a notice to be issued to a parent in respect of his or her child's employment, and prohibit the employer from employing that child. However, they are inadequate for responding to unscrupulous employers who wish to employ other children in spite of that specific prohibition. Under the new powers, a notice may be issued to an employer prohibiting the employment of children when the CEO believes children are currently employed, or may be employed in the future. To issue that notice, the CEO must be of the opinion that the wellbeing of child employees is likely to be jeopardised because of the nature of the business or place or the nature of the work carried out there. The amendments also clarify and strengthen the powers of authorised officers in relation to inspecting a place and making inquiries into the employment or prospective employment of a child or children. I commend the bill to the house.

Debate adjourned, pursuant to standing orders.

### **MALCOLM DOUGLAS**

#### *Statement*

**HON DONNA FARAGHER (East Metropolitan — Minister for Environment)** [5.27 pm]: I stand briefly tonight to make a short statement on conservationist and Western Australian outback documentary filmmaker Malcolm Douglas who tragically died in a car crash in Broome early this morning. Well known to all Western Australians, and indeed Australians, Malcolm Douglas was a passionate supporter for conservation and the protection of our unique wildlife, especially in the Kimberley where he lived and where he filmed many of his acclaimed documentaries.

Malcolm Douglas worked very closely with the Department of Environment and Conservation and its staff over many years and had a passion for educating the broader community about the importance of conservation. As members would know, he did this through his parks in Broome and the more than 50 documentaries and films that he made, of which I am sure many of us have seen a few, if not all, over the years. In fact, it is fair to say that he certainly brought the outback into Australian homes many, many miles away.

From a conservation perspective, members would know that Malcolm Douglas was a very strong advocate not only for conserving crocodiles but also for threatened species such as the bilby. His passion for the Kimberley was not only for its wildlife but also for its landscapes and culture. I am sure that all members of the house will join me in extending our sincere condolences to the Douglas family on its loss.

Members: Hear, hear!

### **LIQUOR, HOSPITALITY AND MISCELLANEOUS UNION — DISABILITY SERVICES WORKERS**

#### *Statement*

**HON KEN TRAVERS (North Metropolitan)** [5.28 pm]: Today I met with delegates from the Liquor, Hospitality and Miscellaneous Union who are involved in the disability services field. I think they also met with a number of members of Parliament today to raise issues regarding the wages and conditions that they currently—I would like to say “enjoy” but I cannot—receive. They noted that the government is conducting a review of funding and indexation to the non-government human services sector, the sector within which they work. They pointed out that the wages that they are getting are significantly lower than those that are paid to people in the government sector doing comparable work. They pointed out that no representatives of the people doing the work were part of that review process and the consultation process, and they were keen for that to occur. They wanted the government to provide sufficient funding to ensure that workers are remunerated appropriately for their work, with a pay rise of equal or comparative value to Western Australia's cost of living.

Thirdly, they wanted the government to mandate that any funding provided to those organisations to allow them to increase their wages would carry some guarantee that that funding would flow through in appropriately worded and registered industrial agreements.

Fourthly, they were keen for the government to provide dedicated funding for the staff in this sector to get formal qualifications and pay for their educational institution fees, and for paid study leave to be provided. Again, I think that is very important because these people have traditionally been some of the lowest paid in our community, and they need financial assistance to access courses that will enhance their skills.

Finally, they were keen for the government to legislate for greater accountability and public disclosure of government funds allocated to the non-government sector. That is very important, too, because we can see that this government has a very clear agenda to increase the role of the non-government sector in the provision of government services. If it is going to do that, the government needs to make sure that it gets its house in order and ensures that it is not driving down the wages and conditions of ordinary working Western Australians. There is no doubt that when a rich state such as Western Australia goes through the economic good times that we have now, and have had for a number of years, it is important that it ensures that that success is shared by everybody in the community. There is a real danger that only a certain part of the community will gain the benefits of that, while others are left behind and end up worse off than they were before. We could talk about mortgages, but many of the people we are talking about now live in rental properties. Anyone who follows the rental market knows that there have been dramatic increases in rents over the past couple of years. People have seen their rents literally double over a not particularly long period of time. If rents go from, say, \$200 to \$400 a week, that really has a significant impact on people's cost of living.

I have been given a letter written by one of the workers that I will read to the house. It is entitled "Direct Care Worker's Lament", and it reads —

We are not just drivers, we are chauffeurs, we have to operate hoists and know how to secure and strap wheelchairs in place. We have to remember who likes to sit where to avoid conflict and challenging behaviours. We have to try and map read when someone is screaming in our ears "No GPS for us!". We are sports coaches who know how to play cricket, football, basketball, ten pin bowling, lawn bowls and swimming instructors. We have to be sprinters when someone runs off. We also deliver newspapers and meals on wheels, whatever the weather. We have to be experts on finding where disabled toilets are before we venture far. We are car cleaners, petrol pump attendants and motor vehicle mechanics when it comes to checking oil and water. We have to be mentors, teachers, gardeners, painters and arts and crafts experts. We are cooks, chefs, home helps and domestics. We are a friend. We have to be mind readers, role models, councilors, psychologists and nurses. We are weather predictors. We are typists, clerks and telephonists.

I have been punched, slapped, spat on sworn at, been sick on and even urinated on. I have been kicked in the testicles, had chairs thrown at me and blinded whilst driving when an article of clothing landed on my head after being thrown. But go right on complaining on the way we run our show, with no appreciation for the things we have to know. At the end of all this we have to clean the toilets... all this for less than \$20 per hour!

Why do we do this you may ask? Because we actually CARE for the guy's we support. Maybe it's about time we started to care and value ourselves more!

That letter is from Ray Partington, who has been a support officer with the Activ foundation for nine years. I think that completely sums up the sort of work that these people do and the fantastic contribution they make to our society. They are some of the lowest paid workers in our community. I think they deserve to be paid at least a comparable amount of money to those who are doing similar jobs in the government sector, and that contracting out should not be a way of driving down wages and conditions of people such as these who are genuinely great contributors to our society. If all that emotion does not sway people, the other thing that I took out of the meeting today that I think is very important is the sort of turnover that we are seeing. One gentleman pointed out to me that in his organisation he is an old-timer because he has been there for two and a half years but that many other areas are turning people over after six or seven months. If anybody knows anything, it is that the cost of recruiting, training and inducting new people into a workplace is significant. The reason they are getting that turnover is that the wages and conditions are just not there. This is the challenge we face and that the government faces as we go forward. As Western Australia, which is a rich state, gets richer and as we go through very good economic times, greater pressure will be placed on the system. These people are essential workers. They cannot walk off the job. The reason they do the job is that they care. They will not walk off the job in a way that leaves people stranded, because they care for the people and they know that the people who will suffer are those people they care for.

I would urge all members of the house to meet them. If members have not met with the workers, I am sure they would be happy to talk to members individually. I am more than happy to assist members to put them in contact with people who can arrange that for them. I would urge all members of the house to work with these people, who are just great people and great contributors to our community, to ensure that they are recognised and that the issues that I raised at the start of my speech are addressed, and that, as a government and as a community, we can provide them with the reward that they deserve.

**The PRESIDENT:** Under other circumstances I might also make a comment about the untidy scarf draped over the member's furniture, but in view of the fact that it is a St Kilda's scarf and there is a pretty important football match on this weekend, we acknowledge both teams and hope that the St Kilda and/or Collingwood fans have a good day.

**BENTLEY ACUTE ADOLESCENT UNIT***Statement*

**HON HELEN MORTON (East Metropolitan — Parliamentary Secretary)** [5.37 pm]: As most people are aware, over the past couple of weeks, Hon Linda Savage has been raising some issues around the Bentley adolescent mental health unit. I just wanted to make some comments in response to those comments, mostly to ensure that members here are aware of some of the work that is taking place at the moment, and as it might appear that the issues that Hon Linda Savage was raising were not being addressed or were not in some way being taken into account.

Most people would also be aware that the unit is a 12-bed authorised facility that caters for the assessment and management of adolescents with severe mental illness. It is one of the few secure places, which means that it is an involuntary facility for young adolescent people with very severe mental illnesses. The provision of child and adolescent mental health services forms part of the overall reform agenda for mental health services across the state. It is widely known that immediate and short-term improvements are required at the unit. The Minister for Mental Health considers that the Bentley adolescent unit is an urgent priority for action for improving the quality of life and outcomes for those people. The minister's office has been working with the Mental Health Commissioner, who has been to the facility, on how best to undertake the immediate work that is required.

The Mental Health Commission approved a range of capital works in December 2009 to upgrade the Bentley adolescent unit. It is understood that some of that work has been undertaken and that a tender is being prepared to progress some further capital works at the moment. In April 2010, following meetings with the Council of Official Visitors and complaints from parents and other professionals, the Mental Health Commission requested an estimation of the South Metropolitan Area Health Service of the physical changes required to improve the overall Bentley adolescent unit. On 16 September 2010, the South Metropolitan Area Health Service provided an indicative figure of those costs to remodel the unit. That request and the costings received is currently being considered by the Mental Health Commission. The proposed improvements include the painting of areas of the premises, the purchase of new and appropriate furnishings, extension and improvement to the kitchen area, the inclusion of a new open-plan area, and the maintenance and redesign of the outdoor garden area.

I would like to make a few comments about some of the issues that were raised by Hon Linda Savage. Firstly, the minister's mental health policy adviser and the drug and alcohol adviser visited the facility in May this year. The concerns that they brought to the attention of the minister represent those that are shared by Hon Linda Savage, and others, and formed the basis for initial discussions between the Minister for Mental Health and the then acting Mental Health Commissioner. These discussions have continued with the recently appointed Mental Health Commissioner, Mr Eddie Bartnik. The minister has also met with Dr Elizabeth Moore, the executive director of the South Metropolitan Area Health Service. That is the appropriate level at which the minister is required to be involved in developing the strategies that need to be undertaken to improve the services at the Bentley adolescent unit. The Mental Health Commissioner has also had discussions with Dr Moore concerning the Bentley unit during his short five weeks in that position.

Hon Linda Savage also requested a meeting with the Minister for Mental Health. That meeting has been arranged—I just want members to be aware—and the minister will be meeting with Hon Linda Savage and me next week.

Hon Linda Savage also raised an issue about a notice saying "Leave guns here". I cannot remember what her exact words were —

**Hon Liz Behjat:** She said that people see that notice as soon as they go into the unit.

**Hon HELEN MORTON:** I know. The situation is that all mental health facilities have a secure component. That notice is for the police, because it is likely that in emergency situations, the police will be involved in bringing patients to the secure facility. There is a locked cabinet on the wall inside the facility, and before the police take the patient into the facility, they are required to take their gun out of their clothing, or wherever they hold it, and put it in that secure cabinet. The way this was raised by Hon Linda Savage made it sound as though this notice is for the parents or the kids who may be turning up at these places. Members can be assured that is not the situation. It is for the police.

This government is committed to improving the lives of people living with a mental illness. Some announcements are on the verge of being made with regard to adolescent mental health services in this state, and Hon Linda Savage, along with everyone else, including myself, will have to wait until those announcements are properly formed and approved and the protocols around them are properly established. But I assure the member that is not very far down the track.

The government recognises the importance of listening to people such as the Australian of the Year 2010, Professor Patrick McGorry. Only last week, I was in Sydney and met with Professor McGorry at the TheMHS

conference. The Minister for Mental Health has also visited Professor McGorry's Orygen Youth Health centre in Melbourne to see at first hand the workings and results of the early intervention programs for young adolescent people with a mental illness in his state. I wanted to bring to the attention of the house that the concerns raised by Hon Linda Savage are known and shared by the government. The government is taking action and has been working on this for a number of months. I believe that it will be possible for Hon Linda Savage to have a briefing on this next week, when she and I meet with the minister. I also wanted to make sure that other members of this chamber are aware that these actions are taking place.

### **BILLS**

#### *Assent*

Messages from the Lieutenant-Governor and Deputy Governor received and read notifying assent to the following bills —

1. Retail Trading Hours Amendment (Armadale Special Trading Precinct) Bill 2010.
2. Retail Trading Hours Amendment (Midland Special Trading Precinct) Bill 2010.

### **ADJOURNMENT OF THE HOUSE**

#### *Special*

On motion without notice by **Hon Norman Moore (Leader of the House)**, resolved —

That the house at its rising adjourn until Tuesday, 12 October 2010 at 3.00 pm.

*House adjourned at 5.46 pm*

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**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.
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**NATIVE VEGETATION CLEARING — REVIEW**

2645. Hon Giz Watson to the Minister for Environment

I refer to the Regulation Review, Clearing of Native Vegetation, Report to the Minister for the Environment by the Expert Committee, April 2009, and I ask —

- (1) Which recommendations from the report have been implemented by the Government?
- (2) I refer to page 21 of the report, point 3.6, 'Database for Improved Monitoring and Auditing of Land Clearing, Recommendation 11, The Committee recommends that resources be provided to improve the quality and public accessibility of data on native vegetation, of both its extent and significance, so as to allow for better decision making in DEC and to better inform land owners and the broader community', and ask, has this been implemented as a priority?
- (3) If all the recommendations have not been implemented, can the Minister explain why?
- (4) What are the mechanisms for safe guarding against contractors damaging or clearing on protected sites?
- (5) What steps are currently being taken by the Minister and/or Department of Environment and Conservation to implement the recommendations?

Hon DONNA FARAGHER replied:

- (1) Recommendations 2, 3, 4, 6 and 13 have been implemented and the outcomes of recommendations 8, 9, 12, 15 and 16 are already in place and no further action is required.

Action on recommendation 1 has commenced. As part of my consideration of the report, I referred it to the Environmental Stakeholder Advisory Group for comment and received its report in December 2009. In response, I established an interagency Native Vegetation Working Group to consider the development of a policy on native vegetation, which was a recommendation of both the Expert Committee and the Environmental Stakeholder Advisory Group, and to provide advice on legislative changes proposed in submissions to the Expert Committee. I expect a report from the Working Group by December 2010.

- (2) The Department of Environment and Conservation (DEC) monitors vegetation change within the intensive land use zone on an annual basis. While there is a need for a vegetation management system, given the size of the State, this will be a major task and it is therefore DEC's intention to progressively target regions on a priority basis.

- (3) With respect to the remaining recommendations, not referred to in (1) or (2);

Recommendation 5 — the EPA and DEC are of the view that such an agreement is not required, and were supportive of the ongoing level of communication between the two parties.

Recommendation 7 — the legislation already provides the legal framework and guidance on assessment, including planning instruments and other matters, and is provided in DEC's Guide to Assessment, which is publicly available. Please also refer to my response to (1).

Recommendations 10 and 14 are under consideration.

Recommendation 17 is not supported as funding was allocated to the Roadside Conservation Committee at the time of establishment of the clearing provisions for the purpose of local government liaison.

- (4) Under section 51R of the Environmental Protection Act, both contractors and landowners are legally liable for damage to vegetation which is not authorised under the Act. DEC takes action in respect to unlawful clearing in accordance with its Enforcement and Prosecution Policy. DEC also has comprehensive information and guidelines to assist community understanding of the clearing provisions.

- (5) See the answers to (1)-(3).

**DEPARTMENT OF HEALTH — DIRECTOR GENERAL APPOINTMENT**

2686. Hon Giz Watson to the Leader of the House representing the Premier

I refer to the Health Minister's media statement of 14 July 2010, regarding the appointment of the new Director General of the Department of Health, and ask —

- (1) Will the Minister please provide details as to the international search and the advertising for the position?
- (2) How many applications were received?
- (3) Who were the members of the interviewing committee?
- (4) Do the all members of the interviewing panel reside in Western Australia?
- (5) If no to (4), please name the interstate panel members?
- (6) What was the cost of the appointment process?
- (7) What is the current salary of the Director General of Health?

Hon NORMAN MOORE replied:

Acting Commissioner of the Public Sector Standards advises:

- (1) The position of Director General, Department of Health was advertised Australia wide through the Weekend Australian and the West Australian on 27 February 2010. The advertisements had a closing date for receipt of applications of 22 March 2010.  
  
The executive search for the position concentrated on potential candidates within Australia and in the United Kingdom. The executive search sought advice on potential applicants from over 20 sources within Australia and Overseas. 17 potential applicants were identified as a result of the search however only three of these could be persuaded to submit applications for the position. One of these three subsequently decided not to proceed with their application.
- (2) Seven applications were received, five in response to the public advertisements and two in response to the executive search.
- (3) The members of the selection panel were:
  - Mr Peter Conran, Director General, Department of the Premier and Cabinet (chair of selection panel).
  - Professor Bryant Stokes, AM RFD KSJ JP FRACS FRCS
  - Ms Michele Kosky, AM, Executive Director Health Consumers Council WA
- (4) Yes
- (5) Not applicable
- (6) \$103,810
- (7) \$476,100 per annum

#### LITERARY PUBLICATIONS — WA WRITER SUBMISSIONS

2723. Hon Lynn MacLaren to the Minister for Child Protection representing the Minister for Culture and the Arts

- (1) Can you provide a list of Western Australian based literary publications that Western Australian writers can submit their work to?
- (2) How are these publications funded?

Hon ROBYN McSWEENEY replied:

- (1) The Department of Culture and the Arts is aware that in Western Australia writers can submit their work to the following literary publications: Dot Dot Dash Magazine; Westerly; Cottonmouth Zine; Indigo Journal; Mother Has Words; Alphabet Soup Magazine for Children; and Perth Zine Collective
- (2) These literary publications are funded through a variety of sources including grant funding, private sponsorship, fundraising activity, sales and subscriptions.