



Parliamentary Debates

(HANSARD)

THIRTY-NINTH PARLIAMENT
FIRST SESSION
2015

LEGISLATIVE ASSEMBLY

Wednesday, 16 September 2015

Legislative Assembly

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THE SPEAKER (Mr M.W. Sutherland) took the chair at 12 noon, and read prayers.

GENETICALLY MODIFIED CROPS — INDEPENDENT REVIEW

Petition

MS M.J. DAVIES (Central Wheatbelt — Deputy Leader of the National Party) [12.01 pm]: I have a petition with 132 signatures, couched in the following terms —

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, say that we as a State need to retain the GM Crops Free Areas Act 2003 as an essential part of the national regulatory system to regulate where and what type of GM crops are grown in Western Australia.

Now we ask the Legislative Assembly to:

1. Call for an independent review of the GM Crops Free Areas Act 2003 by a parliamentary committee, inclusive of all political parties and stakeholders including consumers, in line with the findings of the 2009 review of the Act under Section 19.
2. Support GM-free farming.
3. Urge the WA Government to introduce Farmer Protection Legislation to compensate any non-GM farmer who suffers economic loss from GM contamination.

[See petition 283.]

BASSENDEAN PRIMARY SCHOOL

Petition

MR D.J. KELLY (Bassendean) [12.02 pm]: I have a petition signed by one petitioner. It has been certified as in accordance with the standing orders. The petition reads —

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled. We, the undersigned, say

In the 1970's there were six houses on the Bassendean Primary School oval we know today. The houses were purchased and demolished between 1971 and 1973 to add a sports oval to the school to make sure that students had enough play space. The parent group at the time raised a significant amount of money for reticulation for the oval and lobbied the State Government to make sure that water was turned on to the reticulation in January 1974.

Sadly, the expansion of the administration building of the school has put this community space in jeopardy to create a carpark. With smaller and smaller backyards in our suburbs open play space like the school oval have become more important, not less and we should be making sure that this precious space is preserved for the purpose for which it was created in the early 1970's.

Research shows that increased contact with the natural environment is associated with positive outcomes in children's health, behaviour and learning. Students at Bassendean use the oval to play together, play sport and as a community we use the oval to recreate after school and on the weekends. It's important that we maintain this natural play space for our children, and for their children too.

Now we ask the Legislative Assembly to cease construction on the carpark, restore the oval, and work with staff, parents, students and the wider community to find a solution that preserves our play space.

[See petition 284.]

ROE HIGHWAY STAGE 8 — AUSTRALIAN WOMEN'S ARMY SERVICE AND REGIMENTAL HEADQUARTERS SITE

Petition

MR F.M. LOGAN (Cockburn) [12.04 pm]: I have a petition signed by 99 petitioners. It has been accepted as being in accordance with the standing orders of the house and is in the following terms —

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, say that we do not want the Roe 8 Hwy (eastern end of the Perth Freight Link) to be built through the area of Beeliar Regional Park that is the site of the Australian Women's Army Service & Regimental Headquarters during WW2. This site is currently being heritage listed and is of great historical and educational value to all Australians. The construction of this Hwy will destroy this unique site which we wish to preserve to be able to remember the contribution made by the brave, young women who enlisted in the AWAS to defend our country during WW2.

Now we ask the Legislative Assembly to call on the Barnett government to:

- Reverse your decision to allow the Roe 8 Hwy (eastern end of the Perth Freight Link) to go ahead.
- Support requests by the residents of the City of Cockburn, the sons and daughters of the AWAS women and the RSL City of Cockburn Sub-branch to preserve, and not destroy this site.

[See petition 285.]

PAPERS TABLED

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

ROTTNEST ISLAND — PINKY BEACH ACCOMMODATION

Statement by Minister for Tourism

DR K.D. HAMES (Dawesville — Minister for Tourism) [12.06 pm]: I wish to inform the house about an exciting new accommodation option proposed for Rottnest Island. Today the Rottnest Island Authority called for expressions of interest from accommodation providers for the development of up-market camping facilities nestled behind sand dunes at popular Pinky Beach. The Rottnest Island Authority has developed site-specific design guidelines and the preferred eco-style combines the enjoyment of camping with the luxury of quality tented accommodation. It is intended to provide a high level of amenity but with a low impact on the site, whilst remaining responsive to the distinctive beauty of the location. The site comprises an area of 1.5 hectares with panoramic north-facing views and is adjacent to the recently upgraded campground and championship grade Bathurst tennis courts. It is also near iconic Bathurst Lighthouse and the popular swimming spot The Basin, and within close proximity to the main settlement, golf course and oval.

The site has become available for release following a \$6 million investment by the state to upgrade Rottnest's wastewater treatment plant. This has resulted in a smaller, sleeker plant which is screened from the proposed development area. The land is being offered by way of a leasehold tenure, and the length and conditions will be negotiated with the preferred proponent based on a range of economic, environmental and sustainability criteria established by the Rottnest Island Authority. Proposals will need to respond to and respect the unique ecology, culture and heritage of Rottnest Island and be a model of style, quality and sustainability. It is anticipated that private development will transform the area without spoiling land and ocean vistas. It will also create a whole new visitor experience on the island.

The closing date for expressions of interest is 21 October 2015, with submissions to be assessed by an evaluation panel of suitable qualified representatives against selection criteria that will consider experience and capability, development vision, sustainability, financial capacity and commercial terms and delivery. The state government has invested over \$5 million in accommodation upgrades on Rottnest since 2012, including landscaping and increasing the adjacent camp ground to 42 sites, and adding a state-of-the-art camp kitchen and ablution block. This accommodation development opportunity is part of the 20-year strategic vision for Rottnest Island and will add to the inventory of quality accommodation options available for Western Australians and visitors.

HEATHER MACGOWAN — SCHOLARSHIP RECIPIENTS

Statement by Minister for Sport and Recreation

MS M.J. DAVIES (Central Wheatbelt — Minister for Sport and Recreation) [12.09 pm]: I rise today to recognise three women who are setting positive examples of what can be achieved in the sports industry. Each year, the Department of Sport and Recreation awards a scholarship in honour of Dr Heather MacGowan, a woman recognised as a leader in the leisure and sport industry across Australia. Dr MacGowan was a long-serving staff member at the Department of Sport and Recreation as the director of regional services for 10 years. She was highly sought after as a lecturer and consultant to universities and local governments on sport and recreation. In 2003, Dr MacGowan retired from the department after the onset of motor neurone disease but continued to support, mentor and encourage her colleagues and young sportspeople.

This scholarship ensures that young people in the industry continue to receive the support and encouragement Dr MacGowan was renowned for offering. This year, three women will receive a combined \$22 500 to undertake innovative sport and recreation projects. Janelle Cuthbertson in her scholarship project will investigate

successful participation and community engagement strategies to help the Perth Scorchers women's team to be the best supported female domestic cricket team in Australia. As a state and national judo coach, Celeste Knoester will travel to Hungary to attend the International Judo Federation and complete an instructor's course. She will become the first Western Australian judo coach with this qualification, which will become mandatory in the next few years. Dana Pimley will use her scholarship to attend a number of conferences and events about tackling doping in sports, and consult with key English agencies, including the English Institute of Sport. At the completion of the scholarship, the recipients will report on the knowledge and skills gained as well as presenting their findings at an industry forum. Previous winners have looked into science and medicine in sport, disability sport, sports law, the public health benefits of sport, increasing access to sport in remote communities, and sports marketing.

This is a great opportunity and I wish the recipients well in their projects.

PUBLIC TRANSPORT — INFRASTRUCTURE

Statement by Minister for Transport

MR D.C. NALDER (Alfred Cove — Minister for Transport) [12.11 pm]: Members may not be aware that in addition to major public transport announcements made as part of the 2015–16 state budget, such as the \$1.2 billion new generation of C-series railcars, this government is also investing heavily in the existing capital and infrastructure that keeps the state's public transport system moving. The government has approved funding of \$119.8 million to replace the obsolete analogue radio system used by the Public Transport Authority to operate its passenger rail services. As a result of the Australian Communications and Media Authority's spectrum rationalisation program, the PTA's existing spectrum has been reduced for eventual reallocation to emergency services users. This existing radio system will be replaced with a modern digital radio system.

I would also like to update the house on the replacement of escalators at Perth CBD train stations. These escalators were installed as part of the New MetroRail Mandurah line project. The escalators have caused an unacceptable level of disruption to passengers and will be replaced. Funding of \$15.5 million has been allocated over the next two years to replace the underperforming escalators at the Esplanade and Perth Underground stations.

I would also like to highlight the rail resilience program. Stage 1, with funding of \$30.1 million, of the resilience program is already funded and works are underway. As part of the 2015–16 state budget, government has approved a further investment of \$18.7 million over the next two years to improve the safety and reliability of the Transperth network. Government has recognised the need for the PTA to expand its rail and overhead maintenance schedule, as well as undertaking key projects that will improve the reliability and flexibility of train operations.

These three projects I have discussed today may have been overlooked in a review of the 2015–16 state budget. They might not involve ribbon-cutting ceremonies, but they are absolutely essential to the efficient and reliable operation of the public transport network. This government both understands and supports these important programs.

ALUMINA REFINERY (MITCHELL PLATEAU) AGREEMENT (TERMINATION) BILL 2015

Second Reading

Resumed from 25 March.

MR W.J. JOHNSTON (Cannington) [12.12 pm]: I rise to speak on behalf of the Labor Party as the lead speaker on the Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill 2015. The purpose of this bill is to facilitate the creation of a national park in the Kimberley. The Labor Party welcomes that. We have been interested in this issue for some time and we committed in the 2013 election to talk to the proponents to do that very thing. I suppose that is a demonstration of the way in which state agreements have come full circle in terms of what they looked like in the past and what they will look like in the future. We can see that this is one of those agreements that is really about the past and not the future.

I will now go through some of the history of this agreement. It is not quite as the Premier explained in his second reading speech. The Premier said in his second reading speech that this state agreement was originally entered into between the state and Amax Bauxite Corporation in November 1971. I will explain what happened. The 1971 agreement was actually the replacement of the original agreement, which was entered into in 1969 by Charles Court as the then Minister for Industrial Development. On 27 March 1969, Charles Court introduced the Alumina Refinery (Mitchell Plateau) Agreement Bill and said —

The purpose of this Bill is to ratify the agreement between the Government and Amax Bauxite Corporation relating to the mining of bauxite, the production of alumina, and investigations into the possibility of establishing within this State a smelter for the conversion of alumina to aluminium.

One of its most significant features is that it is designed to establish a major industry in a part of the State, in the extreme north, near Admiralty Gulf, where there is literally no development at the present time.

We can see that he was using the language of the era. We would not see it in that way now.

He said also —

The refinery, together with ancillary works and services, will cost something in excess of \$100,000,000.

In 1969, that was an enormous amount of money. He went on to say —

The Kimberley bauxite deposits were discovered by company geologists early in 1965 ... In 1967, the whole plateau was covered by a broad drill grid, and the most promising individual ore body was drilled out on 400-foot centres with shafts being sunk every 800 feet.

So we can see that the company was hammering the terrain pretty heavily at the time. He went on to say —

A pilot washing and screening plant has been erected on site and has been operating effectively since the beginning of the year 1968.

He went on to detail the way in which they were doing the work and said —

In taking bulk samples for the pilot plant, blast-hole drilling rates and explosives consumption were determined, and at the same time ripping tests were carried out with the bulldozer to determine whether any substantial proportion of the ore body could be extracted with the use of ripping and scraping equipment.

He then talked about the proposed port and said —

During 1967 a hydrographic survey of possible pier sites in Port Warrender and of the approaches through Admiralty Gulf was completed. This survey suggested two possible port sites, both with excellent approaches and having 50 to 60 feet of water at low tide, within 1,000 feet of the shoreline. A final decision on the location of the port will be made when the company submits its proposals in detail to the Government.

He then talked about the feasibility study being done by, interestingly, Bechtel Pacific Corporation, a company that is still very active in Western Australia. He then said —

Mention has been made in the agreement of a commitment to go up to 600,000 tons of alumina product. The indications to date in the feasibility studies are that this tonnage will have to be higher to make it economically viable; and that is exactly the same experience in respect of the estimates at Gove.

That is in Queensland.

As I always admire in these second reading speeches, he went on to say —

The alumina plant will utilise the Bayer process designed to treat bauxite which contains trihydrate alumina.

He went on to talk about the power plant that “will” happen, and the general facilities that “will” include, and the town site for 1 500 people. Interestingly, he also made the point —

Some important aspects of construction will be an effective communications system; that is, a radio and telephone link with Darwin or Derby ...

As members can see, even in 1969 the question of telecommunications for a project was already coming into focus. He went on to talk about some issues that became somewhat controversial for the opposition at the time, and I will explain what those issues were. He said —

The company has temporary reserves over an area of approximately 1,500 square miles, which under the terms of the agreement may progressively be converted to a mineral lease within six years of the commencement date. It also has the right to surrender any part of the lease from time to time.

The initial term is for 21 years with an option of renewal for a similar period ... at the rate of \$5 per square mile, and thereafter the amount prescribed by the Mining Act, but not exceeding \$10 per square mile.

That was one of the controversial issues that the Labor opposition raised at the time.

Mr Court then outlined the apparent obligations under the agreement about the facilities that the company was to build. I will give members an example. He said —

By the 30th June, 1969, or other date approved by the Minister, the company must submit proposals on the following:—

Then he listed port and port developments, bauxite and alumina transport facilities, town site facilities, regional facilities et cetera. He outlined that there was a specific date, but, as I will explain, one of the criticisms made by the Labor opposition was that this was all based on the idea of a commencement date, and the commencement date never actually occurred so none of the other features of the agreement came into being.

Mr Court made great play about the idea there would be a regional development authority potentially created under the Alumina Refinery (Mitchell Plateau) Agreement Bill. Interestingly, the then Leader of the Opposition, John Tonkin, interjected —

Will this be another company town like Dampier?

Members can see that even in 1969 the Labor Party was concerned about the formation of company towns. There was a bit of to-and-fro, and Mr Tonkin made the point, in respect of company towns —

That means if an employee does not like the job he will get no accommodation and no meals.

Of course, we continue to see that as a problem.

The minister continued to talk about this proposal to perhaps have a regional development authority, and it could actually be viewed as being a public–private partnership. The government was trying to get the companies to borrow for the building of infrastructure so that it did not have to go through the Loan Council. At the time, the states could only borrow with the approval of the Loan Council. Mr Court stated —

The position is aggravated where overseas companies are involved and they are limited in the amount of money they are able to borrow in Australia under Commonwealth policy; and the reasons for this have been stated elsewhere. Therefore they usually have to go overseas to borrow money at high cost and put it into infrastructure development as distinct from the industrial investment—that is, the actual mine, the actual plants, and those things that are earning the normal income.

He goes on to explain why he wanted a regional development authority, and what, potentially, would make it different from the normal arrangements that had been entered into in respect of Pilbara proposals.

Mr Court wanted to make clear that although this was a provision, it would not necessarily require the government to act. He stated —

I want to emphasise again that the Government has the right to opt out of its arrangement at any time because it has been explained to the corporation, and it accepts the fact, that we cannot include any provision which would in any way inhibit our borrowing capacity and normal loan fund arrangements under the Loan Council.

He later set out the question of royalties. He stated —

I mentioned differential types of royalty. There are, in fact, two types, one for bauxite used at the refinery in this Mitchell Plateau area and one for bauxite shipped away. There is also the special royalty rate for refractory or special type bauxite; and here again there is a differential for the special type of bauxite used within Australia and that which is shipped out of Australia.

He stated further about royalty rates —

After the initial period of 21 years, royalty rates are reviewable by the State for each seven-yearly period thereafter.

Then he talked about the arrangements and the circumstances that permitted the export of bauxite. Interestingly, he basically highlighted the fact that the export of bauxite would probably precede the construction of the refinery, and so raw bauxite would be exported for a while even before anything else happened.

The member for Gosnells would be interested to know that there was a discussion about rehabilitation. I am not quite sure whether it was as extensive as the expectations of today, but the minister said —

The company will be obliged to progressively restore, in consultation with the Minister for Mines, the surface of the mined areas and to regenerate the vegetation thereon in accordance with good mining and industrial practice.

He then spoke about the conditions to be set for that.

There was then a discussion of what would happen to the residue from the process—he described it as “red mud”—and that that was an issue for other communities that had bauxite plants. He outlined that the company would be investigating establishing a smelter. He stated, in respect of the company having an obligation to consider building a smelter—not an obligation to build a smelter but an obligation to think about it —

This is felt to be something of an inducement to the company to undertake smelting operations—if at all practicable—because if the company does not undertake smelting operations it will be obligated to supply alumina on the spot to a rival company, if such company deems it practicable and desirable to establish a smelter.

Of course, we know a smelter was never established in Western Australia because it was never, in the end, proved viable.

The opposition replied. I will not go through every word it spoke, but I will make a couple of remarks. On 3 April, the shadow minister, Mr Beckerton, the member for Pilbara, led with the opposition's response, and then a few days later—on 15 April—John Tonkin as Leader of the Opposition made some comment. In Mr Beckerton's remarks he —

Mr C.J. Barnett: Arthur Bickerton I think was his name, wasn't it?

Mr W.J. JOHNSTON: I thank the Premier. I am not young enough to remember; I was only seven years old in 1969!

Mr C.J. Barnett: I was good friends with his son.

Mr W.J. JOHNSTON: Excellent.

Mr Bickerton stated —

In other words, this company, as the agreement will show, has during the preliminary stages an area of 1,500 square miles, and if it was to retain that area and to pay rental on it the State would receive \$15,000 per year. If the company paid rent at the Queensland rate, the amount of money received would be four times that sum, or \$60,000 per year.

The Labor opposition was comparing the Weipa agreements with the Mitchell Plateau agreement and making the point that it felt the government was not getting the best deal.

Another issue the Labor Opposition raised was that Western Australian state agreements came to the house after they were struck; whereas in Queensland, Parliament ratified the agreement and authorised the Premier to sign the agreement. In Western Australia, the agreements were being presented as finalised for agreement or rejection, but there was no opportunity for amendment. The other thing raised by the opposition was that Parliament was being asked to set aside all other acts. I will quote what Mr Bickerton said —

Parliament is also asked to waive many of its Acts of Parliament, as has been done in similar types of agreements which have gone through this House. Also, it is asked to generally provide assistance and cooperation—at least as far as I can see in the agreement—equivalent to that given to the iron ore companies.

He complained that although the opposition had become accustomed to it, it did not mean that it was satisfied with it. He stated —

I do feel that whilst we continue to waive certain Acts it will be very difficult to make agreements with any company in the future, regardless of what Government is in power, without including these special clauses. I can imagine companies saying to the Government that if it is good enough for Hamersley and the bauxite organisations, and so on, then they are not interested unless their agreements are on similar lines. Precedent has been adopted, and how we will revert, if ever, to Parliament operating the way it should in accordance with the Interpretation Act, I do not know.

Member for Gosnells, he talked about post-mine restoration in some detail, although I think he was more interested in the land being recovered for farming and other uses. He quoted extensively from the agreement. He again contrasted the agreement with the Queensland examples, and reflected on the Queensland examples as being better than the Western Australian agreements. He said that in Western Australia, the agreements would allow subsidiary rules to be made without reference back to Parliament; whereas in Queensland it was not done in that way. He stated —

Apparently all States do not think the same way, because I notice, on reading the Queensland agreement, to which I referred a little while ago, that such conditions cannot be considered as being in the Minister's mind or in the agreement he has before the House; and it is a very large and important agreement. It is similar to this agreement in many respects, and the conditions laid down are also very similar, but there is one very different feature, and that is that the Queensland Parliament has not been overridden so far as by-laws and regulations made by the company are concerned.

The Labor opposition was quite determined on that issue.

I turn now to the conclusion, in which he states —

... I would say that perhaps there are many things which are difficult to understand in the agreement, as I have already mentioned. In the case of some of these provisions, even if one secured the advice of half a dozen Philadelphia lawyers one would not really know what a clause actually meant.

I would liken the agreement to the bikini: —

I am sorry to say this, but I am quoting a speech from 1969 —

what it reveals is interesting, and what it conceals is vital.

He then goes on to state briefly that he is not satisfied with the agreement.

The member for Kimberley, who it is clear was a government member, spoke in support of the agreement. I noticed his words—I noted other members referred to them when I read further in *Hansard*—that state —

If the Mitchell Plateau goes ahead—and it obviously will—then it will help the people in this region who are pioneering pastoral pursuits and perhaps following other activities ...

He makes his point when he says “it obviously will”. He reflected on wanting Indigenous employment, although in the language and attitudes of a conservative Kimberley member in 1969, which obviously came from a racial superiority point of view rather than a modern understanding of these things. He reflects on tourism when he states —

From a scenic point of view the country in this locality is nothing short of spectacular, and there is no doubt in my mind that one day the region will support a very large tourist industry ...

As I said, the then Leader of the Opposition, John Tonkin, also remarked extensively on the agreement. Principally, his argument with the then minister, Mr Court, was about setting aside state laws and having agreement submitted to the house in the manner it was. He stated —

As the member for Boulder-Dundas pointed out earlier in dealing with the agreement the subject of the previous Bill, here is still another agreement brought to the House as a *fait accompli*. This agreement sets aside every law of this State. It is brought here after it has been signed, sealed and delivered.

I regard it as an affront to Parliament. It is treating the Parliament and its members with absolute contempt. It is asking them to be none other than a rubber stamp, and I for one am not prepared to accept that situation without protest, and if members opposite had any spunk they would not do so either.

It is certainly interesting commentary, and we can see that still today. He also reflected on what happens in Queensland, when he states —

Now, Mr Acting Speaker ... listen to the wording —

This is in respect to the Queensland agreement —

...The Premier and Chief Secretary is hereby authorised to make, fore and on behalf of the State of Queensland, with Commonwealth Aluminium Corporation Pty. Limited, a company duly incorporated in the said State and having its registered office at ... the Agreement a copy of which is set out in the Schedule to this Act ...

That agreement was brought before the Queensland Parliament before it was signed. Its provisions could be discussed, and if the Parliament was satisfied that it could then authorise the Premier to sign the agreement.

He makes the point that it is a very difficult approach. He also stated —

What use is it for us to spend time going through an agreement in this House well knowing it could be subsequently altered so as to be almost unrecognisable ...

Again, he complains and goes through in detail and explains, giving comparisons to other places, why he has concerns He then goes on to talk about the chances of the project succeeding. He says —

One can understand the member for Kimberley being so ready to applaud this agreement, because lack of experience would lead him into this trap. The honourable member said, “If the Mitchell Plateau venture goes ahead and it obviously will...” Those are his words. I do not share that optimism from what I read in the Bill. I think there is very little to justify such optimism.

As a matter of fact it reminds me very much of a situation which occurred some years ago when I was down at the coast at August doing a little fishing. I did not catch any fish at the time, but that was our purpose for going there.

He then recited his story. He stated —

... so the cook came out and said, “If we had a frying pan and some fat we could fry some fish if we had some.”

Again, that is what was really happening with this agreement. If there was a project, it would create jobs and investment; but given there was not a project, it was not going to do those things. He went on —

That seems to me to show quite clearly the situation with regard to this proposal at this time. It is all in the future; what may happen a little later on. Nothing happens at all until we reach the commencing date, and I defy anybody in this Chamber, including the Minister, to make an accurate forecast of the likely commencing date; to get within years of it.

He then made an observation and again reflected on the Queensland ministers' working harder than the Western Australian ministers. He also talks about the purpose of what the minister should be doing, when he stated —

I am more interested in what is in this area which is to be given to the company and whether the terms upon which the area is being given are fair and just terms so far as the State is concerned.

He made the point that there was no obligation to build a smelter. In fact, he made the observation that there were effectively no enforceable obligations. He complained about the minister having misrepresented the provisions of the bill. He also observed, which is just as valid today for all projects as it was then —

It is obvious, if one reads the Bill, that it is anticipated there will be considerable difficulty in raising the finance.

Of course, if there is no finance, there is no project. He made the point —

... we should keep this in its proper perspective and not run away with the idea that there is a bonanza just around the corner which is likely to materialise within the next year or two.

He used the term "hope springs eternal", which I think is worthwhile. He complained about the setting aside of laws and particularly drew attention to this—I am sure the Acting Speaker would be interested in this —

I take it —

In respect to the laws that are being set aside —

that includes the Inspection of Machinery Act, if there are some requirements in that Act which could prove irksome to the company. Under this agreement those provisions would have no force or effect because this Act would be set aside.

He then joined with other members of the opposition and criticised those provisions. I make the point that whilst we are technically repealing the 1971 agreement; in fact, we have to trace this back to the 1969 agreement. I explain why the 1971 agreement came forward. On 2 December 1972, when the Labor Party was in government, and Mr Graham the member for Balcatta was Minister for Development and Decentralisation brought in the 1971 act to ratify the agreement, he stated —

The Bill now before members is to ratify an agreement between the State and Amax Bauxite Corporation for the mining and refining on the Mitchell Plateau ... In addition to ratifying an agreement, it would repeal the 1969 agreement Act and simultaneously validates anything done in pursuance of the provisions of that Act while it was law.

The agreement which is printed as a schedule to the Bill is identical with the agreement which was ratified in 1969, with the exception of a number of minor necessary alterations which I will explain later.

The re-ratification of this agreement is necessary because, prior to the signing of the original agreement, approval as required under the Banking (Foreign Exchange) Regulations was not obtained. This omission rendered the agreement invalid.

This is the second agreement in recent years which has been of no effect because of these regulations. In 1970 the then Government had to re-introduce the Iron Ore (Cleveland-Cliffs) Agreement Act Amendment Bill for exactly the same reason.

I make the point—I know it is only a minor one—a member of the government interjected on me a couple of months ago about this issue, about this bill repealing an act of the Labor Party in respect of the Mitchell Plateau. However, I make the point that all that was done in 1971 was to overcome some technical issues. We could imagine that they would not have wanted to create sovereign risk at the time whereby the government and the company had entered into an agreement in 1969 that they believed was valid even though there was some technical issue that made it invalid. One would expect the state to overcome that problem. On 3 December 1971, Mr Court as Deputy Leader of the Opposition, agreed to the arrangement and said —

It is important that the House understands there are forces outside those normally within the control of the State which are able to dictate to us. One problem is the Reserve Bank provision for overseas funds being invested in this country, and in particular the Banking (Foreign Exchange) Regulations.

It was a very short debate. In closing the third reading, the minister said —

The only other comment I would make is that in comparatively recent times we have seen an awareness on the part of the venturers of the difficulties associated with such undertakings in isolated spots. If employees are to be attracted and retained it is absolutely essential that normal facilities and amenities be provided as far as possible. If such facilities are not provided there will be either no labour available or a rapid turnover, which of course would be anything but satisfactory.

Again, I draw attention to the fact that we still have that very same issue. The member for Eyre's report—I think maybe Madam Acting Speaker (Ms J.M. Freeman) is a member of that committee too—into the fly in, fly out sector has again drawn our attention to these issues that continue today in these remote projects.

In 1972, the Labor government brought an amending bill to the house to deal with the 1971 agreement. I want to contextualise this, because back in 1969 there were two specific criticisms of the original Court agreement with the Mitchell Plateau proponents. The first criticism was that there were no specific obligations on the company to do anything, and because none of the dates in the agreement came into operation until after the commencement of the project and the commencement of the project could be delayed effectively indefinitely by the proponent, all there was was a mirage, because the proponent could continually push off into the future any actual undertaking. There was also a criticism that the Parliament had not been involved in discussions on the agreement. They could not overcome that because, of course, the agreement was the agreement, but in 1972 they sought to take action on the first issue to place some genuine obligations on the proponents in the agreement. On 14 September 1972, Mr Graham brought in the amending legislation, the Alumina Refinery (Mitchell Plateau) Agreement Act Amendment Bill, and explained what had happened. He states in *Hansard* —

The purpose of the Bill before us is to ratify an agreement reached between the Government, the Amax Bauxite Corporation, and Alcoa, of Australia Ltd. providing for a definite —

The word is “definite” not “indefinite” —

extension of time on the Mitchell Plateau project in lieu of the uncertain deferment provisions under the existing agreement, and also for the immediate expansion of alumina refinery capacity at Pinjarra.

The agreement was reached after a request from Amax for a definite “stay of proceedings” because of the economic impossibility of proceeding with the project at this stage.

The project is the Mitchell Plateau project. He lists three reasons —

... the unsuccessful efforts of member companies of the development consortium to attract additional alumina consumers ...

...

Secondly, the cyclic downward fluctuation in growth of world alumina consumption ...

...

and

Thirdly, international currency value fluctuations which have combined to increase substantially the cost of establishing the Mitchell Plateau bauxite mining and alumina refining facilities.

He goes on —

The consortium has carried out a thorough re-estimation of capital and operating costs in the light of these factors, taking into account current alumina price levels, and has shown that at a capacity of 1,000,000 tons of alumina a year, the project is not viable.

I think that is quite a significant issue because these projects have to work or they do not happen, and we still deal with that today. Later on, I will get to the opposition's response to this because it was actually very controversial. The government at the time was effectively relieving the companies of their obligation to build the project and in return allowing them to be part of the Alcoa expansions in the south west. I will get to the Liberal opposition's criticism of that. At the time, the Labor government made the point that rather than having 100 per cent of nothing, it was better to have a percentage of something. As the minister explained, neither of the projects would have gone ahead if it was not for the deal. Remember, there was a criticism of the then former government by the then opposition in 1969 about the Labor Party's belief that the rentals on the land were too low. The minister said —

The company has also agreed to accept a very considerable higher scale of leasing fees for the five temporary reserves from which the project will draw its bauxite. Further, these fees will rise on a sliding scale requiring higher payments each successive year until mining commences.

Under the provisions of the Bill before us the original total leasing fees of \$250 a year will be increased to \$5,000 a year for the first three years; and if the required development is unable to proceed by that time, to \$10,000 a year for the following three years, to \$15,000 a year to the end of the ninth year when an annual rental of \$25,000 will apply until the lease is issued and mining begins.

That was an attempt to overcome one of the criticisms from when the government had been in opposition.

The minister continues —

All of the provisions of this Bill have been made consequential upon Alcoa of Australia giving notice of its undertaking rapidly to increase capacity and output from its Pinjarra alumina refinery.

...

This will provide employment for a construction work force building up to a total of 1,000 men next year. Additional employment will be created for a further 250 men who will be required to expand the permanent work force at the Pinjarra refinery.

I note the sexist language, but in 1972 it was probably what was being used. He goes on to explain —

This expansion would have been impossible at this stage had it not been for the 'additional alumina requirement of Amax following the decision to delay a start on the Mitchell Plateau project.

In essence, this agreement means that the Government has successfully negotiated additional development which will take place now, when there is an extreme need for major projects to go ahead to lift Western Australia out of its development pause.

The alternative course of action of holding the Mitchell Plateau consortium to a shorter development time-span would have been fraught with the likelihood of no development for a considerable period for either of the major projects I have mentioned.

Now, instead of two alumina projects facing difficult world price and demand situations, with both likely to defer expansion in the interim, this agreement has guaranteed that one project will go ahead quickly at Pinjarra, while the other at Mitchell Plateau has been given a chance to become even bigger than originally envisaged and on a time scale which is still within reason for a project worth \$350,000,000.

...

Arising out of the unfortunate international situation it has been possible to do something, at very short notice, of great advantage to our State at a time when it badly needs some impetus along these lines.

Again, the government was making the point that it preferred to get something rather than nothing, and it was certainly better for a project to happen rather than be just something on the never-never. I missed a quote from 1969 in which one of the opposition members made the point that the companies were signing these agreements and taking them to financiers to try to get finance, rather than the other way round, in which a project has finance and then comes to Parliament for approval.

Mr C.J. Barnett: Nothing new in that.

Mr W.J. JOHNSTON: No, of course not; nothing at all.

Mr C.J. Barnett: I am not saying it is right or wrong, but that is why I am reluctant to ever sign the agreement with Mineralogy.

Mr W.J. JOHNSTON: But it is what happened with Kingstream and it is what happened with Buru.

Mr C.J. Barnett: That is a judgement.

Mr W.J. JOHNSTON: There is a project at Mineralogy, but there was never a project at Kingstream.

Mr C.J. Barnett: Well, a bit of a difference there.

Mr W.J. JOHNSTON: There is \$11 billion of expenditure at Mineralogy.

Mr C.J. Barnett: But with Mineralogy, the proponent to the agreement immediately sold the agreement once he had one—sold it to the Chinese.

Mr W.J. JOHNSTON: While the bill was in the house, Kingstream wanted to do share raising; I remember the Premier read to the chamber a letter on behalf of the chief executive of Kingstream, saying that he did not want this type of debate in the chamber while he was share raising. What is the difference?

Mr C.J. Barnett: I am not making a point, I am just saying that it hasn't gone that people still seek agreements with the state to give them an asset to sell, and you've got to watch out for that.

Mr W.J. JOHNSTON: Sure, and if I were the minister, I would not agree to it. I think the old-fashioned state agreements have lived their life and now we need to focus on a different style of state agreement to get development in Western Australia.

It was interesting to read what the Leader of the Opposition in 1972, at that time Sir Charles Court, had to say. On 21 September 1972 he made his reply. It is always entertaining to read Liberal opposition leaders' words. He said —

It is a serious blow to the genuine concept of major decentralisation based on regional development.

That being that there was not going to be an alumina industry in the Kimberley, but rather an expansion in the south west. He went on with the usual sort of nonsense. He even managed to get the following in; the member for Warnbro is not in the chamber, but I will draw it to his attention later. He said that Amax was not going to be just alumina but all these other industries in the Kimberley, and he said —

A further field in which this project was to be of value to the Kimberley was the fact that Amax has always endeavoured to find a means of taking some interest in the Ord scheme as a part of the total development of its agricultural and pastoral complex, and also as a form of insurance because of the unlimited quantities of water which will be available for pasture and other development at the Ord.

We will have to pass that on to Rob Sitch!

Sir Charles Court also made this comment, talking about the difficulty of raising finance —

However, I want to say that here is a crucial difference between the present Government and a Liberal–Country Party Government. We do not accept the problems of Amax at Mitchell Plateau were insurmountable.

That is the idea of Liberal Party exceptionalism—that the Liberal Party can do things that others cannot. He also said —

One of the techniques of modern government in this type of development is to go out and negotiate these projects, not only with the participating companies but also with the financial institutions behind the scenes as well.

It is always entertaining. He went back and covered his regional development authority’s idea and talks about how it would work. He said —

In fact, if at the end of that period the project was still a success and the township was still thriving, the situation would arise whereby the community would actually own the infrastructure with no outlay in the final analysis.

Effectively, he was advocating for a public–private partnership financing of the social infrastructure; he did not use that term, because it was not known at that time, but the government would have guaranteed debt borrowed by somebody else and then paid for it out of the operating costs of the infrastructure. He also said —

I believe it is possible for both the Pinjarra and the Mitchell Plateau projects to go ahead.

It was the idea that somehow if only it were a Liberal government, it could overcome all the problems of international finance and the international market.

Mr C.J. Barnett: I think it is fair to say, though, that in that era people like Charles Court and others—probably Labor ministers as well—did get directly involved in the banking sector. That only happens to a really minor extent today. It was just the reality; they had to convince the banks to fund the proponents. We’ve moved beyond that now, but it was certainly true then.

Mr W.J. JOHNSTON: Yes, but it was as wrong then as it would be now. It was a mistake.

Mr C.J. Barnett: I don’t agree with you. Given the lack of knowledge of Western Australian and Australian resources, I think they did the right thing at the time, but you don’t have to do it today.

Mr W.J. JOHNSTON: I have in the past quoted the Premier’s speech at Rice University in Houston. He made points about the structure of the industry and what we have here in Western Australia—all those things. Highlighting what Western Australia has to offer is an absolutely essential part of government. There will be a real inflection point in the future for countries like Australia with regard to exactly how much engagement we want from government in the economy. Our big competitors now are countries like Singapore that have government-regulated enterprises; state-owned enterprises in China also have GREs.

It involves a cornerstone investment by the government, and all the major companies in Singapore have a cornerstone investment from the government, financed out of their central provident fund. In Australia back in the 1980s when the Labor Party was setting up the national superannuation scheme, we would never have got agreement to a centralised provident fund, even though most Labor people would like to have seen that, so we did superannuation through private organisations. It means that the government does not have an investment fund available to it that countries like Singapore have. There is an inflection point: what do capitalists in Western Australia and Australia want from the government in the future? If they want the government to be hands off and to let the market decide, that is one future; if they are saying, “Actually, we want the government involved in projects and we want government help; we want the government to be more than just a regulator”, that is a separate inflection point and it will be interesting. Just as an aside, one of the ironies of the current bid by Woodside for Oil Search is that if it completes that takeover, the Papua New Guinea government will have a cornerstone shareholding in Woodside—one of the great ironies of modern capitalism.

Mr C.J. Barnett: It is, if a foreign government has a share in a project, and we’ve got PetroChina and others, basically a foreign government, but they don’t have the regulatory or government role where the project is, so it’s a bit different.

Mr W.J. JOHNSTON: Yes, in PNG the government has a direct interest—I think it is 18 per cent—in the project itself, and has a 10 per cent holding in Oil Search. Interestingly, when the PNG government bought the 10 per cent holding, the “Chanticleer” column in *The Australian Financial Review* endorsed the government’s investment and said it was a great decision by the Papua New Guinea government to take a direct interest in Oil Search and not just in the project itself.

The then Premier, Mr Tonkin, actually joined the debate after Sir Charles Court’s intervention, and he was very cranky because his criticism back in 1969 was that there was no obligation for anything to actually happen; there was an agreement that if something happens, this is what we will do, but it was not an agreement to make things happen. He said —

No it was not, because every date—and the Leader of the Opposition cannot deny this—depended upon the commencing date.

Sir Charles Court interjected —

They always do in these agreements.

Mr Tonkin went on —

The commencing date was subject to a number of points which could go to arbitration.

The point he was trying to make was that it was not an agreement to do things, which is why he was quite proud of his agreement. Even though he was not getting two projects to go, he was getting one project to go, but he was making the point that getting one to go was better than getting nothing. He continued —

The Leader of the Opposition adopts one attitude when in Government, and another when in Opposition.

I have never heard that said before either! He then continued —

I am talking about whether or not it was a wise policy in all the circumstances to allow the company to defer its obligations. We said to the company, “What do we get in exchange?” What we got in exchange is what the member for Murray has applauded, and rightly so. We did not give away something for nothing.

In other words, the company came to the Labor Party and asked for a delay in the start of the project, and the Labor government said, “Yes, we’re prepared to do that, but we’re only prepared to do that if you actually do something for us”, and what the Labor government of the time wanted was a commercial agreement between Amax and Alcoa that underpinned the expansion of the Pinjarra refinery, and that was a good thing that produced jobs.

One of the fortunate outcomes of that arrangement, of course, was that the Mitchell Plateau project did not go ahead. The reason that we get to turn this important piece of country into a national park is that the project was never financially viable. It is interesting that a Liberal government is bringing a proposal to Parliament to eliminate the right to mine and to eliminate an industrial project, and in return it is creating a national park. It just shows how far things have changed. One of the comments that Sir Charles Court and others were making at the time—when I was looking through debates, I was picking up on other debates—related to woodchipping. One of the Liberal opposition members was complaining that a woodchip industry might be killed off by environmentalism from Canberra. Things have changed! The opposition applauds the government for changing over time. There is nothing wrong with change. The Labor Party has changed. The sexist language used by the minister in 1972 would never be acceptable in modern language. If members read the member for Kimberley’s comments in 1969 about Indigenous employment, those comments would not be acceptable today.

Today we are in this fortunate position of adding to the conservation estate of Western Australia through the addition of the Mitchell Plateau into the proposed Kimberley national park. We all look forward to the government providing some meat on the bone in respect of Indigenous involvement in the management of the park, as detailed by the Premier’s second reading speech about the responsibilities of traditional owners. I also note a provision in the bill that protects this 1 500 square miles of land from being pegged by other miners, because when we cancel the existing tenements, potentially, other miners could go in and peg the ground and we would have all the issues that would come from them taking that country. That is an important aspect of the arrangements in the bill. I was pleased to have that discussion with departmental advisers during the briefing. I cannot remember when that briefing was, but it was some time ago.

It is good that we are cleaning up these old state agreements that will never support a project and do not reflect contemporary attitudes to state development, and that is why the Labor opposition is happy to support this bill.

Mr C.J. Barnett: You are lost for words—first time ever!

Mr W.J. JOHNSTON: I get lost for words all the time, Premier.

I thought it was worthwhile to look at the history of this provision. I was inspired to do this because of an interjection of a government backbencher—I do not remember which one—that the bill was repealing a Labor Party state agreement. It was interesting to read the complaints at the time, which are quite similar to complaints now. For example, John Tonkin raised the question of the Inspection of Machinery Act, which has been replaced by occupational health and safety legislation. He was concerned back then that that legislation was being set aside, and these are the sorts of things that we are now dealing with. With those few words, I commend the bill.

MR C.J. TALLENTIRE (Gosnells) [1.04 pm]: I rise to speak on the Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill 2015. I follow the lead of the Labor Party's shadow Minister for State Development, the member for Cannington. I agree with the contents of this bill and support it wholeheartedly. It does, however, raise some issues about the extent of coverage of the bill, which is something I want to discuss as I go through things.

It is important to recognise that for a long time the companies—I think they can be generically referred to now as Rio Tinto Alcan, a company that is essentially based in Montreal in Canada, where the aluminium subsidiary of Rio is based—were very keen to maintain the state agreement act. It is only in recent times—I cannot help but note, since Sam Walsh has come to the fore as the overall chief of Rio Tinto—that we have seen this change. I welcome that. Clearly, when we have people with a strong connection with Western Australia who are being called upon to recognise things such as Indigenous cultural values, natural values and historical values—historical in the European context—they will be strong advocates for the preservation of large areas of our state. That connection is important. I am not sure of the detail of this connection, but I can see in the sequencing of events that it seems to correspond with Sam Walsh's rise to the number one position in Rio Tinto that we have seen the possibility of an agreement by the companies, the Mitchell Plateau joint venturers, for the termination of the state agreement through this bill. That is welcome. I know that Sam Walsh has a strong connection with things like petroglyphs and other forms of rock art about the state. I imagine he has had the opportunity to take a boat cruise along the Kimberley coast. How could anyone not be struck by the incredible beauty of that coastline without realising that connection, which is at least 40 000 years old, that people have had with that region? That would spur on someone and inspire them to want to do their very best to protect the area, and not just from the mining of bauxite. Bauxite is a mineral that is incredibly prolific on the planet. Bauxite is not a rare thing at all. It is found in abundance in many areas of the globe and should not be something that we seek to extract from areas of high conservation significance.

In passing, I comment on the recognition that there are times when environmental, cultural and historical values should take precedence over mining interests. Essentially, that is what we are seeing in this bill. I applaud the Premier and the Liberal and National Parties for recognising that there are occasions when those other values are far greater than the quick cash return we might receive from a mining operation.

It has to be said as well that this would be a mining operation with all kinds of complexity around it. The idea that there would be an alumina refinery in the Kimberley with the attendant problems of providing energy to that refinery is a very complex and expensive thing to contemplate. I know when some of the Browse Basin gas deposits were being re-examined in the early 2000s, it was thought Browse could be the energy source for an alumina refinery and that gas from the Browse Basin could be used to supply a refinery, which would give rise to mining bauxite in the Mitchell Plateau. Unfortunately, that has not come to pass; at least that is what I believe to be the case. This is where I want to raise an area of doubt. We can go into it when we go into consideration in detail later on. I am concerned that the Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill seems to exclude changes in relation to the Cape Bougainville area. If we look at the area the Barnett government has designated as the Kimberley national park, we see that it stops. It does not include the Cape Bougainville area. That area is every bit the magnificent area we imagine when we think of the Kimberley coastline. It is also notable that on the western side, the Buccaneer Archipelago is not included in the proposed Kimberley national park either and that is a concern, but that is perhaps a discussion for another day. We can see that there is the potential for the most vital bookends of the Kimberley national park to be not included. Well done to the Premier on what he has done in this direction so far, but in his speech he talked about the great initiative of the Kimberley national park, which I think is set to be about 50 000 square kilometres. Putting that into context, the Kimberley is some 420 000 square kilometres, and the 50 000 square kilometres includes the marine side of the national park. When we distil it, we are looking at the potential for there to be some glaring omissions of seriously significant areas from an Aboriginal heritage point of view, an environmental perspective and a European historical perspective. Those areas are omitted from the area we are covering in this bill as well as the area that should, in my view, be included in the Kimberley national park and the great Kimberley marine park. The public of Western Australia needs to be aware of those omissions. We need to expose those sorts of things and make sure that a fulsome discussion is held about what should and should not be included.

The issue is that the Cape Bougainville area is not included. When I look at some of the clauses in the bill, I can see that there is an attempt to explain this. It relates to the relinquishment of the mining permits, I think.

I foreshadow to the Premier that we will look in great detail at issues around clause 4(3)(a), which I think is in the actual state agreement. I will quote from the Premier's second reading speech. He said —

... the Cape Bougainville mining leases on and from the operative date shall continue in force, subject to the provisions of the Mining Act, and shall cease to have the benefit of the rights and privileges conferred by the state agreement.

I understand from that that the state agreement no longer applies to the Cape Bougainville area but we are not terminating the provisions in the Mining Act and that, indeed, Cape Bougainville mining leases will continue. I think we need some consistency here and some explanation for why we are exempting one area but not another. The Mitchell Plateau area is much talked about and much appreciated by Western Australians. The same passion and commitment and the same assessment of the environmental and Indigenous heritage values apply to the Cape Bougainville area. I have not travelled around Cape Bougainville but from what I could see, it is a stunning coastline. The mapping of the area shows it is almost an archipelago. It is fringy; its landforms extend into the Indian Ocean–Timor Sea area. It is obviously a very accidented and interesting coastline. I will quote from some of the commentary that I have been able to find. It is an area that is highlighted in Victoria Laurie's book *The Kimberley: Australia's Last Great Wilderness*. Victoria Laurie has done a series of studies and written magnificent books that are worthy in photographic terms and, I think, good scholarly content. She manages to bring in human stories but always with a scientific basis. It is a really great series, and she has just released her book on the south west of Western Australia, *The Southwest: Australia's Biodiversity Hotspot*. I commend Victoria Laurie's works to members. I note that her works are in the Parliamentary Library and are well worth browsing. In her book, Victoria Laurie describes Cape Bougainville and says —

At Cape Bougainville, a plateau of bauxite laterite west of Kalumburu, lies one of the largest expanses of monsoon vine thicket in the Kimberley. Unguu conservation rangers maintain a fence to keep cattle firmly out, so unlike many other rainforest patches, this dense vegetation is spreading outward.

That is an important point; we have that connection with the work of Indigenous ranger groups, the Unguu conservation rangers, who are working to keep out of the area any cattle that might stray from nearby stations.

I think most of the land—I think this is the case with most of the land on the Mitchell Plateau itself—was unallocated crown land, with the state agreement act covering it and exploration permits and mining lease tenements over it. That is the land tenure there. I am not certain that the land tenure at Cape Bougainville is the same. Perhaps that is something the Premier can confirm. Perhaps that is one of the reasons that we are not looking to remove those conferred rights from the Mining Act to the Cape Bougainville mining company. That is something we should be able to tease out as we go forward.

Getting back to the point, the Cape Bougainville area looks westwards onto Admiralty Gulf, as the area is also known, and is a huge expanse of land but it is obviously of the utmost value. I think it is worth acknowledging a little more the work of my former colleagues in environmental organisations to highlight the importance of the Kimberley region. It is true that right across the Western Australian community the significance of that area to us as Western Australians is recognised. It is really part of our cultural identity. Not all of us have had the opportunity to travel across the Kimberley. Certainly, I have only a potted knowledge of the Kimberley but when we are able to reach out to parts of this enormous state and understand it, I think our identity as Western Australians is greatly enriched.

Environmental organisations have entered into the debate around issues such as the Inpex Corporation proposal that was once slated to go on the Maret Islands. The Premier has a different version of events in the history of Inpex, but at the time of the Inpex proposal, I was actively involved with the Conservation Council of Western Australia and other environmental organisations. A Japanese company wanted to access the gas in the Browse Basin and bring it to the Maret Islands for processing in LNG trains that would be constructed on the Maret Islands. It is an important point that the environmental organisations were able to make contact with those companies, Inpex in particular, and Total, which were going to be partners in this operation. Our reaching out to those companies convinced them that it was not worth their while to go ahead with what would be a very costly operation constructing LNG trains on islands as isolated as the Maret Islands. I imagine that those people who heard our arguments back in the mid-2000s would have looked at the Chevron project on Barrow Island and seen the incredible escalation in costs that the Chevron and Gorgon joint venture has had to incur. In the early 2000s, the Gorgon project on Barrow Island was being talked about as a \$9 billion project and now it is approaching \$60 billion. I think anyone who was able to avoid going to offshore islands in isolated parts of the world would be thankful they received that advice. I think the environment movement and the economics people who were advising us at the time were absolutely correct to push for mainland projects just on economic grounds, leaving aside environmental ones, given the need for these very expensive pieces of liquefied natural gas processing equipment to be located on the mainland. The environment movement worked hard on that Maret Island proposal and was successful. Then, of course, we saw what happened with the James Price Point proposal as

well. That was another key Kimberley project on which the environment movement engaged fully and was able to lead to Woodside, as the principal company, having doubts about the proposal's validity.

[Member's time extended.]

Mr C.J. TALLENTIRE: We saw in the end that the James Price Point option would not go ahead. Groups such as the Wilderness Society, Environs Kimberley, Save the Kimberley have the capacity to mobilise people right across Australia and internationally. I think that may have been in the thoughts of those who were hesitant about relinquishing these rights and letting go of this state agreement act for the Mitchell Plateau. They would have realised that had they ever got to a point of having all the different elements line up such that they would have been able to finance construction of an alumina refinery on the Mitchell Plateau, there would have been enormous public opposition. I think that would have been in their thinking and something the government needs to realise is that public opinion on these sorts of issues will always be strong and is getting stronger. That means that investors are sometimes hesitant. If a full case cannot be made on a project to the broader community—it is true that there will never be absolutely everyone on side—there will be trouble financing that project. That is an important issue to look at and I see that issues remain in Cape Bougainville. In his second reading speech the Minister for State Development stated —

The Cape Bougainville mining leases do not form part of the proposed national park, —

This is the national park being proposed by the Liberal government —

and it was considered appropriate to continue this exemption given the joint venturer's agreement to relinquish its right of occupancy and to terminate the state agreement.

The Minister for State Development's second reading speech also made the point —

Upon ratification of the bill by Parliament and upon it becoming operative, the provisions will take effect, including the simultaneous termination of the state agreement and protection of the Mitchell Plateau area, pending creation of the national park.

The creation of a national park that protects the Mitchell Plateau is good news, but it leaves up in the air the protection of Cape Bougainville, and that is something I am very concerned about. I will get into this further, but clause 4(3)(c) of the schedule of the bill states —

- (c) in relation to each of the Cape Bougainville Mining Leases, if exploration or mining expenditure has been incurred in the relevant reporting period in relation to that mining lease, the holder of that mining lease must notwithstanding the reporting exemption contained in paragraph (b)(iv) file, or cause to be filed, as the case may be, the mineral exploration report required by section 115A of the Mining Act in relation to that mining lease at the times that would otherwise have been applicable (including whenever required under section 115A(2)(b)) if such exemption had not been granted ...

I am worried about what is afoot for Cape Bougainville. Clearly, mining could be permitted, but without the requirement to have an alumina refinery. It could be that the concentrations of bauxite at Cape Bougainville are so high that they could feasibly be shipped out straightaway. I am not sure, but I have seen some mention somewhere that the concentrations of bauxite are exceptionally high at Cape Bougainville. I am concerned that in the middle of this 50 000 square kilometre marine and terrestrial national park, we will have a bauxite mine after all, even if at the moment the government is not putting that to us. We support the government getting rid of this state agreement act; it all looks very good, but we need to know what is afoot for Cape Bougainville.

I have mentioned how the environment movement has really mobilised the public and done a tremendous job in gaining the public's attention and capturing the public's imagination on the Kimberley. A very positive thing occurred as a result of that: people want to visit and explore the region. The government's initiatives around the proposed Kimberley national park and the great Kimberley marine park will attract more and more tourism to the area. That is all positive and good, but I am already hearing some concerns about the extent of that tourism and how it will be managed. That is absolutely essential and I think there is a good case to be made that the advent of the national park will mean that there are better means by which it can be managed. The activities that go on in that national park can be properly regulated and people can be provided with a really great experience as well so that they are not just left to their own devices in a four-wheel-drive to tear off anywhere without really understanding what they are travelling through. If the national park is well managed, it will provide people with an opportunity to understand the geological, natural and Indigenous history of the area. That is important. We do not want people just trekking through areas without really appreciating and understanding them. That can lead to people unwittingly damaging areas and it also means they are not getting the same fulfilling experience they might otherwise have, had they had the benefit of a structured, organised explanation of the area that they are in. I think people's enjoyment will be enhanced if we make sure those measures are properly in place.

I am not entirely clear—perhaps the Premier can clarify this—who the joint venturers behind the Cape Bougainville mining leases are. I imagine they are Rio Tinto and Alcoa, but that is something we can

clarify later on. I have some more information about Cape Bougainville from a submission that was made for the national heritage listing of the Kimberley, which is described as such —

Other submerged and fringing reefs and unusual coral communities occur along the Kimberley coast, including at Cape Bougainville, Cape Londonderry, the Maret Islands, Murrangingi Island and Napier Broome Bay. High water temperatures, strong currents and high nutrient availability from wet season runoff contribute to rapid coral growth. The outer parts of the fringing reefs around the Maret Islands appear to have grown very actively in the past 6,000 years, following the Holocene sea level rise. Corals are present on the platform and edges of the reefs. Beyond the reefs, between 12 and 30 metres below sea level, major filter feeding communities, including sponge gardens, grow ...

That is a reference to Dr Chris Simpson, who was head of the then Department of Environment and Conservation's marine branch, and an eminent marine scientist. He is just the sort of person we should have on a marine scientific advisory committee. Last week we debated whether we should retain that capacity, but the government would not agree with us on the need to have the capacity to form a marine scientific advisory committee, and to have those people in our community who perhaps have retired from their public service positions available to us on a formally constituted marine science advisory committee so that they can advise the new Conservation and Parks Commission. This is something we really should be embracing. Instead, the government has decided that it does not want people like Chris Simpson giving that highly professional advice based on a wealth of experience built up after years in the public service and as an academic. To deprive ourselves of that is a great shame.

The Kimberley is an area of great wealth. From the perspective of my environment portfolio, it has exceptional value. I hear the words of two of Western Australia's most eminent botanists—quite young botanists, I might add—who, because they are here in Western Australia, have been able to prove their capabilities like nowhere else. They are the Barrett brothers, Russell and Matthew. Just focusing in on the botanical values of the Kimberley, they say that literally hundreds of other plant species are waiting to be discovered. Discovering these things is one thing, but to understand their role in ecological processes of the area is entirely another.

Although I support what the Premier is doing here—it is a very good thing to be moving on and recognising that this state agreement has had its day—questions still need to be asked. I know that the Premier is a great supporter of state agreement acts. I have heard him speak on them and justify them, but, just as he was indicating earlier in response to a point made by the shadow minister about how the role of parliamentarians in the consideration of major projects has changed, perhaps the role of state agreement acts needs to change as well. When the Premier first came into this chamber in the 1990s, perhaps state agreement acts were needed to underpin major resource developments. We need to look at some of the other reviews. I recall that during the Gallop government, Michael Keating did a review into major resource projects and how they should be developed and underpinned. He put a large point of interrogation against the need for state agreement acts, and how useful or otherwise they are to our community. That is something we need to look at, and the bill that is before the house demonstrates that there are times when state agreement acts do not serve us as well, and in fact are no longer needed. I am very pleased to support the bill, but I look forward to teasing out some of the detail, especially about Cape Bougainville.

MR F.M. LOGAN (Cockburn) [1.33 pm]: I take pleasure in rising to support the passage of the Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill 2015. I am very pleased to support this bill because only in 2011 the Mitchell Plateau Bauxite Company Pty Ltd, a joint venture of Rio Tinto and Alcoa, was given a further two years to come up with a development plan for the bauxite deposits. An extension of the agreement was granted until March 2013. Since that extension to the company's control of the tenements and the state agreement, and its obligations under the state agreement act to come up with development plans, the company has reconsidered the entire operation. It has looked at the price of alumina in the future, the price of aluminium, which is obviously the finished product, the isolation of the project, and the logistics and the technical capacity that would be needed to bring the project to fruition, and has come to the conclusion that this is just not worth it.

As we have heard from the member for Cannington and others, the project has been kicking around for over 40 years. It was originally drilled by Amax back in the 1960s. It was taken over by —

Mr P.C. Tinley interjected.

Mr F.M. LOGAN: Sorry, Madam Acting Speaker, we are just having a little bit of a negotiation between me and the member for Willagee about speaking times.

The ACTING SPEAKER (Ms L.L. Baker): I just remind members of the need to acknowledge the Chair when they cross between the speaker on their feet and the Chair. Thank you, members. Go ahead, member for Cockburn.

Mr F.M. LOGAN: Not that it is for me to tell you how to organise yourself in the chair, Madam Acting Speaker, but I do think bringing the member for Willagee to order for that outrageous —

The ACTING SPEAKER: I will consider it, member. Thank you.

Mr F.M. LOGAN: As I said, it is not just the fact that after 40 years the Mitchell Plateau Bauxite Company has decided that it no longer wishes to pursue development of its bauxite operations; it is also that the company understands the politics of the environment we are operating in today. I quote from *The West Australian* of 14 March 2011 —

One mining industry insider said the environmental battle for a Mitchell Plateau development would completely overshadow the campaign against construction of Woodside Petroleum's Browse LNG processing plant at James Price Point, north of Broome.

The two joint-venture companies, Rio Tinto and Alcoa, in coming to the conclusion that they no longer wished to proceed with the development of the Mitchell Plateau bauxite operations, had to take into consideration the fact that the Liberal-National government had completely stuffed up the whole proposal for the Browse onshore liquefied natural gas development that had resulted in major protests at James Price Point. In discussing whether to proceed at any stage, whether it be further developmental work, drilling or infrastructure development, we can just imagine the conversation between executives of Alcoa or Rio Tinto. Should they be doing this in an environment where greenies are fighting the police at James Price Point, and Woodside is tossing up whether to proceed with James Price Point? We can just imagine the conversations they would be having: "If we went ahead with this proposal on the Mitchell Plateau, it would make the protests at James Price Point look like a picnic."

Members can just imagine the discussions that they would have had, hence the reason that an industry insider was quoted in *The West Australian* of March 2011 as saying that when we look at what is happening at James Price Point, there is no way that this joint venture will proceed with any further work on the Mitchell Plateau.

Mitchell Plateau itself and the deposits that are part of the entire state agreement act are surrounded by national parks some 115 kilometres south west of Kalumburu. The area contains approximately 350 million tonnes of bauxite that conform to the global classification of laterite plateau type. They are residual, near the surface in nature, gibbsite and derived from the carson volcanics basic extrusive. The deposits have a medium-to-high available alumina content and are very similar to many of the other bauxite deposits around the world that are quite close to the surface. As we have seen in the Darling Range, to access those deposits effectively involves strip mining. The top layer of earth is taken away to expose the bauxite deposits below and then those deposits, depending on their nature, go down to approximately 20 to 30 metres. The most effective way of accessing those deposits is to basically strip mine the bauxite. I am not too sure whether anybody has seen the Alcoa operations in the Darling Range but Alcoa's environmental record today is completely different from what it was even back in the 1980s when trees were still being replanted in rows, which was certainly not how they were taken down in the first place. Alcoa has since done a very good job revegetating the ranges where it has worked, based on the environmental knowledge and science it has applied to revegetation.

However, when members look at the new areas that Alcoa moves into, some of which are heavily forested, they will see that it is not a pretty sight for environmentalists because all the trees come down and every bit of bush goes. The graders then move in to basically remove the top layer of soil, which is put to one side for re-use at a later stage in the revegetation process. The Traxcavators and front-end loaders then basically strip mine the entire next tenement. A strip mine is not a pretty operation to look at, unless you are a person who likes mining operations, and I happen to like mining operations. It is not a pretty look if the area originally was covered with large jarrah forests. That is a description of strip mining in the Darling Range. Members can now transfer that image to the Mitchell Plateau and the bauxite deposits in the Kimberley. Although the Kimberley does not have the vegetation cover found in the Darling Range because obviously jarrah, marri and karri trees are not found in the Kimberley, it is of high-conservation value. As the member for Gosnells indicated, we do not even know half the vegetation value there today because it is so isolated and still so under-researched. Nevertheless, had the Mitchell Plateau Bauxite Company Pty Ltd pulled the trigger and gone ahead, the area would have been strip mined and would look like the Darling Range.

One of the requirements of the agreement is to build a refinery and a smelter. If members have been to the Alcoa operations in Kwinana, Pinjarra or Wagerup, they will have seen how large a refinery is and what it looks like. They are very large plants but their end product is simply the alumina powder, which is a grey silvery-coloured powder that is bulk loaded for export from the ports servicing those plants in the south west. To extract the bauxite from the mined material requires the simple process of cooking. It is a question of boiling and breaking down the mineral product in huge vats of caustic soda, refining that liquid through a number of processes and eventually drying out the final content that turns into alumina powder. It is a large operation that requires massive amounts of steam, which requires lots of water, power and heavy plant operations. That is what is required for a refinery. A refinery can employ directly anywhere between 500 and 1 500 people, depending on its size. This agreement requires both a refinery and a smelter to be built, and smelter operations are nearly twice as big as that of a refinery; the amount of water and power needed is far more than that required for a refinery operation.

I refer to that matter because, on the one hand, I want members to think of the imagery of strip mining for bauxite operations in the Kimberley and the type of scars it would leave on that landscape there, but on top of that I want them to think of the refinery operations and its footprint and the demands for a smelter. It would be a huge operation smack-bang in probably one of the most isolated places on the planet. The construction and operations envisaged by the Mitchell Plateau Bauxite Company are on an enormous scale. The logistics are virtually mind-boggling because the current plateau's tenements are accessible only by light plane or by a very rough road from Wyndham and that would all have to change to allow thousands and thousands of workers to come in to begin the civil works and the construction works. It would require massive amounts of lay-down area for the plant and equipment. The scale of the operations required around the development of the Mitchell Plateau bauxite operations would be awesome, and that does not take into account the export of the finished product, which would probably be ingots of aluminium, and whether those ingots go out through a port or are trucked through to Wyndham or Broome.

It is one thing to talk about this agreement terminating access to the tenements and the requirements of development of the tenements. That is one thing, because if members imagine the tenements at the moment, basically it is all still virgin bushland there. Had this agreement come into force, the end result would have been a massive, industrial complex smack in the middle of the Kimberley, 115 kilometres south west of Kalumburu, surrounded by national parks. It is not surprising, therefore, that Alcoa and Rio Tinto have come to the conclusion that this is probably not a good proposal. It is not a good proposal because of the environmental look. It is not a good proposal because of the current and future price of aluminium. It is not a good proposal because of the sheer logistics and the costs of undertaking this operation.

Just to finish off, because I will not extend my time, if members consider other operations in remote areas of the Kimberley, they can understand why other companies have come to the same conclusion. Many times the Premier of this state has stood in this house and absolutely condemned former Labor governments for supposedly losing Inpex Corporation to Darwin. What did Inpex want to do? Inpex wanted to put liquefied natural gas operations on the Maret Islands. The Maret Islands are more isolated, if members can even think about that, than the Mitchell Plateau. At least the Mitchell Plateau is accessible by airplane and road. The Maret Islands are accessible only by boat. We cannot even get there by road, yet Inpex wanted to put LNG operations on those islands. Having been in discussions personally with Inpex, as the former Minister for Energy; Resources, I know exactly what Inpex wanted to do. It wanted to cut the top off one of the Maret Islands and push it into the sea, level it out and put its LNG plant on top of it. This is in one of the most isolated places in the Kimberley. When Inpex had considered for one minute the tidal movements up there, which I know it knew about, the dredging operations, the environmental damage, the logistics and the cost—it was not the Labor Party that forced Inpex to go to Darwin; Inpex came to that conclusion itself, particularly when it knew that Woodside was not going to get its operations up at James Price Point and that was dead in the water—was when Inpex decided to go. It had nothing to do with Labor forcing Inpex out. We made it very clear, “You are not damaging the pristine areas of the environment of the Kimberley.” After that, Inpex made its own decision. I put it to the Premier that he would have come to the same conclusion. He would have told Inpex exactly the same as we did, except the Premier would have encouraged it to go to James Price Point.

MR P.C. TINLEY (Willagee) [1.53 pm]: I will make a short contribution to wind this up before the Premier can clean it up and get it moving through this house. Obviously, we support the Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill 2015. It is a piece of history, as other members have said in their contributions to this debate this afternoon. I say that it is a piece of history, because in 1971 this reflected a certain view. Some would say that it was an unsophisticated view about how the resource sector worked and may have approached issues such as this in 1971. Much of the extraction of the natural endowment of Western Australia's one-time-use resources was seen in a linear fashion of what will be the direct value-added benefit to the state, particularly in the form of jobs. We have evolved. This reflected the thinking of the day, which was about the downstream processing and value-adding of the natural resource being extracted in order to preserve jobs. As the member for Cockburn highlighted, if this one had come to pass, it would be an extraordinary development right there in a very pristine part of our state for which we have stewardship and responsibility for the rest of the country.

In his second reading speech, the Premier talked about the unique nature of the 50 000 square kilometres forming the interconnected protected areas and containing some of the most spectacular natural cultural features in Australia. Indeed, it is the responsibility of the state of Western Australia to preserve that natural endowment as much as it is to extract the benefit of the natural endowment that the extractive industries undertake. The idea that we would have a refinery attached to a state agreement is probably unthinkable these days. State agreements have evolved significantly, as has the industry and the industry sector since this state agreement was enacted in 1971. We have come a long way. I could not find a figure for the total value of the resources sector in 1971. I did not have the history of it; others may have it. Now we have figures for the contribution Western Australia makes to the Australian export share. A briefing this morning with the Bankwest Curtin Economics Centre showed that the contribution of Western Australia to the national economy—the Australian export share by state and territory—is

50.6 per cent of the total output of the nation in export terms. I was quite stunned when I saw that. I knew we were producing a significant amount of the gross domestic product for the country, but in total value it was 50.6 per cent of Australian exports for the 2013–14 period. I thought that was a particularly interesting figure.

It is really interesting that with the passing of time, if you like, we are seeing this particular state agreement consigned to history. I note, though, that it was by negotiation, commenced by the government. I refer to the Premier's second reading speech in which he stated —

The government commenced discussions with the Mitchell Plateau joint venturers in late 2013 ...

That was after the 2013 election. I am particularly keen to hear the Premier make an explanation as to how the government arrived at this idea that it would commence the negotiations; or was it the joint venturers that approached first and then the government formally commenced? I ask that because I am particularly keen to see where the benefit is. The rehabilitation component identified—some \$760 000—was a contribution by the joint venture partners for rehabilitation of works associated with exploration. Also, I note that the small amount of infrastructure—roads and the airstrip—installed by the joint venture partners would have been in the calculations for the contribution, which may or may not have been discussed with the joint venture partners as some sort of compensation. I also note that the Premier made reference to the area of Cape Bougainville where there are tenements that still have ongoing interests. It is about 100 kilometres away and does not form part of the wider national park approach the government has taken. As a way of marking this point in history as we move on from old thinking around the origins of the resource sector and how it was developed in this state, particularly in a seminal period around the 1970s when gas was starting to come online, as were those sorts of mega projects that we now unfortunately take for granted, it would be very interesting to hear commentary from the Premier about how we are now typically moving away from the downstream value capture generally, and what we had to do to trade that off once we started conducting negotiations with joint venture partners in order to terminate this particular state agreement.

I have made the point before that the state of Western Australia has more state agreements, with resource companies generally, and other proponents more broadly, than any other state—more than Queensland and more than New South Wales. We are probably the world experts in state agreements for the extractive industries. It would be very interesting to hear from the government about its future view of state agreements and how they might be applied, given the nature of the mature extractive jurisdiction that we are, and what we will do to ensure that we capture value beyond the straight export of the extracted commodity.

Debate adjourned, pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

FREMANTLE PORT — PRIVATISATION

730. Mr M. McGOWAN to the Premier:

I refer to the Treasurer's comments of 26 August that he is hopeful of passing the legislation for the sale of Fremantle port by the end of this year, and that he was confident that the sale would go ahead in this term of government.

- (1) Why did the Premier say this morning that the sale of the port was now probably unlikely in this term of government?
- (2) Who is correct—the Premier or the Treasurer?

Mr C.J. BARNETT replied:

- (1)–(2) Time will tell that, will it not? But I think the Treasurer did not say that the sale would go ahead this calendar year—I think that is the case. He certainly may have referred to the passage of the legislation. So, he did not say the sale would go ahead this year; that would be physically and commercially impossible. As I said yesterday in response to —

Several members interjected.

Mr C.J. BARNETT: No, the Leader of the Opposition said that the sale would go through this year, and that is —

Mr R.H. Cook: The legislation this year; sale in the term of government.

Mr C.J. BARNETT: Who is asking the question? Can the opposition work it out? It is like *Bill and Ben: Flower Pot Men* over there! Work out the question!

Several members interjected.

Mr C.J. BARNETT: The Leader of the Opposition's question was wrong!

Several members interjected.

Mr C.J. BARNETT: Mr Speaker, I have not even answered it yet—it is a joke!

Several members interjected.

Mr C.J. BARNETT: The opposition cannot even ask a question!

The SPEAKER: Members! Members for Girrawheen and Kwinana!

Mr C.J. BARNETT: The first —

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, I call you to order for the first time.

Mr C.J. BARNETT: This is the first time I have seen an opposition actually struggle to articulate a question, let alone wait for the answer.

Several members interjected.

Mr C.J. BARNETT: However, I know the point he is trying to make.

The sale of the port of Fremantle is something that this government intends to do. We recognise, and do not underestimate, the complexity of the sale of a major asset such as that. As I articulated yesterday, a number of issues are to be resolved. One is the ultimate container capacity that is physically possible at the port, or the capacity that the government deems to be the capacity. That is constrained not so much by the port itself but by access to the port, and we have had lot of debate and the Minister for Transport has had a lot to say about access to the port. It is a major issue. Why? It is because a former Labor government sold off the Fremantle Eastern Bypass; otherwise, it would be simple to connect the port. The opposition made it difficult. When Alannah MacTiernan took the Fremantle Eastern Bypass out of the metropolitan region scheme and sold the land, she made it difficult for that port to operate to its true potential. That is a fact of history. No matter how much she and others run around in denial, that created the problem that this government now has to deal with. So there is that issue.

Ms S.F. McGurk: We take trucks away from communities; that's the difference.

Mr C.J. BARNETT: Just imagine, member for Fremantle, if that reserve was there, and the access could be built in a trench covered with parkland and sporting ovals, what an asset that would have been for Fremantle. That is what could have been done. If that was there, that is what could have been done.

Several members interjected.

The SPEAKER: Member for Willagee, I call you to order for the first time.

Mr C.J. BARNETT: The options of improved access to Fremantle port have been denied the people of Western Australia because of the decisions of a previous Labor government. Therefore, whatever is done now will cost a lot more and have a greater impact on the community. So, accept that reality—that is all history—and let us look forward. That is the reality. That history cannot be rewritten; it has happened. That history has happened, and it has gone, so —

Mr D.J. Kelly: Get on with it!

Mr C.J. BARNETT: Yes, we are getting on with it.

We as a government need to decide the port capacity issues—both the theoretical capacity and the actual one that will be allowed—and we have to determine the access issue to the western end of the Roe Highway stage 8 extension at, probably, the Stock Road point. We have to determine how we can get from there to the port, and that will not be easily resolved because the capacity of the port will probably double, or its volume of containers will probably double, within the next 10 years. We then have to look at what has been talked about for 20 years, which is the outer harbour and what it requires: is it an overflow harbour, initially, from the existing port, or is it an entire replacement? They are big policy issues. Indeed, there are a lot of issues about Cockburn Sound. People objected at length, including in this house, to the impact on seagrass of a major reclamation of an artificially made island in the middle of Cockburn Sound. Remember what the people of Rockingham and recreational fishermen had to say about that at the time—a lot.

Several members interjected.

The SPEAKER: Member for Willagee, I call you to order for the second time.

Mr C.J. BARNETT: They are but some of the issues.

Mr P. Papalia interjected.

The SPEAKER: Member for Warnbro, I call you for the first time. Premier, a quick answer, please.

Mr C.J. BARNETT: I am trying to, Mr Speaker; I am doing my very best.

There is a host of issues. They relate to transport, planning and environment—there are a whole lot of issues. We are going to take our time. We are not going to be rushed.

Mr M. McGowan interjected.

Mr C.J. BARNETT: If the Leader of the Opposition wants to ask his question, run over here and answer it and run back again—go for it!

Several members interjected.

Mr C.J. BARNETT: I turn to the specifics of what will happen. We are working on resolving the policy issues right now—me, the Treasurer and the Minister for Transport in particular, and the Minister for Planning will also be involved. We need to resolve those policy issues before the port can be sold. Also, we need to draft legislation, introduce it into Parliament and pass it through both houses of Parliament before the port can be sold. That will take time. Certainly, I believe we will be in a position to have introduced and, hopefully, passed legislation through this Parliament; whether that legislation comes before or after Christmas remains to be seen, but we are working on that.

Mr M. McGowan: This Christmas?

Mr C.J. BARNETT: Yes, this Christmas. Christmas—25 December; it is coming up!

We are going to try to do that. It may take longer. I suspect it could because it is complex, and we are not going to let the sale of the port determine the major policy issues. We are going to determine the policy issues and then progress with the sale of the port—in the correct sequence.

Mr M. McGowan: This term or not?

Mr C.J. BARNETT: Mr Speaker —

Several members interjected.

Mr C.J. BARNETT: Nasty little person.

Ms S.F. McGurk interjected.

The SPEAKER: Member for Fremantle, I call you to order for the first time.

Mr C.J. BARNETT: Legislation will come in. I do not think it will probably make Christmas, but it will come in relatively soon and during this term. If we get support through the Parliament, we may well be able to sell the port; if it is delayed through Parliament—who knows?—we may not. But I do not underestimate in any sense the complexity and the significance of the policy issues to be resolved. As I have said to my colleagues, I will not be rushed by the sale process if we have not resolved the policy issues. The policy issues for the future of the state—transport, the port, road transport and the like—are absolutely fundamental. That is the focus. If they are resolved and broadly accepted across the community, the actual sale then becomes a fairly mechanical process.

FREMANTLE PORT — PRIVATISATION

731. Mr M. McGOWAN to the Premier:

I have a supplementary question. Once again, the Premier has been in office now for seven years —

Mr C.J. Barnett: Seven good years.

Mr M. McGOWAN: The Premier has been in office for seven years. Will the Premier be selling the port before the next state election or not—yes or no?

Mr C.J. BARNETT replied:

I have just answered that question.

Mr M. McGowan: No, you did not.

Mr C.J. BARNETT: To sell the port, we require legislation to be drafted, introduced and passed through both houses of Parliament.

Mr M. McGowan: Table it.

Mr C.J. BARNETT: The Leader of the Opposition can actually be relevant for once because if he gives an indication now that he will support the sale of the port, it will be done during this term.

CRIMINAL LAW AMENDMENT (HOME BURGLARY AND OTHER OFFENCES) BILL 2014

732. Mr N.W. MORTON to the Minister for Police:

Yesterday, the Liberal-National government delivered on another significant election commitment —

Mr P.C. Tinley: Preamble!

The SPEAKER: Member for Willagee, I call you to order now for the third time.

Mr N.W. MORTON: I will start again, if that is okay.

My question is to the Minister for Police. Yesterday, the Liberal–National government delivered on another significant election commitment with the passage of the Criminal Law Amendment (Home Burglary and Other Offences) Bill 2014. Can the minister please outline how this legislation will help deliver sentences for violent home invasions that match community expectations, and how fixing the three-strike counting will lead to more prolific offenders being taken out of the community?

Mrs L.M. HARVEY replied:

I thank the member for Forrestfield for this question. He will no doubt immediately race to inform his constituents of the achievement of yet another Liberal–National government election commitment in the law and order space.

I was really pleased to see this legislation pass through the Legislative Council last night. As a result of this legislation, police are feeling that their work is going to be more meaningful, because we have effectively changed the counting rules for our repeat recidivist home burglars. If a person is convicted of three offences of home burglary, they will be going to jail for a mandatory minimum term of two years, rather than requiring three court appearances. Juveniles—16 and 17-year-olds—will be looking at 12 months in detention. In addition, we have increased those penalties for the very small number of violent home invaders who, instead of fleeing when they enter premises to steal from the occupant, stay and perpetrate grievous harm against the occupier of the home or indeed sexually assault or seriously assault them in other ways. The penalty for those offenders will now be a mandatory minimum term of 75 per cent of the maximum term. Those offenders who commit grievous bodily harm are looking at seven years and six months. If it is a sexual assault, it is a mandatory minimum term of 15 years, which will now be the starting point for the courts. We are really pleased to see these mandatory minimum penalties go through Parliament, notwithstanding it took us some time to get this legislation through Parliament. We had a lot of filibustering, a lot of rhetoric —

Ms M.M. Quirk: It’s called democracy.

Mrs L.M. HARVEY: Here it comes—the inane monologue from the member for Girrawheen. Here it comes!

Mr M.P. Murray: Get on with your job!

The SPEAKER: Member for Collie–Preston, I call you to order for the first time.

Mrs L.M. HARVEY: Those opposite went through the entire debate high-fiving their mates in the Law Society of Western Australia and saying, “We are opposing mandatory penalties.” They talked against it. We had all the rhetoric out there and the bizarre scenarios from the member for Butler, and what did they do? Did they vote against it? No, they did not vote against it. They just sat back quietly and let it pass through —

Dr A.D. Buti interjected.

Mrs L.M. HARVEY: The member for Armadale is so opposed to mandatory penalties—how did he vote?

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the first time. Minister, a quick answer, through the Chair.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the second time.

Mrs L.M. HARVEY: We are really pleased —

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the third time.

Mrs L.M. HARVEY: We are really pleased to have achieved another Liberal–National government election commitment. We look forward to the implementation of this law in the very near future. Potentially, this law could be operational in four weeks. I commend the members of this house who supported this legislation for not only what they said, but also how they voted.

DANGEROUS SEX OFFENDER LEGISLATION — REVIEW

733. Mr J.R. QUIGLEY to the Premier:

I refer to the government’s rapid-fire review of the dangerous sex offender laws that started in March 2014 and the Attorney General’s pledge at the time —

“If any reforms are required, I will introduce legislation for those reforms in the spring session of Parliament and I would expect the full support of the Opposition in passing this legislation.” —

Mr N.W. Morton interjected.

The SPEAKER: Member for Forrestfield, I call you to order for the first time. Member, start again, please.

Mr J.R. QUIGLEY: I refer to the government's rapid-fire review of the dangerous sex offender laws that started in March 2014 and the Attorney General's pledge at the time —

“If any reforms are required, I will introduce legislation for those reforms in the spring session of Parliament and I would expect the full support of the Opposition in passing this legislation.” —

And news today confirming the release of another dangerous sex offender.

- (1) Where is the amendment to the dangerous sex offender laws promised by the Attorney General more than 17 months ago?
- (2) Will the Premier now release the report of the inquiry into dangerous sex offender laws that the Attorney General has been sitting on since 1 July 2014?

Mr C.J. BARNETT replied:

- (1)–(2) I know that work has been done on the drafting of that legislation. Had the member given me some prior notice, I could have given him an accurate response. I just do not have that information.

Ms M.M. Quirk: That was 17 months ago!

The SPEAKER: Member for Girrawheen!

Mr C.J. BARNETT: That is properly addressed to the Attorney General or to —

Several members interjected.

The SPEAKER: Member for Warnbro, I call you to order for the second time.

Mr C.J. BARNETT: That certainly is a commitment that we have made as a government, and we intend to deliver that commitment. But if the member seriously wanted a detailed answer, either he needed to have asked the Attorney General or if he chooses to raise it in this house —

Mr P. Papalia interjected.

The SPEAKER: Member for Warnbro, I call you to order for the third time.

Mr C.J. BARNETT: The member failed to give me prior notice. If he wishes to ask the question tomorrow, I will provide him with an update on where it is at.

DANGEROUS SEX OFFENDER LEGISLATION — REVIEW

734. Mr J.R. QUIGLEY to the Premier:

I have a supplementary question. Does today's story not confirm that the changes to the dangerous sex offender laws made by the government in 2012 have massively increased the number of dangerous sex offenders on the streets as predicted by the opposition at the time the government passed the amendments?

Mr C.J. BARNETT replied:

No.

MARGARET RIVER — CHINESE TELEVISION PROGRAM — *WHERE ARE WE GOING, DAD?*

735. Ms L. METTAM to the Minister for Tourism:

I recently read an article in *The Sunday Times* about a Chinese reality television show titled *Where Are We Going, Dad?* that will be filmed in the Margaret River region and is being supported by the state government. What does the minister expect this program will do for the tourism industry?

Dr K.D. HAMES replied:

I thank the member for the question. Of course, for the member and the Minister for Regional Development, it is great news that this team from Hunan Television is coming down to Margaret River. It has been outside China to do this program only twice in its three-year history. Last year, it was to New Zealand, and this year, it was just to Western Australia to the Margaret River region. The program is called *Where Are We Going, Dad?* It is five Chinese celebrities going places with their children and television footage around that. This is the second most popular program in China and has massive ratings of 75 million viewers who will be looking at what they do in Margaret River. There will be two episodes of two hours each showing all the things that Margaret River has to offer. Mr Speaker, this is a really exciting program. China currently has 41 000 visitors coming to Western Australia. When I became Minister for Tourism, we committed to doubling the then 18 000 Chinese tourists. That is now up to 41 000, so we have more than doubled it well inside the term of government that we suggested. They are second for visitor spend; \$205 million is spent by that group in Western Australia.

When Hunan Television did the program in New Zealand, the estimated value of the program to New Zealand was \$154 million. This is well worth supporting, and it has been supported by Tourism WA. I would like to thank our team in China who have been working for a year now to negotiate Hunan Television's coming to Western Australia. As I said, WA is the only place this year outside of China where that team is going, so it is great news for WA.

ROE HIGHWAY STAGE 8 — PERTH FREIGHT LINK — TRAFFIC MODELLING

736. Ms R. SAFFIOTI to the Minister for Transport:

I refer to the new advertising campaign promoting the Roe 8 section of the Perth Freight Link project that claims that 5 000 heavy vehicles will be removed from local roads by 2021.

- (1) Will the minister now release all traffic modelling for all roads affected by the Perth Freight Link, and why did Main Road Western Australia refuse to release traffic information through the freedom of information process?
- (2) Given these advertisements, does the minister still stand by the business case executive summary that states that Perth Freight Link would remove 500 trucks from Leach Highway by 2031?

Mr D.C. NALDER replied:

- (1)–(2) This is a great project for Western Australia; it has been planned for decades. We have a city and a port that are growing and transforming. We talk about congestion and the need for safety on our roads. By 2021, 5 000 trucks will be heading south out of Fremantle port. They will head down predominantly Leach Highway, South Street, Stock Road and Farrington Road. This is about removing those trucks. It is also critical to make sure that people in that area can move safely and freely. The project also tackles the congestion issue. When the original business case was being looked at—I will share this—utilising an e-TAG solution was being looked at. Consideration had not been given to the state government's ability to regulate which roads container trucks could use. If we are establishing a freight charge, a standard operating model for toll roads around the rest of Australia shows a leakage of 42 per cent. We worked that out by utilising GPS technology, as well as regulating the movement of trucks so that we can dictate exactly where those trucks can go. By 2021 we will take 2 000 trucks of Leach Highway on a daily basis. Members opposite can say what they like about it but the greatest issue with safety and trucks is the interaction at intersections because of traffic lights. If we want to improve safety on our roads and the movement of heavy freight, we must attack the issue of traffic lights. Roe 8 will take out six sets of lights. When we get all the way through to the inner harbour, we are talking about 16 sets of lights. The impact of trucks starting and stopping from an efficiency and productivity basis and from a safety, congestion and environmental point of view make this a very worthwhile project.

Mr F.M. Logan interjected.

The SPEAKER: Member for Cockburn!

Mr D.C. NALDER: We are at the point at which tenders for Roe 8 are closed and we are about to let a contract. We have always used the same argument that was used for the Mandurah railway line: prior to the contract being released, we will not disclose information that may prejudice the contract.

Several members interjected.

The SPEAKER: Members!

Ms R. Saffioti interjected.

Mr D.C. NALDER: We have two parts to this contract.

The SPEAKER: Member for West Swan, I call you to order for the first time. Minister, a quick answer.

Mr D.C. NALDER: We have two parts to this contract. One is to establish the construction contract and the other is to establish a first freight charge through the Perth metropolitan area. These are two serious policy implications that require a lot of work. We have discussed this with the federal government and we do not believe it is in the state's interest for us to disclose certain elements of that information at this point in time. We believe it to be commercial-in-confidence.

ROE HIGHWAY STAGE 8 — PERTH FREIGHT LINK — TRAFFIC MODELLING

737. Ms R. SAFFIOTI to the Minister for Transport:

I have a supplementary question. Will the minister release the traffic modelling, given he is using this information in government-paid advertisements? Why will he not release the traffic modelling and the impact of this project on local roads?

Mr D.C. NALDER replied:

I think I just explained the impact on local roads quite well.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan, I call you to order for the second time.

Mr D.C. NALDER: I heard an interjection from the member for Fremantle. One of the arguments from members opposite is about putting more freight on rail. I have a letter in my ministerial office complaining about how much rail is going through Fremantle, and members opposite want to see more freight on rail.

Several members interjected.

Mr D.C. NALDER: It gets really confusing. I am not sure how she will shift those containers to Kewdale if we cannot do it by truck and we cannot do it by rail. This is a responsible government and we know that best practice would still require a minimum of 70 per cent of containers to be moved by road. This is a responsible government. Last week I saw the example —

Mr J.R. Quigley interjected.

The SPEAKER: Member for Butler!

Mr D.C. NALDER: I was going to go gently on her at the time, but I have decided no, I cannot do that. She got up here and tried to explain what a B-triple was. She had a triple road train—the difference of 53 metres and 36.5 metres.

Point of Order

Ms R. SAFFIOTI: I do not know who the minister is referring to. The point of order is that we refer to people by their electorate.

Mrs G.J. GODFREY: Yesterday, the Minister for Police was regularly referred to as “she”.

The SPEAKER: Please clarify who you are referring to, thank you.

Questions without Notice Resumed

Mr D.C. NALDER: I do apologise; I am referring to the member for Fremantle. I do apologise for that—very bad.

There are 18 months before the election. I commit to ensuring that all the information is out there well and truly in advance of the election so that everyone has a clear understanding of exactly what —

Ms S.F. McGurk interjected.

The SPEAKER: Member for Fremantle!

Mr D.C. NALDER: That is when the decision will be made by the community about whether we have behaved responsibly. Prior to that, I will not do anything that will put any state government contract at risk.

ABORIGINAL DEVELOPMENT PACKAGE HEADS OF AGREEMENT

738. Mr B.J. GRYLLS to the Minister for Regional Development:

Can the minister please update the house on the recent signing of the Ord Aboriginal development package agreement and the significance of this agreement to the traditional owners in the East Kimberley?

Mr D.T. REDMAN replied:

I thank the member for Pilbara and I would like to acknowledge the member for Pilbara’s efforts, as a past Minister for Regional Development, and his contribution over a long period to the development of the Ord, particularly to get good outcomes for the Miriuwung Gajerrong people through the development of that project. The Ord project is one of national significance. In fact, we do not see many projects right across northern Australia that match what has happened in the Ord in recent years. It is a project in the region of \$517 million for the whole development, and \$322 million from royalties for regions to support the project. I have recently come back from a trip to Shanghai in China. On 2 September, I attended what I believe to be a landmark event in Shanghai where there was the signing of an Aboriginal development plan for the Knox Plain, part of the Ord development, between the Miriuwung Gajerrong people and Kimberley Agricultural Investment, which is a subsidiary of Shanghai Zhongfu Co Ltd.

I cannot remember a time in the history of Western Australia when an Aboriginal corporation from Western Australia met with a significant company in Shanghai in China to sign an agreement to get better outcomes for its people in the Ord project. It was a huge privilege to be part of that. I acknowledge the chair of the MG Corporation, Des Hill, who was there, and the CEO, Neale Fong. It was fantastic to see the support from KAI for the ongoing development. There have been fantastic outcomes, consistent with the Ord final agreement

that was signed some years ago. Part of that are the Aboriginal development packages that are part of the development projects. In total, the Miriuwung Gajerrong people will have access to some 680 hectares as part of an \$8.8 million package in the ADP. I think that is a fantastic outcome for Aboriginal people and for the ongoing development of the Ord. It is important to note that so far, with the Ord expansion, there have been more than 200 direct jobs for Aboriginal people, around 100 jobs outside the Ord project and almost 300 nationally accredited training certificates and there has been support for 14 Aboriginal-owned businesses. I believe this is the tip of the iceberg of what this government is doing in opening up opportunities in the north. The Ord development is the sharp point of that. Even now some 30 to 40 per cent of KAI's workforce are Aboriginal people, even though KAI has no obligation to employ them. I think it is fantastic to see KAI's commitment to that. It is obviously very strong evidence of support for MG Corporation in the ongoing developments. We are looking forward to a very close association with the Aboriginal people, in the Kimberley in particular, as this government rolls out development opportunities to the private sector.

INDIGENOUS EDUCATION AND EMPLOYMENT

739. Mr F.M. LOGAN to the Minister for Regional Development:

My question, coincidentally, is also about jobs for Indigenous people.

I refer to the minister's role, announced by the Premier in May, to report to the Minister for Aboriginal Affairs on ways to reform and improve education and job prospects in Aboriginal communities and the loss of a Department of Housing maintenance contract from the Mowanjum Aboriginal Corporation to an eastern states company.

- (1) How is the termination of 12 jobs from the Mowanjum Aboriginal Corporation achieving better employment outcomes for Aboriginal workers?
- (2) Why is his government making it harder for Aboriginal workers to get jobs, particularly in these areas?
- (3) Will the minister now intervene and demand that the housing head contractor, Lake Maintenance, utilise local companies rather than eastern states companies?

Mr D.T. REDMAN replied:

- (1)–(3) It is interesting that the opposition asked this question when this Liberal–National government is prepared to bite off the significant challenge of getting better outcomes for people who live in the remote communities of Western Australia. We are prepared to tackle the great challenge of what the Aboriginal people themselves have said is fundamentally unacceptable—that is, the status quo. If we start from the premise that the status quo is unacceptable, we need to find a much better outcome.

Several members interjected.

The SPEAKER: Members!

Mr D.T. REDMAN: To this government's credit, it is embarking on reform in that area.

Mr F.M. Logan interjected.

The SPEAKER: Member for Cockburn!

Mr D.T. REDMAN: Hon Helen Morton and I are two lead ministers playing a role in that. We have visited a significant number of communities. Hon Helen Morton will play a role around service delivery and I will play a role around infrastructure.

Mr B.S. Wyatt interjected.

The SPEAKER: Member for Victoria Park!

Mr D.T. REDMAN: I make the point that if the member for Cockburn is asking a question about the housing portfolio, I ask him to put it on notice, because I am not the housing minister.

Several members interjected.

The SPEAKER: Members for Cockburn, West Swan and Victoria Park!

Mr D.T. REDMAN: I make the point to the member for Cockburn that if his question is premised on a specific Department of Housing matter, I ask him to put it on notice. But I do make the point —

Mr F.M. Logan interjected.

The SPEAKER: Member for Cockburn, I call you to order for the first time. Either you are going to answer the question or you are not, minister; just tell us what you want to do and let us get on with it.

Mr D.T. REDMAN: Thank you, Mr Speaker. I am not sure I am saying what the member for Cockburn wants to hear—I am talking about the good work that this government is doing. It is interesting that the member

brought up the Mowanjum community as one of the communities he says is being impacted. The good Minister for Water next to me here launched the Water for Food project up there.

Mr D.J. Kelly interjected.

The SPEAKER: Member for Bassendean!

Mr D.T. REDMAN: That project is rolling out significant economic development opportunities in the Fitzroy Valley that are supporting development of pastoral leases of which in the Kimberley I think Aboriginal people own about one-third. There is also the example of Mowanjum, where those sprinklers and that centre pivot irrigator are working as we speak to drive economic outcomes in those communities. That includes the Mowanjum community referred to in the question from the member for Cockburn. This government takes this effort very, very seriously. We have formed a cabinet subcommittee to drive better outcomes. Even the Aboriginal people and Aboriginal leaders themselves do not accept the status quo. We are working through those challenges and I am sure we will deliver a better outcome than exists now.

INDIGENOUS EDUCATION AND EMPLOYMENT

740. **Mr F.M. LOGAN to the Minister for Regional Development:**

I have a supplementary question. Indigenous building companies such as those at Mowanjum and Luma are continuing to miss out on building and maintenance work. Will the minister urgently investigate and ensure that housing head contractors use local companies and Indigenous companies? It is a fairly simple question—do something.

Mr D.T. REDMAN replied:

This government will do everything it possibly can to drive better economic outcomes. If I can use an example of the challenge of service delivery, which the member for Cockburn raised the question in the context of —

Mr F.M. Logan interjected.

The SPEAKER: Member for Cockburn!

Mr D.T. REDMAN: We looked at Roebourne very, very closely. Roebourne is a community of 14 —

Several members interjected.

Mr D.T. REDMAN: I just want to use this as an example because I think it is extremely relevant.

Several members interjected.

The SPEAKER: Give the minister a chance to answer.

Mr D.T. REDMAN: I just want to use one example. In the Roebourne community there are 63 service providers providing over 200 services to 1 400 people for \$52 million, and in my view there has been no tangible shift in the outcomes of that community. Rightly, this government is looking very, very closely at the services provided. I think that in the 2012–13 financial year there was \$4.9 billion of commonwealth and state government —

Mr F.M. Logan interjected.

The SPEAKER: Member for Cockburn, I call you to order for the second time. I want a quick response—a quick end.

Mr D.T. REDMAN: I make the point in response to the question that this government is doing something about it. Firstly, we are taking it seriously and, secondly, we are engaging with local community. We will come with a plan that will deliver a better outcome than exists now.

EAST COOLUP BRIDGE

741. **Mr M.J. COWPER to the Minister for Transport:**

In this year's budget funding was provided for the replacement of the East Coolup Bridge over the Murray River in the Shire of Murray. Can the minister please advise where we are at on this very important strategic project?

Mr D.C. NALDER replied:

I thank the member for the question. He has been agitating for a number of years for the upgrade of this bridge and I remember in estimates last year he grilled me quite a bit. I also acknowledge that last year he took me on a guided tour underneath the bridge so that I personally saw the state of the structure under it. I am very pleased to advise that I have recently approved a \$6.93 million contract for the replacement of the old timber bridge. The contract has been awarded to BMD Constructions to build a 98-metre, two-span bridge to replace an old 13-span timber structure that was built in 1964. Construction will start next month and is expected to take around 12 months to complete. This will add 20 jobs to the local area. People may not also realise that the current bridge structure is reduced to a 10-tonne limit and building this new bridge will provide a great bypass for heavier

vehicles and will enable them to avoid having to go through Pinjarra. I believe this is a great outcome and would like to acknowledge the hard work of the member for Murray–Wellington and what he has done to make sure this comes to fruition.

SWAN DISTRICT HOSPITAL — SERVICES

742. Mrs M.H. ROBERTS to the Minister for Health:

My question regards the current Swan District Hospital site in my electorate.

- (1) What services are being retained at the Swan District Hospital site beyond the end of this year; and, how long will they be retained for?
- (2) Will health services, services relating to mental health, drug rehabilitation or elderly accommodation at the site be retained in the longer term; and, if so, what are the details?

Dr K.D. HAMES replied:

- (1)–(2) That is a good question and I do not know all the answers, because I am not sure about the mental health component, but I know that we are providing no further health services at that site. All the health services will be moved off the site and my understanding is that we are handing it over to the Minister for Lands to have management of it, as we have with Shenton Park. I do not have any responsibility for that anymore.

Mrs M.H. Roberts So the dental clinic remains there, minister?

The SPEAKER: Member for Midland!

Dr K.D. HAMES: That is why I was saying I am not certain. I will need to check and find out those specific things for the member, because we have already handed over responsibility to the Minister for Lands. But it is a good question and I will find the answer for the member.

SWAN DISTRICT HOSPITAL — SERVICES

743. Mrs M.H. ROBERTS to the Minister for Health:

I have a supplementary question. What assurance can the minister give this house that the former Swan District Hospital site will not just be sold off to pay for government debt?

Dr K.D. HAMES replied:

I cannot give any assurance of that at all. We are spending \$180 million of state government money to build a brand-new hospital, so it is logical that we sell those old sites to reduce government debt.

Mrs M.H. Roberts interjected.

The SPEAKER: Member for Midland!

Dr K.D. HAMES: We have a massive asset. We have a brand-new \$360 million asset and the old asset is no longer required.

Mrs M.H. Roberts interjected.

The SPEAKER: Member for Midland, thank you very much. I call you to order for the first time. Quick answer please, minister.

Dr K.D. HAMES: I am not certain of the answer as far as the other services being provided go, but I will find out and give it to the member. But regarding selling the location to pay down state debt, that is exactly what is done. The opposition badgers on about the level of state debt and that we need to do something about it, but as soon as we try to sell an asset that we do not need anymore to pay down that debt, the opposition wants us to keep it—absolute rubbish!

Mrs M.H. Roberts interjected.

The SPEAKER: Member for Midland, the question is finished.

WESTERN AUSTRALIAN PLANNING COMMISSION — LIVEABLE NEIGHBOURHOODS

744. Mr F.A. ALBAN to the Minister for Planning:

I understand that the minister recently launched a new suburban design policy. Can he please update the house on how this policy will improve local neighbourhoods?

Mr J.H.D. DAY replied:

I thank the member for the question. I was pleased to launch a draft of the revised liveable neighbourhoods design policy just last Friday when I attended the Planning Institute of Australia's Western Australian division

state conference. I must say there was a very impressive range of speakers, one being former Lord Mayor of Sydney, Mrs Lucy Turnbull, who participated by video link because she was unwell and unable to travel to Perth, but I must say it was a very impressive presentation.

The revised liveable neighbourhoods design policy is very important in the design of major subdivisions and suburbs. The current version has been in operation since the late 1980s, and it plays a very important role in addressing issues of liveability, walkability, transport access and so on in relation to the development of new neighbourhoods. The draft revised policy has a greater focus on designing places so that local community facilities can be accessed by residents by walking, cycling or public transport, rather than an overreliance on the use of motor vehicles, and that is appropriate in contemporary terms. There is also policy guidance on where to develop activity centres and provide local shopping, commercial and employment opportunities. The document is available for public comment on the Department of Planning website until 13 November.

In conjunction with the revised liveable neighbourhoods policy, a lot of work is also being done in the Department of Planning, in consultation with relevant stakeholders, on the architectural design of buildings, particularly larger residential building developments—apartment developments. With the increased reliance on and number of these sorts of developments being undertaken in the Perth metropolitan area in particular, it is essential that we have good design outcomes, and the preparation of a draft state planning policy on architectural design principles for multi-residential developments is currently underway, as well as a best practice model for design advisory panels to be used by state and local government bodies in assessing development applications. A discussion paper is also being put together on the possibility of mandating that large-scale developments be designed by a registered architect or other accredited design professional to ensure that we get high-quality design outcomes.

ROE HIGHWAY STAGE 8 EXTENSION — JUDICIAL REVIEW

745. Mr C.J. TALLENTIRE to the Minister for Transport:

I refer to the proposed stage 8 extension of Roe Highway from Kwinana Freeway to Stock Road through the Beeliar Regional Park and the judicial review of the Minister for Environment's approval of this project.

- (1) Does the Minister for Transport intend to let contracts for this project while this judicial review is pending?
- (2) If yes to (1), and the review is successful, what would be the cost to the state if those contracts had to be cancelled?

Mr D.C. NALDER replied:

- (1)–(2) The first thing is that the highway does not go through the Beeliar Regional Park. We need to deal with a few myths about this project, because members opposite continue to spread misinformation about it. This has been a long-planned project, but some people might not be aware that we have redirected the route north to avoid the major lake, Dog Swamp and a couple of others.

Mr C.J. Tallentire: Only 90 hectares of destruction.

Mr D.C. NALDER: Again, another piece of misinformation. Keep spreading the lies.

Several members interjected.

The SPEAKER: The minister has been asked a question, and he will provide a concise answer. I do not want the shouting across the chamber, thank you.

Mr D.C. NALDER: This is a great project for Western Australia. Environmentally, it is sound. We actually remove huge amounts of carbon emissions, and we are putting in an environmental offset. The amount of land that is affected is about six hectares of wetlands and 30 hectares of intact vegetation. The rest is degraded vegetation. Someone needs to go and have a look. It is actually underneath the high-voltage powerlines. We are talking about close to 500 hectares of offset on the coastal plain, which will be set up as a Bush Forever site. From an environmental perspective, this project has been very responsible. Tenders have closed and we are moving towards contracts towards the end of October.

ROE HIGHWAY STAGE 8 EXTENSION — JUDICIAL REVIEW

746. Mr C.J. TALLENTIRE to the Minister for Transport:

I have a supplementary question. Why is the minister failing to take account of this judicial review?

Mr D.C. NALDER replied:

We have followed due process in environmental consideration of this project. When we look at what this government has actually done, not only do we have this large offset, and not only are we taking carbon emissions out of the environment, but we will, engineering-wise, build a bridge across those six hectares of affected wetland. Every way I look at it, whether socially, economically or environmentally, this is a great project for Western Australia.

**WATER — AVERAGE MONTHLY WATER BILL
WATER CORPORATION — OVERDUE ACCOUNT INTEREST
WATER CORPORATION — SUPPLY RESTRICTIONS**

Questions on Notice 4282, 4284 and 4285 — Answer Advice

MR D.J. KELLY (Bassendean) [2.45 pm]: Under standing order 80(2), I rise to ask the Minister for Water why I have not received answers to questions on notice 4282, 4284 and 4285.

MS M.J. DAVIES (Central Wheatbelt — Minister for Water) [2.45 pm]: I thank the member for his interest. The member has been asking a considerable number of questions through my office. We will have the answers to him as soon as possible.

TAB — PRIVATISATION

Matter of Public Interest

THE SPEAKER (Mr M.W. Sutherland) informed the Assembly that he was in receipt within the prescribed time of a letter from the Leader of the Opposition seeking to debate a matter of public interest.

[In compliance with standing orders, at least five members rose in their places.]

MR M. McGOWAN (Rockingham — Leader of the Opposition) [2.46 pm]: I move —

That the house opposes the sale of the Western Australian TAB.

This is an excellent opportunity for every member of this house to explain and vote in accordance with what they believe on this issue. I will go through the reasons shortly, but the opposition is very clear in its position on this important issue for jobs, the racing industry and regional communities in Western Australia. Our position is absolutely clear cut. I have been reading and I have heard about positions expressed by members of the National Party and the Liberal Party on this issue. This is the opportunity for every member of this house to put their money where their mouth is on this very important issue for communities across Western Australia.

Just so that people understand the position of the Western Australian TAB, it is publicly owned but independently run. The system has been in place since 1961. It was put in place by Sir David Brand at that time to get rid of starting price bookmaking and other nefarious activities that were going on. The model in Western Australia is unique across the country. It ensures the maximum return to the racing industry. The proceeds from racing go back to the industry or to the government in taxes, and there is a small component that goes to the community benefit. That is a unique model. Other states across Australia have sold their TABs. They have a model under which a significant component of the proceeds from the industry goes to shareholders. That is a legitimate model for racing. It operates in other states, but I would argue, and the opposition would argue, that it does not operate as effectively in the interests of racing as the model we have in Western Australia.

Mr J.E. McGrath interjected.

Mr M. McGOWAN: It is interesting that the member for South Perth is interjecting. He has the view that the TAB should be sold; that is his view. That was the view of other state governments when they sold their TABs, but as we know from meeting and talking with industry representatives in other states, they regret it, virtually to a person. They regret the change from the former model to a new one. Some people would say that Western Australia is out of touch. The Premier would probably say that we are out of touch with the modern direction of the other states and the like. The member for South Perth would probably say that as well. However, in Western Australia sometimes we do things differently, and, I would argue, sometimes we do things better. An interesting case regularly raised is the fact that we do not have poker machines in Western Australia. Some people would argue that that is bad, but I would argue that it is good.

It is a unique model in Australia but a model that works for us. As a former Minister for Racing and Gaming, I know that by having the TAB in public ownership but independently run that the government's involvement in interfering with the administration of racing is virtually zero. Once a year it ticks off on the strategic development plan and that is it. Racing and Wagering Western Australia runs the industry, the TAB is the organisation that distributes the proceeds and the industry gets the benefit. What is wrong with that? Industry likes it and I think it works well. There is a range of speakers on this matter, but I will just quote. Racing and Wagering Western Australia on 7 July this year put out its annual report, if you like. I want to quote a few bits from it —

... Racing and Wagering ... approved a record \$136.4million of funding to industry for the racing season commencing 1 August 2015. This represents a 7.9% increase for the 2015/16 financial year, an additional \$10million in fund allocations.

...

The continued increase in funding allocation has been made possible by the strong performance of the TAB.

In the coming year there will be a 7.9 per cent increase in the proceeds to the racing industry. What other industries in Western Australia are growing at that rate? Can anyone name any in the current environment? We have an interesting model in Western Australia that returns to the industry. In Western Australia, 33 600 people are directly involved in racing and it provides 6 700 full-time jobs. The industry estimates that \$349 million in wages and around \$590 million is added to the Western Australian economy. On top of that, the industry provides contributions to what is called the sports betting account of around \$4.5 million a year. These proceeds from the racing industry are being used for community purposes—a bit like Lotterywest, but the money does not come from lotto and scratchies and the like. Where do those grants go? They go to Lifeline WA, Sea Rescue Fremantle and the Riding for the Disabled Association of Western Australia. In fact, over the last few years, more than \$30 million has been distributed to organisations in Western Australia such as Royal Life Saving WA, the Australian Paralympic Committee and organisations dealing with people who are suicidal and the like across WA. The racing industry in Western Australia makes contributions to those community organisations. Do members think that the major corporates who own the TAB in the eastern states make those contributions? Does anyone think they do? Of course they do not. They operate in the interests of their shareholders. As I said, that is a legitimate model if we want to do that, but we have a unique model in Western Australia that maximises the returns to the racing industry and the owners involved. The one thing that we must understand about the racing industry is that it wants the stakes and the returns to the industry. That is the basic thing that the industry wants. Whenever anyone talks to people in the industry, the first thing they want to know is what the return will be. People who are going to invest in a racehorse or other aspects of the industry, they want to know that they will achieve the maximum return for their investment. If some of that return is being siphoned off to shareholders, there is less in it for the industry. Therefore, we are saying that the shareholder model is not the best model for the industry in Western Australia. I will quote to the house what the chairman of Racing Victoria, Mr Robert Roulston, said.

Mr J.E. McGrath: He was chairman but he is not anymore.

Mr M. McGOWAN: Good point—he was the chairman, member for South Perth. That is great. Mr Roulston had this to say about it, and I quote —

“As soon as you privatise, I understand you can take an amount of money up front for it, but you’re giving away part of the future returns to shareholders, so it’s not ideal,” ... “Those shareholders, and therefore the directors of the company, may have quite different objectives to those of the industry and its needs.

“So philosophically, I can’t see any reason why if you’ve got a very good vertically integrated model—which WA has—why you would move away from it unless there was a desperate need for a large injection of capital up front.”

Those last few words are the Premier’s argument: a large injection of capital up-front. I will deal with that in a minute. The head of racing in Victoria said that. We know what Jeff Kennett had to say about it —

Mr J.E. McGrath: And he has gone back on it.

Mr M. McGOWAN: Maybe he has, maybe he has not, but we know what he had to say about it. We also know what the former Minister for Racing and Gaming had to say about it; he objected to it strenuously. We also know that the Premier back in 2013 said that the government would not do it. Numerous other people across the racing industry—Fred Kersley, you name it—are saying that this is not the right way for racing to go in Western Australia. What are the reasons? First of all, shareholders will come first and the racing industry will come second. The second point is that regional racing will miss out. Country racing is very concerned about this because as soon as we go to that model, the race meets in country towns that perhaps do not return so much will fall by the wayside. The third point is that there will be job losses in the industry. If we have the Tatts Group or Tabcorp running the industry in Western Australia, what will be the first thing that it will do? It will look to cut costs. These big organisations are run out of Brisbane and Melbourne, so what will they do? If they have the call centres and staff and all those things to run the industry in Melbourne or Brisbane, what will they do? They will see what services run in Western Australia can be moved over there. A call centre can run just as easily from Melbourne as it can in Perth. The TAB itself employs in the vicinity of 400 people. A lot of those jobs are administrative jobs that can be done in the eastern states just as well with today’s technology. Jobs could very well be lost. Actually, let us be frank: they will be lost if the TAB is sold.

I will now turn to the issue around the up-front capital. The Premier always says that we would like better facilities. That is a good argument; better facilities would be great. Belmont Park and Ascot Racecourses are old and they could be better. However, if Belmont is sold, we will lose the winter track. The racing industry always says that it needs a summer and a winter track. The industry knows this, and I have been out there in the morning as well. Due to the condition of the track and the damage caused to the track by horse activities and the like, the industry needs two tracks. The industry says that it needs a winter track. However, if Belmont Park is sold, those proceeds could go towards upgrading Ascot Racecourse. The government does not need to sell the TAB in order

to upgrade Ascot Racecourse, Lark Hill racecourse or the like. If the industry agrees to sell Belmont, which it owns, the proceeds of that would be enormous and could go towards upgrading Ascot without selling the TAB. I would argue that the Belmont–Ascot issue is separate to the sale of the TAB and that it is a decision for the industry. It is not a decision for the government to make. The industry owns it and it has, as I understand it, a long-term, 1 000-year, lease over Ascot, so it is the industry’s decision. The real reason that the government wants to sell the TAB is that it has made such a hash of the state’s finances and it is scrabbling around for anything to deal with it. If that means, as we have seen, getting somewhere between \$200 million and \$600 million—we are not sure what the government expects to get—that is what the government will do in order to pay off some of the \$33 billion additional debt it has accrued. I would argue to the government, to ministers on the other side, that they should think of the jobs, the return to the industry and the fact that regional racing will suffer. They are all the issues and this government should deal with the issue of the TAB on its merits, not just because it has made a mess of the finances.

MR J.E. McGRATH (South Perth — Parliamentary Secretary) [3.00 pm]: I want to reply to some of the comments made by the Leader of the Opposition. There are three aspects to the situation with the TAB. The first—a point that the Premier has made many times—is whether the government should be in the business of running a betting or gambling operation.

Mr M.P. Murray: What about Lotterywest?

Mr J.E. McGRATH: With all due respect, there is a lot of difference between Lotterywest and a betting and wagering agency.

The second aspect is the changing face of the wagering landscape around the world, which has been mentioned many times in this place. Challenges are facing racing jurisdictions all over the world. New York State has 15 million people and there are three racetracks. Eight million people live on Manhattan Island, and it is talking about shutting down one of its racetracks. Do members know why? It is because attendances are dwindling and the cost of maintaining infrastructure is the biggest challenge for the racing industry worldwide. The third aspect is the future of the racing industry. The Premier has said—I agree with him—that it is time for the industry to modernise. I have been involved in the industry for a long, long time. I can go back to when the Western Australian Turf Club sold a big parcel of land at Bull Creek and used that money to build a brand-new grandstand at Belmont Park. That grandstand was state-of-the-art, it was world-class, but that was 40 years ago and infrastructure like that does not last forever. A review has just been done by Racing and Wagering Western Australia, which was carried out by GHD, because RWWA said that it needed to look at the assets that are owned by the racing industry. The Leader of the Opposition mentioned that the assets—Belmont Park and Ascot Racecourses—are principally owned by Perth Racing. Of course they might be separate from what happens with the TAB, but GHD identified that \$154 million needs to be spent to upgrade existing facilities and build new ones for the racing industry.

Mr P.B. Watson interjected.

The SPEAKER: Member for Albany, I call you to order for the first time. I know that you shout at the member for South Perth on the bowling green, but please.

Mr J.E. McGRATH: I chaired a committee inquiry into RWWA and back then we were told by RWWA that infrastructure was the biggest challenge facing the industry.

Mr P.C. Tinley interjected.

The SPEAKER: The member for Willagee is on three.

Mr J.E. McGRATH: Back then, RWWA said that funding was needed for infrastructure and a ballpark figure for that was about \$70 million. That was in 2008. Now in 2015, we need \$154 million if the government is going to support the racing industry to modernise itself. A new track is being built for the greyhounds at Cannington. The industry does not even have the money to build a grandstand. It will get a blow-up grandstand from somewhere in Dubai because it cannot build a proper grandstand.

Mr M.P. Murray interjected.

The SPEAKER: Member for Collie–Preston, I call you to order for the second time. I think you are trying to seek the call; you are next!

Mr J.E. McGRATH: What I am saying is that the opposition—pardon the pun—is putting the cart before the horse. Why would it oppose the privatisation of the TAB when it does not even know what the benefits might be? The government does not even know at this stage because proper due diligence is being done, as the Minister for Racing and Gaming has pointed out at industry forums around the state. Do members know what? At the end of the day, it will not be up to people in this Parliament to decide what happens to the racing industry. The racing industry will decide. This government intends to take the racing industry along with it. We are very confident that we will get the support of the racing industry because, as part of this deal, the only way that the

funding can be unlocked and provided to the racing industry to improve infrastructure is if the TAB is privatised. I will give members a couple of examples.

The GHD report stated some of the things that are badly needed if this industry is to continue. Remember that GHD recommended that Belmont Park should probably be sold. Last year, Perth Racing had Deloitte do a report on Perth Racing's viability. The report was never really made public, just the executive summary, and Deloitte stated that we cannot continue to exist running two racetracks because running Ascot and Belmont Park is an unsustainable model. I am a racing person—I love Belmont Park and Ascot—but we have to face reality and look to the future. It was great 40 or 50 years ago when people had to go to the races to bet. Now, people can bet on their mobile phones; they do not have to go to the course. Racecourse crowds are diminishing. The world is changing. Racing is becoming a global event. Even in Victoria, the industry cannot get big crowds to racetracks until it has its big carnivals. There are big carnival days, but at other times of the year, just the regulars go to the races. GHD reported some of the spending that the industry needs—\$43 million to redevelop Lark Hill. I would have thought that the member for Warnbro would welcome with open arms a redevelopment at Lark Hill. If the Leader of the Opposition said to the people of Rockingham that they were getting a racetrack, that that will be where the winter racetrack is—there will be winter racing and that could be at Lark Hill—a lot of his constituents would probably love to be able to go to a very handy racetrack. Another thing that GHD recognised was the need for on-course stabling. People have told us at meetings with the minister and the Premier that where young people or retired jockeys go, who want to become horse trainers, is another challenge for the racing industry. The only way they can do it now is buy a property. The industry needs to set up on-course stabling, as happens all around the world and in every other state of Australia. It could be put in at Lark Hill for \$43 million.

Mr R.H. Cook: What's that got to do with selling the TAB?

Mr J.E. McGrath: I am saying that RWWA does not have the funding to do all this work. RWWA basically has to keep the prize money at a level that will encourage new owners and existing owners to stay in the game. Cutting prize money back to build infrastructure will affect the viability of the sport. The government is saying, "Here is a once-in-a-lifetime opportunity." Who knows what the sale of the TAB will produce in revenue? We do not know; the figures have not been done. That is why I think you guys are jumping ahead of yourselves until the blueprint comes out and the government can say to the industry, "This is what we are prepared to offer you." In the meantime, the government is saying to the industry, "You come and tell us what your needs are if you want to modernise, go into the future." Another thing identified in the GHD report is that Gloucester Park can stay for another 10 years, but the Gloucester Park facilities are ageing. It needs \$80 million spent there. The Byford Trotting Training Complex needs \$9 million. This is a huge amount of money. An upgrade is needed to the Pinjarra harness racing track, including lights. The member for Murray–Wellington would appreciate that. I have always asked why there would not be lights at the trotting track at Pinjarra where thousands of holidaymakers go every year in summer; in the old days, it had lights and people would go there in their thousands to have picnics on the lawn and watch the trots. It was a huge community event. Under this plan that the government is prepared to look at, Pinjarra could get lights. Pinjarra is a great track—probably a better track to race on than Gloucester Park.

The Leader of the Opposition made some points about the TAB, under its current model, returning a maximum return to racing. The government has already said to the racing industry that it will be no worse off. The government will guarantee ongoing funding for racing. If the system is not any good now, Leader of the Opposition—this is not a criticism of Racing and Wagering Western Australia because I think it is a well-run organisation—why can RWWA not come up with the funding for this very vital infrastructure for the industry? Training facilities are very important, because without horses there is no racing.

Amendment to Motion

Mr J.E. McGrath: I move —

To delete all words after "house" and insert —

notes that the state government has listed the WA TAB on the asset sales list and, as part of the asset sales process, the state government will consider all impacts on racing in Western Australia to ensure the racing industry's ongoing sustainability and that the racing industry across the state benefits from any sale.

Mr J.E. McGrath: Mr Speaker, I go on.

Several members interjected.

Mr J.E. McGrath: The Leader of the Opposition and I have history on this. When I was in opposition, the current Leader of the Opposition was the Minister for Racing and Gaming. I came up with a suggestion—because I support the racing industry, although a lot of people say that I do not—and I said, "Minister, if we want to get horses to our Perth carnival, why does the state government not underwrite a plane to bring the horses over?" I did not say pay all their fares; I said underwrite it. The minister got up and said "What?"

In a very shrill voice he said, “Why would we pay for eastern states horses to come over to Perth and take Western Australian prize money back?” Do members know what happens now? RWWA underwrites a plane every year for horses to come across to the Ascot carnival.

We have to live in a modern world. The world is changing, Leader of the Opposition. The Melbourne Cup used to be a race for a tin-pot welder, then the Victoria Racing Club decided to globalise and a lot of the local trainers did not like it. Bart Cummings did not like it. He complained and said there should be 10 or 12 spots just for Australian horses. Do members know what has happened? It is the greatest race in the world. Before Bart Cummings passed away, he won it two or three times as an international race. We have to look to the future.

Whatever happens, the government will be talking to the racing industry all the way through. Government does not want to tell racing what it should do. We want the racing industry to come to government and tell us that this is where it would like to be in 30 or 40 years’ time. The Premier is going down to Lark Hill Thoroughbred Training Complex soon to look at the facility, because the Liberal-National government wants to support the racing industry. I think the opposition should not have moved a motion like this at this early stage in proceedings while work is going on with the racing industry. The opposition talks about people being opposed to the privatisation of the TAB. I will tell members who is not opposed, publicly anyway: the chief executive of RWWA. He has said at every meeting with industry groups that RWWA is not opposed to privatisation. The government wants to guarantee that the industry is better off.

Several members interjected.

Mr J.E. McGRATH: It is true. The deputy chairman of RWWA, Bob Pearson, has said the same thing: that it wants a better deal for the industry. This government is prepared to give the industry a better deal.

MR M.P. MURRAY (Collie–Preston) [3.14 pm]: I rise to speak against the amendment to the motion. Certainly many, many errors have been made because the focus has been on the thoroughbred racing industry alone. There are two other codes that also have an interest: the chasing and pacing industries that no-one from the government has spoken about or, probably, to. It seems to be all about the thoroughbred racing industry and the selling of tracks that do not impact on those two industries. There was a slight mention of Gloucester Park being around for another 10 years, so I am glad there was one small mention.

Let us have a look at what has happened to the chasing industry under this government: it has been absolutely decimated. The government made some promises, but when it got to the final hurdle it never helped the industry out. RWWA put money up, not the government; \$13 million that should have come from the government came out of RWWA’s bankbook. The government asks why there are no facilities: it is because the government has not backed it up.

I will go a little further into that and the narrow focus of the government’s speakers on Perth, and Perth alone. Let us look around the countryside at the number of people directly involved in the industries. In the Kimberley: thoroughbreds, 364 people; harness racing, three people; and greyhounds, two people. In the Pilbara: thoroughbreds, 322 people; harness racing, three people; and greyhounds, 61 people. In the midwest there are 1 041 people directly associated with the thoroughbred industry; harness racing, 45 people; and greyhounds, 24 people. If we come down further to the Gascoyne, there are 216 people involved in the thoroughbred industry, and 32 people in the greyhound industry. Think about these figures. In the wheatbelt there are 2 403 people involved in the thoroughbred industry; 925 people involved in the harness industry; and in the greyhound industry there are 226 people. Moving to the Peel area—I am sure the member for Murray–Wellington has some interest in this—there are 929 people involved in the thoroughbred industry; 2 144 people involved in the harness industry; and 867 people involved in the greyhound industry. In the south west there are 1 862 people involved in the thoroughbred industry; 1 603 people involved in the harness industry; and 212 people involved in the greyhound industry. In the great southern, down in the member for Albany’s area, there are 926 people involved in the thoroughbred industry; 346 people involved in the harness industry; and 17 people involved in the greyhound industry. Government members never mentioned any of those people in the other areas who at times rely on those picnic meetings to keep the town going. The meetings are the social highlight of the year. They bring the people into town. If the owners and trainers fill up their tanks after towing the float down, it will cost them \$100 to \$150 at the local service station. That income will go. It is a community issue; it is not only about the racing industry.

But let us have a look around the place and ask what the National Party has to say about this? Nothing! Its members went to its conference saying “We don’t support the sale of the TAB”; they came back saying “maybe”. They are still the same—sitting on the fence. The minister did a trip virtually around Australia. He went up to the Pilbara and over to Bunbury. I was on my deathbed, but I went to the meeting in Bunbury to listen to the minister. The member for Murray–Wellington put the minister on the spot and said, “Okay, minister, you are the worst-briefed minister I have ever seen at any meeting, but let’s put it to the vote in this room here now.” When the hands went up, it was 60–nil against the sale of the TAB. I think it was the same in Albany.

Mr P.B. Watson: It was the same in Albany.

Mr M.P. MURRAY: Then the member for Murray–Wellington said to him, almost literally, “Get on your horse and go!” He was a bit ruder than that, to be quite honest—I would not have said those things. But he told him, “There’s your opinion. Listen to it, and go back into your box.” So that tells members what people think in country areas.

Thirty-three country tracks have shut down in South Australia. That means that 33 small country towns do not have a social function once a year. I think it is great; a few years back I went out to Yalgoo and saw the people all dressed up in their finery. Some of those people only get dressed up once a year. Caravans from all over the place had come there just for that race meeting. Again, the local pie shop was sold out. That is when the people make their money for a quarter of the year.

Let us look further into the funding that comes back to the state government. There is \$40 million of turnover tax—never, ever chop the head off the goose that lays the golden egg. There is \$33 million raised from the goods and services tax turnover. That \$70 million will be gone from state coffers. The Leader of the Opposition mentioned the sports funding of, I think, \$4 million that will not go into groups like the Riding for the Disabled Association. Those sorts of groups will not get their funding and will have to line up and beg.

Then we move across to Queensland. What happened to the Queensland racing industry, just recently? It has gone back to the government after privatisation, asking for \$30 million. Do members know what the industry and the Tatts Group told me? They have said, “Oh no, they run it badly. They run the racing area badly.” Why? It is because the Queensland racing industry did not have any money coming in. We need to be very, very careful about this because we could destroy what I see as a well-run and profitable industry. Racing and Wagering Western Australia is doing a magnificent job. As much as I have criticisms about some smaller areas about what it does and how it does it, overall no other state has the same increases in prize money as Western Australia has—none. There might be individual races that have a bonus put on them to make sure all the major racing people go there, such as the Melbourne Cup. We here in Western Australia have a chance to grow, because we have a good model, and to not go down the drain under the proposed privatisation. We should have another review. The member for South Perth was the chair of a committee that looked all around the place. The state government had its chance. It came back with so many recommendations but very few of them have been implemented. At the last count, five out of something like 40 recommendations were adopted. The number is so small because the government did not support the industry.

Let us look today at whether the member for Belmont is going to vote for or against the privatisation of the TAB. Let us see what the member for Murray–Wellington does; he has made a lot of noise and brought a lot of petitions into this house. Is he just all wind? He is a big fella, but he could be full of wind. Let us look at what happens there and see whether these people have got the gumption to stand up for the future of their communities.

MR D.T. REDMAN (Warren–Blackwood — Leader of the National Party) [3.21 pm]: I just want to make a couple of comments in a couple of capacities. One as the minister representing the Minister for Racing and Gaming in this house, and also as the Leader of the National Party, because the National Party has made some statements publicly on this position. The point that the member for South Perth highlighted was that no decision has yet been made about the sale of the TAB.

Several members interjected.

Mr D.T. REDMAN: There has been no decision. Members opposite are running a story on the premise of a decision that has not even been made.

Several members interjected.

The SPEAKER: Members!

Mr D.A. Templeman interjected.

The SPEAKER: Member for Mandurah, I call you to order for the first time.

Ms M.M. Quirk interjected.

The SPEAKER: Member for Girrawheen, do you want to get called?

Mr D.T. REDMAN: I just want to go through a few facts. First of all, in the 2014–15 budget speech by the Treasurer there was an announcement that the government would look at a number of asset sales. That is on the table. The Premier even announced that as a part of the second tranche of those sales we would consider the sale of the TAB. Both the former and current Minister for Racing and Gaming made the point publicly that they would make the decision based on the best interests of the racing industry. Those are the facts and the issues that are on the table.

Just to be clear about the Nationals’ position, I want to read out the motion that was passed at the National Party’s conference in Margaret River. The Nationals’ motion was that the Nationals do not support the

potential sale of the state-owned TAB without a demonstrated and preserved regional benefit. Quite rightly, the National Party members of Parliament will reflect the interests of the lay party.

As far as the procedure goes, there is an analysis of the TAB happening now, which the member for South Perth talked about. That will consider the level of due diligence about the issues and the risks and the challenges, and the advice that government needs to have a plan in order to make a decision around that. One of the key issues that will be discussed, no doubt, will be any criteria that are attached to a sale. We can go from a position of selling it as is, which is just a clean sale, and the industry or whoever buys it will make its decisions accordingly, or we can have some conditions or criteria that sit around the sale. Depending on where members sit on that issue and what conditions are set around the sale, that will affect not only the sale price, but also the potential benefits that might flow back to the industry and, from our perspective, regional Western Australia. There are a lot of things to be discussed and issues determined in terms of how a sale may or may not proceed. Ultimately, it comes back to a cabinet decision. It comes back into cabinet and the ministers sitting around the table will make the call. If the decision is made to have a sale, albeit a conditional sale, legislation will come into this place and will need to be passed. There are more than enough decision-making points for any member of this house to make a call on whether they think the decision that is made or is not made is the right one.

From the industry's perspective, the minister wants to ensure that we have a sustainable industry going forward. From our perspective, a very important issue is the country racing circuit, as the member for Collie–Preston pointed out. Races such as the Landor races are held once a year. They are iconic. There are a lot of things to consider.

The other point that we have many discussions about is the changing wagering landscape. This is a really important point. I am not sure I know the answer to this and that is why I am chasing the due diligence about how we should consider this issue. On Monday night I was watching on television the change in the federal leadership. I was watching it just before all the members of the Liberal Party went into the Liberal party room. We saw Malcolm Turnbull walk down with a team of people behind him and just after that we saw Tony Abbott walk behind him. My son was on his phone and he was giving me the odds of who was going to walk out of that party room as Leader of the Liberal party and the future Prime Minister of Australia.

Mr B.S. Wyatt: Did he win?

Mr D.T. REDMAN: He actually just missed the bet, because it was shut down as the last person walked into the room.

I am making the point that the wagering landscape is very, very different from what it used to be. These are challenges of a state government-owned wagering sector. It is eight per cent of the wagering sector. Therefore, it is somewhat vulnerable to the wagering market as that landscape changes. We need to consider all those issues as we take this debate forward.

This is of concern to the National Party. Obviously the impact that it will have on the regions will be significant to us and we will take all those issues into account. We hold a view that we think the amendment that has been moved could be more explicit, so I would like to move an amendment to the amendment.

Amendment on the Amendment

Mr D.T. REDMAN: I move —

That the amendment be amended by deleting all the words after “government” where it first appears and to insert —

only supports the sale of the TAB if there is a guaranteed ongoing benefit for the racing industry.

The SPEAKER: Are you finished? You are moving an amendment; are you still speaking or is that the end?

Mr D.T. REDMAN: I will just make a couple of closing comments, Mr Speaker.

In summary, no decision has been made.

Several members interjected.

The SPEAKER: Members!

Mr D.T. REDMAN: I support the principle of asset sales to deal with the state budget challenge, and the Nationals will rightly look at all the due diligence that is presented as they go before cabinet to make a decision.

Mr P.B. Watson interjected.

The SPEAKER: Member for Albany, I call you to order for the second time.

Mr D.T. REDMAN: We will always look out for and look after the interests of regional Western Australians. It is amazing how members opposite stand on their hill and talk about their legitimacy in regional Western Australia. They have no credibility out there.

Mr M.P. Murray: Twenty million dollars!

Mr D.T. REDMAN: I know where \$20 million was!

Several members interjected.

The SPEAKER: Members!

MR J.M. FRANCIS (Jandakot — Minister for Emergency Services) [3.28 pm]: I want to make a couple of points, and I will try to simplify what is obviously becoming a fairly complicated issue for some people. Firstly, I want to make it crystal clear that it is the role of any responsible government to consider the assets that are owned by the state on behalf of the taxpayers of Western Australia, and whether or not it is the role of government to own those particular assets. I will make this point firstly. If it is right for the commonwealth government and commonwealth Labor governments to realise that it is not the role of the commonwealth —

Several members interjected.

The SPEAKER: We are getting the wall of noise.

Mr J.M. FRANCIS: If it is right for the commonwealth government and previous commonwealth Labor governments to realise that it is not the role of government to run the Commonwealth Bank against Westpac, to run Telstra against Vodafone and Optus, or to run Qantas against other airlines, surely it is right for us to consider whether it is the role of state government to run a betting agency against Sportingbet, Betfair, Centrebet, Intrade, Paddy Power, Tom Waterhouse and a range of different online betting agencies. I am not trying to be provocative here; I just want to —

Mr W.J. Johnston interjected.

The SPEAKER: Member for Cannington, I call you to order for the first time. Member for West Swan!

Mr J.M. FRANCIS: I am not trying to be confrontational—just hear me out.

I want to point out a couple of complexities involved in the massive shift from bricks and mortar retail gambling buildings—the old TABs—to the online industry. The Leader of the National Party was right the other day when he was talking about his son. Every single person in the world is now moving to online betting agencies and away from bricks and mortar. I know that the TAB is in this space, but let me give members an example of some of the complexities that face online gambling agencies right now. People can talk about Sportingbet and Centrebet and compare them with Intrade and Betfair, which are not run by bookmakers but are betting exchanges that have punters betting against each other. If people want to make money out of gambling, they back high and lay low. There are people out there in front of computers with programs and who have written all the little hacks so that they can play bookmakers, betting agencies and betting exchanges off against each other to try to make a quid. Good luck to them if that is what they want to do; it is probably ethically no different from playing the stock exchange.

Right now people can bet online before the bounce-down or the race starts, but they cannot bet online in Australia while the game is in play. People can pick up the phone and change their bet, they can bet or they can lay, but they cannot do it online from within Australia. People can probably illegally download an app on their phone or put an IP gateway changer into their computer so that if they are in New Zealand, they can bet online in Australia with an Australian betting agency while the game is in play. People cannot do that here, but they can probably illegally trick Australian betting agencies into thinking that they are in Australia and they can therefore bet online.

There is another issue, for example, that free enterprise will always beat red tape. Waterhouse might be in front of the courts at the moment, so I will choose my words carefully. I think the Waterhouse betting agency has worked out a way that people can get their phones to record a message that can go through all these things. Anyway, the point is —

Mr R.H. Cook interjected.

The SPEAKER: Member for Kwinana, I call you to order for the first time.

Mr J.M. FRANCIS: The point is that this industry is changing so quickly. Does anyone seriously think that a state government-owned betting agency is going to be anywhere near competitive in this space in the next 10 years—seriously? Not to mention that the bricks and mortar buildings that they now own are soon going to be worth a lot less than they were 30 years ago. If members do not believe me and they have the internet in front of them, go to Google and put in TAB WA and see what the first betting agency is that comes in. It is Sportsbet; it is not the TAB WA. TAB WA cannot even get its search engine optimisation right today; they cannot even get that. How on earth

do members think the Western Australian TAB, run by a government agency, is ever going to compete with the rise of online betting agencies? It is only right that any responsible government seriously considers whether this is the role of a state government-owned agency on behalf of the taxpayer. Are we better off not being involved in betting either financially, with future valuations of both the assets and the market, or ethically?

DR G.G. JACOBS (Eyre) [3.33 pm]: Unlike the member for South Perth, I am not an inherent racegoer, but as my duties as a member of Parliament require, I attend race meetings in the regions—in Esperance, Kalgoorlie and the goldfields. Last year, I went to a race meeting and the president of the race club was standing at the gate. My wife and I were walking in, and he said to us, “Graham, I will let you in if you promise me that you won’t sell the TAB.” To which, I replied, “I will do my due diligence in this area, but I assure you that whatever we do will be for the benefit of the industry.” He let me in, but every time I go to the races—I am going to the Boulder Cup on Sunday—I get the same message.

Although the member for South Perth said that negotiations are in the early stages, this issue has been around for me and other regional members for some time. We get this issue every time we go to the races. As a member—regional members would understand this—I have to give a very good argument, but we have not had that debate. We have not had that due diligence. As the member for Eyre, can I go to the president of the race club and say that I believe that this move will benefit the racing industry, and the community, by the way, because of these reasons, and here they are: one, two, three? No, I cannot do that. We have not got there. Although this is early in the process, member for South Perth, I think it is late enough that I as a member and other members for regional Western Australia can go to the racing industry with substantive facts and argument showing why, if we did sell the TAB, they would get tangible benefits, because it is about maintaining and upgrading their tracks and infrastructure and stakeholder money. It is for the benefit of the community. The member for Collie–Preston made a very good point about communities and the benefit for communities.

I support the amendment before us which states —

To delete all words after “government” with the view to inserting the following words —

... only supports the sale of the TAB if there is a guaranteed ongoing benefit for the racing industry.

Amendment on the Amendment

Dr G.G. JACOBS: I move —

To amend the amendment by adding after “the racing industry” —

and local communities throughout WA

MR M.J. COWPER (Murray–Wellington) [3.37 pm]: I would like to remind members in this place that we are here for a specific reason: we were voted here by our constituents. I am here to speak on behalf of my electorate, which has, as pointed out by the member for Collie–Preston, something like 5 000 people involved in the racing industry, whether it be in the Murray, Harvey or Waroona Shires, and not one of those people has said to me that they wish to sell the TAB. In fact, to the contrary. I have had similar experiences to the member for Eyre when I go to the track where I am the patron. I recently travelled far and wide from the top to the bottom of the state with the member for Belmont, and everywhere we went not a single person said that they support the sale of the TAB.

The biggest issue we have is that we have a notion that we are going to sell the TAB, which has straightaway put uncertainty into the industry. Down my way, we have breeders, buyers and horse agistment places, and this notion has put a shiver of uncertainty through the industry. I have not much more to say, but I will say this. There is an opportunity for Western Australia on our time zone to go into Singapore, Hong Kong and Shanghai. We can compete on the mobile phone. Yes, it is a changing landscape and we need to move with the times, but there is a huge opportunity for racing in Western Australia to become the absolute mecca of racing in not only Western Australia, but also across the whole Asia–Pacific region if we get it right.

People in the Murray–Wellington electorate have said in the strongest possible terms that the government should not sell the TAB. Members should look at what happened to the former Premier of Victoria Jeff Kennett, who said that he rues the day that he ever sold the TAB.

Amendment on the Amendment

MR P. PAPALIA (Warnbro) [3.39 pm]: I move an amendment on the amendments moved by the Leader of the National Party and the member for Eyre —

To delete all words after “government” with the view to inserting —

only supports

And delete the words after “TAB” and insert at the beginning —

does not support

So that the words to be inserted will read —

does not support the sale of the TAB

This debate began as a debate on the sale of the TAB. Sadly, it descended into a debate about who sold out on the TAB. For decades, the member for South Perth was an advocate for retaining the TAB, and was the author of a report as a committee member that argued to retain the TAB. But he is now selling out in favour of the Premier's spurious arguments—his desperate need to have a list of assets to sell. The Premier's only motivation is not the interest of the industry, not the interest of people in racing, not the interest of thousands of people to whom the member for Murray–Wellington referred—none of that; his only interest is to try to provide himself with a fig leaf to cover the poor mismanagement of the state's finances over the last seven years. He wants to say something to the credit rating agency, "Please don't remove my AA+; please don't take that. I've already lost the AAA; I cannot afford any more loss of credibility." That is the only motivation for the sale of the TAB. In September 2013, the Premier said that he would not sell it. He has broken that promise. In September 2013, he promised the people of Western Australia that he would not sell the TAB. The National Party has the numbers, so if it decided to join the backbench members of the Liberal Party who have integrity on this matter and vote with the Labor Party, it would be able to deny the government even a remote possibility of selling the TAB. If National Party members were true to their word, they would stand with the people of the regions—those 55 clubs other than Perth Racing that benefit from the TAB. Perth Racing is one club that the Premier talks to. There are 55 other clubs around the state, across thoroughbreds, across pacing and across greyhounds. None of them want the TAB sold.

As we heard from the member for Murray–Wellington, if National Party members go out and witness those people's views, they will very rapidly come to the conclusion that the sale is a bad idea. People know that they are the beneficiaries of a well-run organisation. It is the premium organisation of its kind across the nation. It generated \$136 million in disbursements this year. During the last four years, it grew disbursements to the industry—\$40 million in tax to the taxpayer, besides the \$30 million over the last 10 years distributed to worthy organisations around the state, as the Leader of the Opposition indicated, such as the Riding for the Disabled Association. I happen to have a lot of interest in Riding for the Disabled. I am the patron for Riding for the Disabled in the Peel region. I can guarantee that members in this house are patrons of their local Riding for the Disabled organisations right around the state or, at the very least, are good supporters of it. It is undeniably a fine organisation, as are the other organisations that over the last 10 years have benefited from over \$30 million in grants from TAB proceeds. On 5 September, Riding for the Disabled held the state games, a major event as a result of a grant from the community TAB grants system. More than 1 000 riders of all ages with physical and intellectual disabilities attend centres around WA. We all know about it and we know its value. The Riding for the Disabled operations manager, Kelly Mansfield, said, "A lot of what happens for Riding for the Disabled would not be possible without the partnership it has with the community TAB." That is just as true of organisations such as Lifeline, Fremantle Sea Rescue, Anglicare, the Cerebral Palsy Association of Western Australia, the Salvation Army and Radio Lollipop. More importantly, they are vital contributions that will evaporate the moment shareholders on the east coast are the beneficiaries and not the people of Western Australia.

Those thousands of people in the racing, pacing and chasing industries in Western Australia whose employment is derived from these industries know that the government cannot guarantee the disbursements from that industry once the TAB has been sold. Once it has been sold, we will lose control. At the very best, the government will give them a mirage of confidence that they will get disbursements for a couple of years. Once the industry changes, the company will manipulate the proceeds. Ultimately, industry shareholders on the east coast will benefit and our product will suffer.

I was amazed that the member for Jandakot spoke. What an extraordinary contribution for him to lecture the likes of the member for Murray–Wellington and the member for Collie–Preston on racing—extraordinary. He was suggesting that somehow the TAB was on the back foot. The WA TAB is part of the new industry. It is leading the race. It is leading the surge towards taking on the new digital age. It is winning and that is why it is an attractive asset and why companies on the east coast want to buy it—first, because it is a prime competitor and, second, because it is a really good asset. Those companies will strip that asset from which revenue streams the taxpayers of Western Australia, industry in Western Australia and thousands of people benefit. One of those is the Lark Hill Apprentice Jockey of the Year, which I sponsor every year. This year I presented the award to Ashley Carmichael, a young woman at Lark Hill. Last year it was Chloe Azzopardi. Young people like that see the racing industry as their future, as a potential employment opportunity and the trainers who support them —

Mr J.E. McGrath: They will be looked after.

Mr P. PAPALIA: Does the member for South Perth know what? They do not want the TAB sold. As I was presenting young Ashley with a voucher worth \$300 to buy saddles and other equipment, I talked to Bob McPherson, David and Jenny Harrison and Greg Holme at Lark Hill. I guess he will have to confront the Premier himself when he gets the opportunity. None of them want the TAB to be sold. By the way, member for South Perth, if the government were to sell Belmont Racecourse, it would not have to sell the TAB to do up Lark Hill and provide all the other facilities required at Lark Hill for it to be the second track. It is already a magnificent track; it just needs a few more facilities. It should absolutely have community stables. Sell

Belmont Racecourse and do it that way. Tell Perth Racing to do that; do not tell it to support this spurious, ridiculous argument to sell a fine asset in the TAB. The member for South Perth knows that he has sold out on this one. All the Nationals have sold out on it. They will suffer in their communities because the 55 clubs around the state outside Perth Racing will not tolerate it. I commend the members for Belmont and Murray–Wellington for having the courage to stand up. A lot of other members on the Liberal Party back bench also want to do it. They are a bit skittish at the moment, but I reckon they might get some backbone when their constituents confront them. A lot of constituents out there are deadset against the sale of the TAB and they do not trust the man over there. They do not trust the “emperor” dictating to them, suggesting they will get a —

Mr P.T. Miles interjected.

The SPEAKER: Member for Wanneroo, I call you to order for the first time.

Mr P. PAPALIA: The Barnett government has lost all credibility across a range of areas and activities, but he has no credibility with this one.

The SPEAKER: Now we have to deal with a list of amendments. The first one, moved by the member for South Perth, is that the words after “house” in the original motion be deleted.

Division

Amendment (words to be deleted) put and a division called for.

Bells rung and the house divided.

Point of Order

Mrs M.H. ROBERTS: I understand that the bells had stopped ringing and people are not entitled to change sides.

The SPEAKER: You cannot change sides after the tellers are appointed. So that is it. The bells are still ringing.

Mr B.J. Grylls: Just make it clear what we are voting for.

The SPEAKER: We are going to. Member for Midland, the tellers have not been appointed. People can move sides until the tellers are appointed.

Mrs M.H. ROBERTS: Can I inquire, Mr Speaker, whether it is in order for the Liberal Party Whip to use undue pressure to get people to change sides.

The SPEAKER: The question is that the words to be deleted be deleted.

Division Resumed

The division resulted as follows —

Ayes (33)

Mr P. Abetz	Ms W.M. Duncan	Mr R.S. Love	Mr J. Norberger
Mr F.A. Alban	Ms E. Evangel	Mr W.R. Marmion	Mr D.T. Redman
Mr C.J. Barnett	Mr J.M. Francis	Mr J.E. McGrath	Mr A.J. Simpson
Mr I.C. Blayney	Mr B.J. Grylls	Ms L. Mettam	Mr M.H. Taylor
Mr I.M. Britza	Dr K.D. Hames	Mr P.T. Miles	Mr T.K. Waldron
Mr G.M. Castrilli	Mrs L.M. Harvey	Ms A.R. Mitchell	Mr A. Krsticevic (<i>Teller</i>)
Mr V.A. Catania	Mr C.D. Hatton	Mr N.W. Morton	
Ms M.J. Davies	Mr A.P. Jacob	Dr M.D. Nahan	
Mr J.H.D. Day	Mr S.K. L'Estrange	Mr D.C. Nalder	

Noes (24)

Ms L.L. Baker	Dr G.G. Jacobs	Ms S.F. McGurk	Ms R. Saffioti
Dr A.D. Buti	Mr R.F. Johnson	Mr M.P. Murray	Mr C.J. Tallentire
Mr R.H. Cook	Mr W.J. Johnston	Mr P. Papalia	Mr P.C. Tinley
Mr M.J. Cowper	Mr D.J. Kelly	Mr J.R. Quigley	Mr P.B. Watson
Ms J.M. Freeman	Mr F.M. Logan	Ms M.M. Quirk	Mr B.S. Wyatt
Mrs G.J. Godfrey	Mr M. McGowan	Mrs M.H. Roberts	Mr D.A. Templeman (<i>Teller</i>)

Amendment (deletion of words) thus passed.

Motion, as Amended

The SPEAKER: We will move on to the next amendment about which I want everyone to be clear in their minds. It is the amendment moved by the member for South Perth. Then there was a further amendment moved by the Leader of the National Party, which deletes all words after the word “government”. Do members want me to read it out so it is clear? We are dealing with the member for South Perth’s insertion of words, but there is an

amendment to those words by the Leader of the National Party. This is what the member for South Perth moved to insert —

notes that the state government has listed the WA TAB on the asset sales list and as part of the asset sales process, the state government will consider all impacts on racing in Western Australia to ensure the racing industry's ongoing sustainability and that the racing industry across the state benefits from any sale.

The Leader of the National Party has moved an amendment deleting all words after “notes that the state government”, so we have to agree whether you want to get rid of this amendment moved by the member for South Perth by deleting all the words after “notes that the state government”.

The question is that all words after the words after “state —

Point of Order

Dr K.D. HAMES: I am still confused, because I think we have to insert the member for South Perth's words first to get to the word “government” and after we have “government”, we delete the rest of the amendment and support the Leader of the National Party's amendment. If that is wrong, I need an explanation.

The SPEAKER: That is wrong, because if we do that and it is carried, the amendment is carried. We are trying to get words that are acceptable as an amendment. Is everybody clear?

Mr D.T. REDMAN: I just want to get clarity that if we support the amendment being put to the house now, are we able to get to the amendment that the National Party moved?

The SPEAKER: Yes, this is the amendment.

Mr F.M. Logan: Follow the bouncing ball!

Mr D.T. REDMAN: Further to that, I thought there was then another amendment that came from the member for Warnbro.

The SPEAKER: There is, but that is dealt with after your amendment is dealt with, depending on whether it is successful. The question is that the words after “that the state government” in the amendment moved by the member for South Perth be deleted.

Mr W.J. JOHNSTON: Mr Speaker —

Mr V.A. Catania: Follow the ball!

Mr W.J. JOHNSTON: That is exactly what I am trying to do. The member for South Perth has proposed certain words. The Leader of the National Party has moved that those words be amended, the member for Eyre has moved that those words be amended and the member for Warnbro has moved that those words be amended. How can they be dealt with in the order being proposed? Surely, we would deal with the member for Warnbro's amendment first, because he moved an amendment to the amendment moved by the Leader of the National Party. Once that resolution is dealt with, we would deal with the member for Eyre's amendment, because he is also dealing with the Leader of the National Party's amendment, and then we would deal with Leader of the National Party's amendment, which amends the words moved by the member for South Perth, and only then would we be in a position to deal with the member for South Perth's amendment.

Several members interjected.

The SPEAKER: Members!

Mr W.J. JOHNSTON: Otherwise, we would be agreeing to words that we might not agree to. We might choose to vote for words that we might not otherwise agree to. We might choose to vote in favour of an amendment to a set of words.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan, I am trying to listen to a point of order.

Mr W.J. JOHNSTON: We might want to support an amendment moved, say, by the member for Eyre, and then, if we are defeated, not support the Leader of the National Party's amendment. We have to go backwards; otherwise, we do not get an opportunity to vote for the words we support. These are amendments to the amendments, not amendments to the original position put by the member for South Perth.

The SPEAKER: Before any words are inserted, we must create the blank in which to insert the words. If members want to vote against the amendment of the member for South Perth, you create the blank, and then we fill those words with the amendment from the Leader of the National Party. That is how it works.

Mr B.J. GRYLLS: I seek clarification here. If the house defeats the amendment moved by the member for South Perth, do we then have the opportunity to go on to the subsequent amendments?

The SPEAKER: Yes, the one from the Leader of the National Party.

Mr B.J. GRYLLS: If the house defeats the amendment of the member for South Perth, can we move on to subsequent amendments?

The SPEAKER: You move to the next amendment. You move to the subsequent amendment moved by the Leader of the National Party.

Ms J.M. FREEMAN: It interests me that what the member for Cannington was saying holds true, because if we cannot vote firstly for what the member for Warnbro did in terms of that amendment, we cannot then vote for what the member for Eyre did. I understand that what you are saying, Mr Speaker, is that we need to create the vacuum; we need to remove the words. I understand we need to remove the words, but if that then goes through and the words are removed, we would then have to come in essence back to what the member for Warnbro moved. It may solve the point if the member for South Perth withdrew his amendment.

Motion, as Amended, Resumed

The SPEAKER: We have now moved into private members' time. We can move a suspension of standing orders to complete this process; otherwise, this business is suspended under standing order 61.

TAB — PRIVATISATION

Matter of Public Interest — Votes — Standing Orders Suspension — Motion

MRS M.H. ROBERTS (Midland) [4.02 pm] — without notice: I move —

That so much of standing orders be suspended as to allow the votes on the matter of public interest and all proposed amendments to be taken.

MR C.J. BARNETT (Cottesloe — Premier) [4.03 pm]: This has just been a farce. I think we would be willing to agree to a suspension on the understanding that the only thing that happens is the vote.

Mr B.S. Wyatt: That is all it was—to deal with the votes.

Mr C.J. BARNETT: I am asking the Speaker that all we deal with is the vote, because this has been an embarrassment for the Parliament and an absolute farce.

MR M. McGOWAN (Rockingham — Leader of the Opposition) [4.03 pm]: I would like to speak to the motion moved by the member for Midland while it is being prepared. I will speak briefly. I endorse what the member for Midland has moved, and I note that it is intruding on private members' business, which is opposition time, and we have a motion to be prepared. I would imagine that it would take only a couple of minutes while this is prepared for us to move and vote on it, and then conclude the voting on the matter of public interest. I note one simple thing. The matter of public interest that I moved was a statement of about eight words long. It was very simple. The amendments to it were moved by members of the government; so if there was a farce involved here, it is because the government moved an amendment to our motion in order to try to prevent members of the government from crossing the floor. That is all that happened here.

Several members interjected.

The SPEAKER: Members! It is the wish of the house that I leave the chair for five minutes to get some clarification so that everybody is happy, and then we will come back.

Sitting suspended from 4.05 to 4.28 pm

The SPEAKER: The first thing to deal with is that the member for Midland moved that so much of standing orders be suspended as to allow the votes on the matter of public interest and all proposed amendments to be taken. As this is a motion without notice to suspend standing orders, it will need an absolute majority in order to succeed. If I hear a dissenting voice I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Amendment to Motion, as Amended, Resumed

The SPEAKER: Now we move back to what we were doing, and the first question is the Minister for Regional Development's amendment to delete all words after "government" from the amendment moved by the member for South Perth.

Amendment (deletion of words) put and passed.

Amendment on the Amendment, as Amended

The SPEAKER: In effect we are now dealing with an amendment by the Leader of the National Party, who has moved to delete all words after “government” and insert instead “only supports the sale of the TAB if there is a guaranteed ongoing benefit for the racing industry.” After the amendment that was moved by the Leader of the National Party, I will deal with further amendments moved by the members for Warnbro and Eyre. The first amendment I will deal with is the amendment moved by the member for Warnbro, which reads —

To delete all words after “government” with the view to inserting —

only supports

And delete the words after “TAB” and insert at the beginning —

does not support

So that the words to be inserted will read —

does not support the sale of the TAB

Division

Amendment put and a division taken with the following result —

Ayes (23)

Ms L.L. Baker	Mr R.F. Johnson	Mr M.P. Murray	Mr C.J. Tallentire
Dr A.D. Buti	Mr W.J. Johnston	Mr P. Papalia	Mr P.C. Tinley
Mr R.H. Cook	Mr D.J. Kelly	Mr J.R. Quigley	Mr P.B. Watson
Mr M.J. Cowper	Mr F.M. Logan	Ms M.M. Quirk	Mr B.S. Wyatt
Ms J.M. Freeman	Mr M. McGowan	Mrs M.H. Roberts	Mr D.A. Templeman (<i>Teller</i>)
Mrs G.J. Godfrey	Ms S.F. McGurk	Ms R. Saffioti	

Noes (34)

Mr P. Abetz	Ms W.M. Duncan	Mr S.K. L'Estrange	Mr D.C. Nalder
Mr F.A. Alban	Ms E. Evangel	Mr R.S. Love	Mr J. Norberger
Mr C.J. Barnett	Mr J.M. Francis	Mr W.R. Marmion	Mr D.T. Redman
Mr I.C. Blayney	Mr B.J. Grylls	Mr J.E. McGrath	Mr A.J. Simpson
Mr I.M. Britza	Dr K.D. Hames	Ms L. Mettam	Mr M.H. Taylor
Mr G.M. Castrilli	Mrs L.M. Harvey	Mr P.T. Miles	Mr T.K. Waldron
Mr V.A. Catania	Mr C.D. Hatton	Ms A.R. Mitchell	Mr A. Krsticevic (<i>Teller</i>)
Ms M.J. Davies	Mr A.P. Jacob	Mr N.W. Morton	
Mr J.H.D. Day	Dr G.G. Jacobs	Dr M.D. Nahan	

Amendment thus negatived.

Amendment on the Amendment, as Amended

The SPEAKER: I will now deal with the further amendment to the Leader of the National Party’s amendment, moved by the member for Eyre, which reads —

To add after “the racing industry” —

and local communities throughout WA.

Amendment put and passed.

Amendment on the Amendment, as Amended

The SPEAKER: This is how the motion now reads —

notes that the state government only supports the sale of the TAB if there is a guaranteed ongoing benefit for the racing industry and local communities throughout WA.

Division

Amendment (insertion of words) put and a division taken with the following result —

Ayes (37)

Mr P. Abetz	Ms W.M. Duncan	Mr R.F. Johnson	Mr D.C. Nalder
Mr F.A. Alban	Ms E. Evangel	Mr S.K. L'Estrange	Mr J. Norberger
Mr C.J. Barnett	Mr J.M. Francis	Mr R.S. Love	Mr D.T. Redman
Mr I.C. Blayney	Mrs G.J. Godfrey	Mr W.R. Marmion	Mr A.J. Simpson
Mr I.M. Britza	Mr B.J. Grylls	Mr J.E. McGrath	Mr M.H. Taylor
Mr G.M. Castrilli	Dr K.D. Hames	Ms L. Mettam	Mr T.K. Waldron
Mr V.A. Catania	Mrs L.M. Harvey	Mr P.T. Miles	Mr A. Krsticevic (<i>Teller</i>)
Mr M.J. Cowper	Mr C.D. Hatton	Ms A.R. Mitchell	
Ms M.J. Davies	Mr A.P. Jacob	Mr N.W. Morton	
Mr J.H.D. Day	Dr G.G. Jacobs	Dr M.D. Nahan	

Noes (20)

Ms L.L. Baker	Mr D.J. Kelly	Mr P. Papalia	Mr C.J. Tallentire
Dr A.D. Buti	Mr F.M. Logan	Mr J.R. Quigley	Mr P.C. Tinley
Mr R.H. Cook	Mr M. McGowan	Ms M.M. Quirk	Mr P.B. Watson
Ms J.M. Freeman	Ms S.F. McGurk	Mrs M.H. Roberts	Mr B.S. Wyatt
Mr W.J. Johnston	Mr M.P. Murray	Ms R. Saffioti	Mr D.A. Templeman (<i>Teller</i>)

Amendment thus passed.

*Motion, as Amended**Division*

Question put and a division taken with the following result —

Ayes (34)

Mr P. Abetz	Ms W.M. Duncan	Mr S.K. L'Estrange	Mr D.C. Nalder
Mr F.A. Alban	Ms E. Evangel	Mr R.S. Love	Mr J. Norberger
Mr C.J. Barnett	Mr J.M. Francis	Mr W.R. Marmion	Mr D.T. Redman
Mr I.C. Blayney	Mr B.J. Grylls	Mr J.E. McGrath	Mr A.J. Simpson
Mr I.M. Britza	Dr K.D. Hames	Ms L. Mettam	Mr M.H. Taylor
Mr G.M. Castrilli	Mrs L.M. Harvey	Mr P.T. Miles	Mr T.K. Waldron
Mr V.A. Catania	Mr C.D. Hatton	Ms A.R. Mitchell	Mr A. Krsticevic (<i>Teller</i>)
Ms M.J. Davies	Mr A.P. Jacob	Mr N.W. Morton	
Mr J.H.D. Day	Mr R.F. Johnson	Dr M.D. Nahan	

Noes (23)

Ms L.L. Baker	Dr G.G. Jacobs	Mr M.P. Murray	Mr C.J. Tallentire
Dr A.D. Buti	Mr W.J. Johnston	Mr P. Papalia	Mr P.C. Tinley
Mr R.H. Cook	Mr D.J. Kelly	Mr J.R. Quigley	Mr P.B. Watson
Mr M.J. Cowper	Mr F.M. Logan	Ms M.M. Quirk	Mr B.S. Wyatt
Ms J.M. Freeman	Mr M. McGowan	Mrs M.H. Roberts	Mr D.A. Templeman (<i>Teller</i>)
Mrs G.J. Godfrey	Ms S.F. McGurk	Ms R. Saffioti	

Question (motion, as amended) put and passed.

PEEL–HARVEY CATCHMENT MANAGEMENT BILL 2014*Second Reading*

Resumed from 9 September.

MR M.J. COWPER (Murray–Wellington) [4.45 pm]: A week ago we were debating the Peel–Harvey Catchment Management Bill 2014, a private member's bill introduced by the member for Gosnells to establish the Peel Harvey Catchment Council governing body. I was talking about the history of the area and how it played a fundamental role in the development of not only the Swan River colony and later Perth, but also the state of Western Australia—and it continues to do so. I also talked about the Burke government establishing the Peel Inlet Management Authority in 1984 or thereabouts, although it might have been later than that. The Gallop government did away with that authority in 2004. To this day I am perplexed by why the Labor government did that. Here we are today debating a bill in which the member for Gosnells proposes to establish a very similar body.

We heard debate from members on this side of the house about how the Premier's office and the Department of the Premier and Cabinet have a conglomerate of responsible agencies that have dominion over the Peel–Harvey estuary. That is commendable, and I agree that we need to put something in place. Notwithstanding that situation, we have an ongoing problem with ownership in particular matters, and I will touch upon an example of that in a moment. Back in 2004, a dam was built on the North Dandalup River, a tributary of the South Dandalup River that runs into the Dandalup River, which runs into the Murray River, which subsequently runs into the Peel–Harvey estuary. At the time, Richard Court was the Premier and the Minister for Water was Paul Omodei. This was the last dam built in the hills, on the south west Darling scarp. During the process of establishing the dam, there was

discussion between government and land users, and people who lived within the vicinity, about riparian rights and the environment of the North Dandalup River. At that time, the policy position held by the then Court government was that there would be ecological flow released into that river, as is the case with many other rivers in south west. Since then, the river has flowed reasonably well, but no-one would not be aware that we have a drying climate and that there are competing pressures on the need to conserve water and the use of water.

Notwithstanding that, as I mentioned last week, the area in and around the estuary is a major food producing area. Landowners at South Dandalup have to continually deal with the Department of Water and the Water Corporation over the degradation of the river due to the lack of water coming out of the dam. Since then, a number of meetings have been held involving the directors general and previous ministers, and there is now a stand-off that has yet to be resolved. A number of problems have occurred. There is now an ecological and environmental issue to deal with, on which I will have to approach the Minister for Environment. The ecological system of the river has collapsed due to the lack of water coming down the river, notwithstanding at the moment there is still a bit of flow given we have had a little recent rain, albeit, restricted in recent times. Come another month or so, there will be no water flow back into that river and all the animals that live in the river, whether they be crustaceans or fish, will disappear. A whole range of birds that rely on the tree environment will disappear and, equally important, farmers will have no capacity to water their stock. There will be no water available for stock. We are now having ongoing meetings at which we are dealing with bureaucracies. In essence, herein is the problem with the Peel–Harvey estuary. Probably seven different bureaucracies have dominion over that estuary—the Department of Water, the Department of Parks and Wildlife, the Department of Transport, WA Police, the City of Mandurah and the Shire of Murray, to name a few. There is probably a host of others, such as the Water Corporation and so on. The problem is that they all operate within their own silos. They all deal within their own dominions or their own jurisdictions. There is no overarching control, connectivity or liquidity in the various government departments. It is becoming increasingly very frustrating for people in that area, particularly the landowners whom I represent.

Another example of the problems with the estuary is that a number of years ago a canal was built on the eastern side of the Peel estuary in and around South Yunderup. A channel was dredged that leads from the canal systems of South Yunderup all the way out past Boodalan Island almost to the middle of the Peel estuary. That was to allow boat access into the canal system. With the advent of the Dawesville Cut there has been a change in the oscillation of the actual estuary and the sediment and silt build-up in the channel has increased exponentially. A number of years ago, the Department of Transport did a deal with the Murray shire saying that it would relinquish to the Murray shire the management of the maintenance of that channel, and the state government gave the Murray shire a \$75 000 supplement, I suppose we could call it, to allow the shire to continue with that. With the advent of the Dawesville Cut, that \$75 000 was easily eaten into and has become a cost to the Murray shire in the vicinity of \$200 000 a year. The last dredging occurred about three years ago at a cost of about \$800 000. That required the Murray shire to borrow money to maintain the estuary. Previously in this place, I had spoken to the Minister for Planning and Infrastructure, Hon Alannah MacTiernan, about how I thought it was disingenuous for the state government to do a deal with the Murray shire and change the playing field with the advent of the Dawesville Cut, which has accelerated the silt build-up in the channel. Among all the other functions the Murray shire conducts every seven to eight years to do what is necessary, the shire has to find a considerable amount of money that it does not have the capacity to raise.

[Member's time extended.]

Mr M.J. COWPER: As a result, none of the various government agencies has direct ownership of it, notwithstanding that the Department of the Premier and Cabinet has, I suppose, a loose alliance. I am very interested to hear how a proposed body would be established. I am not sure that the Swan River Trust evokes a lot of confidence in the community with its capacity to manage the Swan and Canning Rivers. I suspect there is a fair bit of concern that it does not do the job as it should, given a fair bit of politics and bureaucracy is involved within that very organisation. But we certainly need to cut through to get some decisions made on the Peel–Harvey estuary—167 square kilometres of waterway, including the Murray, Serpentine and Harvey Rivers.

There are challenges for people in that area. As I mentioned before, I have difficulty when comments are made, particularly in the local newspapers, by people on the eastern side of the estuary who hold the view that the people on the western side should or should not do certain things. I find it extraordinary that they sit in their double-storey homes on the canals in Mandurah and comment, particularly when they had to fill in the Creery wetlands to establish their own homes. I find that very interesting. The farmers who have been operating farms for many years are acutely aware of the impacts farming has on that land—the people I believe are the experts in the field on what stock the land has the capacity to hold. I believe we should have an agency that will support farmers as opposed to someone standing over them with a big stick and whacking them about every time they go about their lawful business on their own properties.

The member for Gosnells raised in this place the issue of GD Pork, the great Danish pork company, which has bought an existing piggery in Coolup. I have heard comments from various places, including from the press who

have said that this company is a polluter of the waterways. I can tell them that that piggery has been operated by the Christmas family for more than 30 years. It was sold six or seven years ago to GD Pork. Every year since GD Pork took ownership of that piggery, the nutrient flow from the bores adjacent to the piggery that have been tested have reduced each year. I have heard people comment on the nutrient levels. That prompted the owners of GD Pork to put in additional test bores underground, upstream, if you like, of the piggery to establish the flow into the piggery. Guess what? The results have come through and the nutrient level flowing into the piggery is exactly that which is flowing out. GD Pork plans to remove the ponds and apply brand-new technology, which is exactly the type of investment in agriculture we need in Western Australia because it brings in state-of-the-art agricultural methods. GD Pork will use its evaporation ponds and enclose them and capture the methane that is emitted and use it as power generation for the plant. Some people, for their own reasons, have tried to scuttle this agricultural enterprise. I suspect it is a case of them not recognising that this is an agricultural area and, therefore, we can expect to find farm animals making noises and doing what farm animals do. If a person is not happy with that, perhaps they should not buy a property in a farming area. At the risk of offending a lot of people, we have about 40 000 horses in the Murray–Wellington electorate—a great number. They are a very important part of our community and a very important part of our industry in that area that employs a lot of people. Notwithstanding that, here are a number of people taking a pot shot at the cows and the pigs around the place, but do not actually look in their backyard when it comes to the contribution to nutrient run-off, in particular from horses. I am aware that the Shire of Murray is now saying to people who are, if you like, “lifestylers” who own properties that they have to put in a plan to demonstrate how they will deal with nutrient run-off. There are processes in place that are working, but there is nothing there that is orchestrated. The question before the house today in the form of a private member’s bill brought by the member for Gosnells is: should there be a body that looks after the management of it?

I have always held a strong view that is the view held by a number of people in my electorate, including those people who have been around for a long time, that if you ever want to know something, go and ask the locals. I bring to the chamber the name of Bruce Tatham. The Tatham family are a fishing family; they have been fishing on the Peel–Harvey estuary for many years. Bruce Tatham lives and breathes that environment. He has been appointed to a number of various boards over his journey; in fact, he was a member of the Peel Inlet Management Authority, going back a number of years. He and I have discussed some ideas he has brought to me on how we might go about better managing the environs. He is a person who could contribute to getting a better outcome for everybody in respect of where we are going in relation to the Peel–Harvey estuary.

One of the challenges for the river systems is boating. People like to recreate. If we go down there on a beautiful summer’s day, we will see people going up and down the Murray River. They will be going up to the Pelicans on the Murray cafe, then up to The Riv and then meander on up further to the Ravenswood Hotel—favourite places for many generations of people who go there to spend a lazy Sunday afternoon. The problem with it, though, like in any aspect of society, there are always one or two people who do not observe the amenity of the other people or they do not observe that they are potentially causing damage to the riverbanks. Certain areas of the riverbanks are degraded. What is very complex about this is that if the degradation occurs within the canals, it is a matter for the Murray shire. If it happens out in the main river, it becomes an issue for the Department of Transport—and if it is not part of the Department of Transport, it becomes part of the Water and Rivers Commission. There, in essence, lies another example of the demarcation or jurisdiction of responsibility of what section of the waterway belongs to whom. There has to be consistency, transparency and a place where people can pick up a phone and call direct to a one-stop shop and voice their concerns, whether it is regarding boats speeding on the river, the water lapping against the riverbanks causing degradation or providing boating facilities. Members might know that every time a person pays their boating licence at the Department of Transport, they pay a contribution to a fund called the boating industry fund. That fund pays for various things, such as boat ramps and upgrades of amenities, sillage and jetties. We have had some pretty good money spent in the Murray shire, might I add. We have some great facilities at the Pelicans, and new boat ramps in the area, and we are hoping that we will be able to add and provide more, particularly in and around the Ravenswood Hotel. The proprietors there, Jenny Taylor and Dave Lawn, have spent a lot of their own money in refurbishing the beer garden at the Ravenswood Hotel. Unfortunately, adjacent to that is this higgledy-piggledy broken down bank that is treacherous and is some reason for concern, particularly for seniors and the young.

I hope that working collaboratively with the community, the landowners adjacent to the water, and with the Murray shire, we can get this one over the line. It is a no mean feat because it will involve not only the shire, but also the Water and Rivers Commission, the Department of Transport and a whole host of people to achieve one outcome. As you can appreciate, Mr Acting Speaker (Mr I.M. Britza), given your experience as a local member, the time to deal with various government departments from time to time is a bit like herding cats—not exactly the easiest thing to do. People are well intended; I have no doubt that people are well intended and want to help. Unfortunately, sometimes process and regulation and the like cause outcomes to be delayed, and when things become delayed, they become frustrating and people become frustrated—particularly with their local members, local shires and government. In order to streamline all those things, I see some merit in having a one-stop shop.

I would encourage the ministers in this place get together, have a look at the private member's bill that is brought by the member—as is his right as an elected member of this place—and see how we could possibly appoint a governing body or a responsible body that has the capacity to deal with it. Would that be in the form of the Peel Inlet Management Authority? Would that be in the form of some new genesis of a range of government departments? The fact that it is controlled from the Department of the Premier and Cabinet here in Perth means that it will lack the capacity to have connectivity with the likes of the fisherman Mr Bruce Tatham, whether it be the local farmer on that eastern side, the landowners out at Birchmont, down at Fisherman's Point, at Nirimba or for that matter landowners in those areas that are becoming challenged by the urban environment and sprawl. If we do this correctly, there is great capacity and a great opportunity for expansion of the urban environment down that way. That is where the future of Perth will be. We already have a number of key points—the freeway, the railway lines, the water and the electricity—already there, as opposed to the northern suburbs of Perth, where every time we add another suburb, we have to tack on all the various infrastructure.

MR C.J. TALLENTIRE (Gosnells) [5.07 pm]: — in reply: I rise to conclude debate at the second reading stage on the Peel–Harvey Catchment Management Bill 2014. I thank all members who contributed to the debate. Thanks to the member for Murray–Wellington who brought his local knowledge and some of his experiences and history to it as well; my colleagues the member for Mandurah and the Leader of the Opposition; and also my thanks to the Minister for Water, Minister for Environment and Minister for Health, who I think was speaking more in his capacity as member for Dawesville. The bill we have presented to the house does exactly as the member for Murray–Wellington says. It endeavours to bring together all the bodies involved in looking after that Peel–Harvey waterway. During debate we have discussed the various agencies. There is a multitude—the Department of Fisheries, Department of Transport, various local governments, the Department of Water, the Water Corporation, the Department of Environment Regulation, Department of Agriculture and Food, and I dare say others with some stake, involvement and degree of responsibility. What we consistently find is that when it comes to resolving the problems of the Peel–Harvey, we just do not have a single agency that is in a position to take charge.

I will just dwell on one issue—that is, nutrient load. The member for Dawesville endeavoured to suggest that things were not so bad and perhaps things had gotten better. He drew on some of his experience from back in the Court government, when I believe he was Minister for Water Resources and worked closely with the then Water and Rivers Commission. He felt that things had, perhaps, improved. I want to correct him on that point. If I can just turn to the intended nutrient loadings on the Peel–Harvey system when the environmental protection policy was entered into back in 1992, which was a follow-up to the creation of the Dawesville Cut. The intention was that the nutrient discharge into the Peel–Harvey from the various rivers would be capped at certain levels and there would not be more than a total of 75 tonnes of phosphorus when the amounts from the various rivers were added up. What do we see? The 1992 discharge target for the Serpentine River was to be less than 21 tonnes a year, the Murray River target less than 16 tonnes a year and the Harvey River target less than 38 tonnes a year, recognising, of course, that these rivers have drains and other tributaries going into them. Those are the total loadings on each of the rivers. What have we found instead? There are figures in a report from a couple of years ago, so not today's figures, and that report was very well presented to the government. The figures are part of the “Water Quality Improvement Plan for the Rivers and Estuary of the Peel–Harvey System” and they are from September 2007, so I dare say they have gone up considerably more. If the government has better figures on this, it can let me know, but I am afraid there is a tendency in government not to provide factual information, so I am relying on the best available data I have been able to get. What do we see? The target for the Serpentine River was supposed to be topped out at 21 tonnes, but in 2007 there were 69 tonnes of phosphorous—more than three times what was to be the maximum. What do we see for the Murray River? The amount was 15 tonnes, so that target has been reduced by one tonne per annum. What about the Harvey River? The maximum target was supposed to be 38 tonnes in 1992, and in 2007 we find 61 tonnes. There we have it: a total of 145 tonnes of phosphorus when the total was supposed to be 75 tonnes. That total target was set in 1992, but instead in 2007 the total came in at 145 tonnes.

The ACTING SPEAKER (Mr I.M. Britza): Excuse me, member. Member for Midland and minister, you need please to keep the conversation down.

Mr C.J. TALLENTIRE: I think the issue of nutrient discharge into the Peel–Harvey is just one area with this need for an all-encompassing single, dedicated agency. The Minister for Health made the comment that we do not want something too regulatory, but I take the point the member for Murray–Wellington made that we want something that is governance at a local level—a governance arrangement that people can actually relate to and identify with. At the local level people do see the various activities of all those agencies I listed as being obscure.

[Quorum formed.]

Mr C.J. TALLENTIRE: This pressing need for a governance arrangement that works at the grassroots level is something local people can relate to. That is what we need, and indeed, that was the recommendation by Murdoch University —

The ACTING SPEAKER: Excuse me, member. Members, if you want to carry on a conversation, keep it down or go outside the chamber.

Mr C.J. TALLENTIRE: A report put out by the CSIRO into the Peel–Harvey estuary states —

... the critical point is that stakeholders and the general public lack an effective means to rehabilitate and manage the system **due to ineffective governance structures, or policies that are only weakly implemented**. The report highlighted a few areas of governance that were of particular concern, such as:

- **“Unclear roles and responsibilities”:** “The effectiveness of catchment-level policy interventions is frequently limited by overlapping jurisdictions and fragmented administrative structures. In some cases this resulted in weak or non-existent monitoring of assets.”

With this bill we seek we seek to resolve that ongoing problem of a lack of decent governance arrangements. Let us think about what is at stake with the Peel–Harvey; yes, it is people’s quality of life. It is things like their ability to go fishing and catch not just blowfish, but other fish they would like to catch; to be able to go prawning; to be able to visit things like the thrombolites at Lake Clifton; and to be able to recognise that the Ramsar site is well protected so we can be proud of it and look at the migratory birds that visit the area at different times. We want to be able to enjoy all of those things and support the massive community involvement that exists—that volunteer effort currently brought through the Peel–Harvey Catchment Council, the wonderful work it does and its incredible reports that set the way forward. All that needs to be backed up by the very best of governance arrangements and that is why we need a Peel–Harvey catchment management trust. It should not just be a body that has the ability to liaise with government agencies, but one with an ability to work with all government agencies and direct them—to be that overarching governing body. I thank members for their contributions and I commend the bill to the house.

Ruling by Acting Speaker

THE ACTING SPEAKER (Mr I.M. Britza): The question is that the bill be read a second time; however, I advise that the Peel–Harvey Catchment Management Bill 2014 if passed would provide for the payment of moneys in certain circumstances. Section 46(8) of the Constitution Acts Amendment Act provides that a vote, resolution or bill for the appropriation of moneys shall not be passed unless the purpose of the appropriation has been recommended by message of the Governor to the Assembly. I rule that this bill requires a message and note that one has not been received. Therefore, in accordance with the practice of the house, the question for the second reading will not be finally put to the house unless a message is received. I direct that the bill go to the bottom of the notice paper until a message is received.

Point of Order

Mr C.J. TALLENTIRE: Noting your remarks, Mr Acting Speaker, I am keen to know whether the government has sought a Governor’s message for this bill. I note that the government could well have pursued obtaining a Governor’s message, had it desired to do so, and I expected that it had.

The ACTING SPEAKER: That is not a point of order, member, as it is a discussion point.

Standing Orders Suspension — Motion

MR C.J. TALLENTIRE (Gosnells) [5.19 pm] — without notice: I move —

That standing orders be suspended so far as is necessary to enable the following motion to be moved forthwith —

That this house requests the Premier to advise whether the Governor has been requested to provide a message pursuant to section 46(8) of the Constitution Acts Amendment Act 1889 in relation to the Peel–Harvey Catchment Management Bill; and if not, why not?

The ACTING SPEAKER: I will seek advice, member.

Dr K.D. Hames: We will have five minutes each. The government will say no, and the opposition will say that it should seek a message.

The ACTING SPEAKER: Is the member for Gosnells happy to take this interjection?

Dr K.D. Hames: We will agree to the suspension. The member can make his case in five minutes, and I will respond for five minutes on behalf of the government, and give the answer that we will not do it.

The ACTING SPEAKER: Do you accept?

Mrs M.H. Roberts: We accept.

Dr K.D. Hames: He is moving to suspend standing orders. We will support the suspension motion, but I need to amend the motion.

Several members interjected.

Dr K.D. Hames: All right—as long as you are solid on five and we are solid on five.

Question put and passed with an absolute majority.

Motion

MR C.J. TALLENTIRE (Gosnells) [5.22 pm]: I move —

That this house requests the Premier to advise whether the Governor has been requested to provide a message pursuant to section 46(8) of the Constitution Act Amendment Act 1889 in relation to the Peel–Harvey Catchment Management Bill 2014; and, if not, why not?

The need for a Governor’s message to support this bill is so pressing because of the urgency of putting in place decent governance arrangements for the Peel–Harvey area. If we refuse to do that, we are failing the people who live around that estuary, we are failing the environment of that estuary that we treasure as Western Australians, and we are failing the intent of those who went before us and provided a mechanism to reduce things like nutrients going into the catchment. They provided ways for agencies to come together and work together to protect the marine environment, the fisheries of the area and the recreational asset. They intended that we have such a body. This government has an ideological bent against statutory bodies, but on this occasion it is vital that we create something that has the authority to bring together all the agencies that do their very best, but fail us because of that fragmentation. That has been documented in report after report. It is clear when we look at the nutrient levels and when we hear people’s complaints about the use of the waterway in a recreational and transport context. It is clear when we hear about people’s disappointment with the fishing experience. There is no consolidated regulatory management of the Peel–Harvey catchment. That is why we need to properly debate and consider this bill. We have gone so far with that, but now we need a Governor’s message to support it.

It will not be a huge impost on the state of Western Australia. We are talking about making sure that this statutory body has the necessary administrative and secretarial support so that it can function in bringing together all those different agencies. The Department of Fisheries can make a valid contribution, along with the Department of Water, the Water Corporation, the various local governments, the Department of Parks and Wildlife, the Department of Environment Regulation and the Department of Agriculture and Food. They can all work together but be directed by a single agency that makes sure that the direction of the Peel–Harvey catchment is positive, and there is no further diminishing of the environmental standards. That is what we are seeing at the moment—the standards are dropping.

We have seen already that the levels of nutrient loadings on the Serpentine River have more than tripled. When we look at the 1992 levels, it was supposed to be capped at 21 tonnes, but in 2007 we see it has grown to 69 tonnes. As much as I appreciated the contributions from the Minister for Water and the Minister for Environment, I did not hear any presentation of scientific information about the nutrient levels going into the Peel–Harvey catchment at the moment. I heard from the Minister for Health, the Deputy Premier, and member for Dawesville, that he thinks things might be getting better. I have presented in debate the facts about where those nutrient loadings are going. They are going dramatically upwards. The Serpentine River should be at 21 tonnes, but it is up at 69 tonnes per annum. That is a disaster that shows that the fragmented approach we have been using is absolutely failing us.

There is a need for this consolidated agency that can work with people. We are not talking about creating a bureaucracy that will just be another layer of red tape. We are creating a body that will work at a community scale. Anyone who lives in the Mandurah area, the Shire of Murray and the other shires that adjoin, including Serpentine–Jarrahdale, the Shire of Harvey —

The ACTING SPEAKER (Mr I.M. Britza): Excuse me, member. Members, there is a constant drowning in the chamber, and I am struggling to hear myself. If you want to talk, I ask you to leave the chamber, please.

Mr C.J. TALLENTIRE: The case is compelling. We need a single body that can fight for the Peel–Harvey, and the bill before us deserves a Governor’s message to deliver that.

DR K.D. HAMES (Dawesville — Deputy Premier) [5.27 pm]: It would ordinarily be the responsibility of the Minister for Water to respond, but because the motion requests the Premier to advise, and I am here as the Deputy Premier, it is important that I respond to this motion. No, a message has not been requested, nor will it be requested. If this had been put to the vote, we would have voted against it for the reasons that I have given previously. The member quoted the Peel–Harvey Catchment Council and its involvement. It has been critically involved in the system that has been established by this government under its commitment given at the last election. My understanding is that the council is very happy with those arrangements. It has only been in place for two and

a half years, but the vast majority of the phosphates and nitrates coming down those rivers are historical. Those phosphates have been coming down through the practices, particularly of farmers, for the last 100 years.

We need to go back and look at issues to do with the Bayswater main drain and the Bayswater Integrated Catchment Management Steering Committee. I was the local member, and Judy Edwards was chair of the committee managing that integrated catchment of the main drain. We had 70 tonnes of phosphate coming down that drain annually, the vast majority of it from the CSBP site that had been closed down years before, but still continued to leech phosphate through the soil into that catchment. It took many years of very hard work by the City of Bayswater and Dr Judy Edwards and the catchment management group to mitigate those very high levels of phosphate. That will be the case into the future, and this committee will do the job that is required. As I said, this was the commitment given by the Labor Party prior to the last election. It did not win the seat of Dawesville, although it won the seat of Mandurah, but, at the end of the day, that committee is in place and it is doing the job it was given funds to do, and I think that system is working very well. We do not need another body. We do not need another layer of governance over the people doing exceptionally hard work to look after the quality of the rivers. The member talks about what is happening in that catchment from his position in Gosnells. I talk about what is happening in the catchment from my position on the water. The member says that he would like to catch fish, but I go and catch those fish. He would like to catch crabs, but I go and catch those crabs. He would like to catch prawns, but I go and catch those prawns.

Several members interjected.

The ACTING SPEAKER: I am on my feet, member for Kwinana. Thank you.

Dr K.D. HAMES: This committee is not required. The government will not seek funding for it and, as I said, if the motion had been put before the house, we would have opposed it.

MR D.A. TEMPLEMAN (Mandurah) [5.30 pm]: I understand that only two minutes are left on the clock. The opposition is very keen to get this to a vote and the reason is very simple: the comments of the members for Dawesville and Murray-Wellington seem to paint a picture that all things are rosy in the Peel–Harvey estuary system. They should read the reports that have come out over the last five to six years, including one by Regional Development Australia in 2011, that say that all the indicators of the health and wellbeing of the system, such as water quality, nutrient levels that continue to get into the system and fishing activity et cetera, are showing cause for concern and a decline in the health of the system. The glossy, rose-coloured comments of the members for Dawesville and Murray-Wellington that the Peel system is hunky-dory are absolute rubbish; the facts are there. They should go and find the latest information on the Serpentine River. It has been described by a number of scientists in a number of recent reports as being biologically dead. I have quoted those reports in this place on a number of occasions, so those members should not come in here and say there is no urgency to this bill.

The Peel–Harvey Catchment Management Bill 2014 is urgently needed and it is important for people who permanently live in the region who actually understand why the whole health and wellbeing of that system underpins the health and wellbeing of the social and economic benefits and the economic sustainability of the region now and into the future. Members opposite should not come in here and say that everything is hunky-dory just because they throw out their crab nets in front of their holiday house jetty and catch a few crabs—that is rubbish! Go and talk to the government's mate Mr Peter Hicks; he knows about some of the reports that the Peel–Harvey Catchment Council has highlighted as cause for concern. It is not hunky-dory member for Dawesville—it is not hunky-dory at all! There are major concerns about the health and wellbeing of the Peel–Harvey estuary and the catchment, and for that reason the opposition has brought in this bill and wants to vote on it. We want to vote on it and we want a message sent to the Governor that money should be spent on a structure that we propose will address the issues that the member for Gosnells has so elegantly and effectively put in his original bill that was put before this house.

MS M.J. DAVIES (Central Wheatbelt — Minister for Water) [5.32 pm]: I am not sure how much time I have to speak.

The ACTING SPEAKER: You have three minutes.

Ms M.J. DAVIES: I have three minutes. A number of contributions have been made in this house over the course of this debate and this side of the house laid out very carefully why we do not support the Peel–Harvey Catchment Management Bill 2014. The previous contribution from the member for Mandurah totally misrepresented what the Deputy Premier had put forward.

Mr D.A. Templeman: Go and read *Hansard*.

Ms M.J. DAVIES: Absolutely! He sat in the house and listened to the debate.

Mr D.A. Templeman interjected.

The ACTING SPEAKER: Member for Mandurah, let us hear what the minister has to say.

Mr D.A. Templeman: Go and read what he said in his second reading speech.

The ACTING SPEAKER: Member for Mandurah, I am on my feet.

Mr M.P. Murray: Did anyone kiss them?

The ACTING SPEAKER: I call the member for Collie–Preston.

Mr M.P. Murray: Would you like me to withdraw as well so I can repeat it?

The ACTING SPEAKER: I am on my feet. I would prefer it if you did not say anything at all.

Ms M.J. DAVIES: This side of the house laid out why we would not be supporting this bill and we acknowledge that a significant amount of work has been put into bringing this bill to the house. However, we have structures in place that deal with the issues that have been raised. We have also spent a significant amount of money trying to deal with some of the issues that have built up over a long period. It is happening not just in the Peel–Harvey estuary; we are actually making some inroads into the Vasse model. We have been working with the member for Vasse on the Vasse–Wonnerup Wetlands and have put in place a number of interventions. We absolutely have a very high-level group of people sitting around a table making decisions and including the community, which is exactly what the previous member argued we should be doing, as did the member behind me, the member for Murray–Wellington, saying that we needed to make sure that we had input from the local community. That is encompassed in the structure that we already have. It has been in place for a short time and we need to make sure that we give it time to start delivering outcomes. I am very confident that we are on the right track in this space so we will not be supporting the motion or the member’s bill.

Division

Question put and a division taken, the Acting Speaker (Mr I.M. Britza) casting his vote with the noes, with the following result —

Ayes (18)

Dr A.D. Buti	Mr F.M. Logan	Ms M.M. Quirk	Mr P.B. Watson
Mr R.H. Cook	Ms S.F. McGurk	Mrs M.H. Roberts	Mr B.S. Wyatt
Ms J.M. Freeman	Mr M.P. Murray	Ms R. Saffioti	Mr D.A. Templeman (<i>Teller</i>)
Mr W.J. Johnston	Mr P. Papalia	Mr C.J. Tallentire	
Mr D.J. Kelly	Mr J.R. Quigley	Mr P.C. Tinley	

Noes (34)

Mr P. Abetz	Mr J.H.D. Day	Dr G.G. Jacobs	Mr D.C. Nalder
Mr F.A. Alban	Ms E. Evangel	Mr S.K. L’Estrange	Mr J. Norberger
Mr C.J. Barnett	Mr J.M. Francis	Mr R.S. Love	Mr D.T. Redman
Mr I.C. Blayney	Mrs G.J. Godfrey	Mr J.E. McGrath	Mr A.J. Simpson
Mr I.M. Britza	Mr B.J. Grylls	Ms L. Mettam	Mr M.H. Taylor
Mr G.M. Castrilli	Dr K.D. Hames	Mr P.T. Miles	Mr T.K. Waldron
Mr V.A. Catania	Mrs L.M. Harvey	Ms A.R. Mitchell	Mr A. Krsticevic (<i>Teller</i>)
Mr M.J. Cowper	Mr C.D. Hatton	Mr N.W. Morton	
Ms M.J. Davies	Mr A.P. Jacob	Dr M.D. Nahan	

Pairs

Ms J. Farrer	Mr R.F. Johnson
Ms L.L. Baker	Ms W.M. Duncan
Mr M. McGowan	Mr W.R. Marmion

Question thus negatived.

EMERGENCY SERVICES LEVY

Motion

Resumed from 9 September on the following motion moved by Ms M.M. Quirk —

That this house condemns the Barnett government for misappropriating funds collected by the emergency services levy for purely administrative purposes instead of for frontline emergency needs, and calls for a system of independent allocation of ESL funds to be implemented as recommended in the first Keelty inquiry.

MR J.M. FRANCIS (Jandakot — Minister for Emergency Services) [5.40 pm]: I start by acknowledging members of the opposition who have spoken to this motion; I do not have a list of names with me, but I know the member for Armadale made a contribution last Wednesday before this motion was adjourned. I say from the start that obviously the government does not support the motion brought to the house by the shadow Minister for Emergency Services, the member for Girrawheen, and I will outline the reasons why.

Firstly let me say that the wording of the motion —

The ACTING SPEAKER (Mr I.M. Britza): Members, if you want to have a conversation, I ask you to leave the chamber, please.

Mr J.M. FRANCIS: Firstly let me say that obviously the government will not support this motion and I will outline the reasons why. I do not mean to be provocative by saying this, but I would suggest that the motion is fairly harshly worded and, I would go so far as to say, pretty offensive to both the Fire and Emergency Services Commissioner and the staff of the Department of Fire and Emergency Services, purely through the use of the words “misappropriating funds”. As members know, the Fire and Emergency Services Commissioner, through delegated authority, has responsibility for the administration of every single cent spent by that department, whether the funding comes from the emergency services levy, consolidated revenue or any other means. He is the one who is responsible for making sure that every single cent spent by the department is spent in accordance with the relevant legislation. Obviously, in this case, we are predominately talking about the Fire and Emergency Services Act 1998, which was amended on 1 July 2003 to allow the raising of funds through an emergency services levy.

I would go so far as to say that if the Fire and Emergency Services Commissioner spent any money whatsoever that was not in accordance with the act, both the Auditor General and the Corruption and Crime Commission would be breathing down his neck. Every single cent he spends, he spends in accordance with the act and the annual reports provided by the Department of Fire and Emergency Services to this Parliament, to the government and to the public, outlining exactly where every single cent comes from and where every single cent and dollar is spent.

I want to provide some background on how we ended up with an emergency services levy. I will say from the start—I have said this publicly in the media before—that I actually support the model for the emergency services levy; I think it is a wonderful model. In respect of transparency of charges, fees, taxes or whatever we want to call it, in any government agency, I would say that the emergency services levy is actually a great model, and I compliment the member for Midland who, as minister back in 2003, introduced the amendment to the act to allow the raising of the ESL.

It was done for a number of different reasons at the time, but let me make it perfectly clear: the ESL is there to raise money for specific purposes, and I will just go through the advice I have on this. It is based on the level of service available and calculated on the gross rental value of most urban properties with a fixed rate charge per property in rural and remote areas. The document I am referring to sets out the operating arrangements and business rules that apply to the ESL, through a manual of operating procedures that forms the basis of ESL guidelines issued by the minister under section 36Y of the Fire and Emergency Services Act.

All property owners are required to pay either a GRV-based or fixed-charge ESL to provide the majority of the source of funds for the operation of —

The ACTING SPEAKER: Members, the conversations in the chamber are a little bit loud. I ask you to either quieten it down completely, or remove yourselves from the chamber.

Mr J.M. FRANCIS: It is for the operation of the career Fire and Rescue Service, which has obviously had a significant expansion over the last seven years. It grew slightly under the previous government, but I will talk about what we spend money on shortly: the volunteer Fire and Rescue Service; the local governments’ bush fire brigades; Volunteer Emergency Service units, predominantly down south; the Volunteer Marine Rescue Service; State Emergency Service units; and the Department of Fire and Emergency Services’ corporate support costs, associated with the above services.

That is where we spend the money, but obviously the predominant cost in all of that is in providing the equipment, the trucks, the resources, and the career firefighters who get paid, which we have added to significantly over the last six years. In fact, we have added just over 100 net additional career firefighters. There are also the costs associated with new fire stations, capital costs upright, and certainly there are a lot of other costs, such as the costs of running those fire stations, the costs of welfare, the costs of chaplaincy services, the cost of new boats and the cost of new trucks for volunteer bush fire brigades and the costs of the aerial firefighting fleet, which I will touch on shortly. It is a significant investment by the state to protect people’s lives, assets, homes and businesses, and all the critical infrastructure around the place such as roads, bridges, Telstra towers—whatever it might be. It is a significant task and we do not have to go too far to see how much more this government spends and what kinds of resources we get to protect the people of Western Australia every fire season. Obviously, as I said, there are SES units during storm seasons and during floods and whatever the emergency may be.

As a rough idea, one does not have to go too far through the annual reports—they are obviously a little more accurate than the budget documents because they are actually what was spent rather than what was forecast to be spent every single year—to look at the history of the ESL and how much of it relates to the actual operating budget of the Department of Fire and Emergency Services.

I will refer to some information that I am happy to table for the member for Girrawheen when I finish, but I will go through it for the purpose of *Hansard*. In 2003–04, under the Labor government, the actual operating budget for Department of Fire and Emergency Services was—I will round them up—\$145 million, and the ESL raised \$81 million; that was the very first year of the ESL. Essentially, the criticism is that the government is shifting the cost from consolidated revenue onto the ESL, and I accept that that is happening, but within the requirements of the act, obviously. In 2003–04, \$145 million was raised, of which \$81 million was raised by the ESL, which made up 56 per cent of the department's total budget. The very next year, 2004–05, under a Labor government, the actual operating budget was \$171 million and the ESL increased to raise \$126 million—a jump of 73.5 per cent of the total operating cost of the agency. We have gone from 56 per cent to 73.5 per cent, and the following year, as a percentage of the actual operating budget, it went to 76.3 per cent. The opposition's criticism is that this year we have taken it to 80 per cent. The following year, 2006–07, it went down to 66 per cent, and the year after that, 2007–08, it went back up to 74 per cent. There was a great lack of consistency, but that was the percentage that the ESL covered of the total operating budget of the agency and now department. In 2008–09, the first year of the Liberal–National government, when the member for Hillarys was the Minister for Emergency Services, before Troy Buswell and then me, the total operating budget went up to \$224 million and the percentage funded by the ESL was 75.25 per cent; in the following year, 2009–10, it was 69.73 per cent. The percentage then dropped down but went back up to 78.63 per cent. This year, we are at a record high as a percentage of the total operating budget of the department at 80.5 per cent, which means about 19.5 per cent comes from other sources, predominantly consolidated revenue.

I am interested in one of the comments made by the member for Armadale in his speech, when he accused the government of being tricky. He said the government was increasing the emergency services levy to cost shift away from, essentially, consolidated revenue. What is the opposite of tricky—untricky, anti-tricky, overt?

Ms R. Saffioti: Honest!

Mr J.M. FRANCIS: The member can give me another one. I would say that the government is whatever is opposite of tricky.

Dr A.D. Buti: You're being straightforward about being dishonest.

Mr J.M. FRANCIS: I am not, and the member should let me explain why. The member for Armadale says the government is being tricky and is trying to shift the cost. The total operating cost of the department in 2014–15 is \$359 million, and I will go through the significant achievements that has provided and that we are very proud of. I have said before that governments do not have money; taxpayers have money. Our job is to raise revenue as fairly as possible and to spend it where the community needs it. In this case, it is the provision of emergency services and the resources that go along with it. Nothing could be more transparent than putting the actual cost of providing that service on someone's rates notice. When people get their rates notice every single year, they know exactly how much their ESL is. I got my rates notice from the City of Cockburn a couple of months ago. I looked at it as I walked out the door today, and the ESL for my house in Atwell is —

Dr A.D. Buti: That's not what we are talking about; we're talking about how you use the money.

Mr J.M. FRANCIS: I will get to that, too.

Dr A.D. Buti: That's where you're tricky.

Mr J.M. FRANCIS: I had already started to explain that. The ESL for my 4 x 2 in Atwell is about \$251. The only alternative to telling people up-front how much we are charging them for their emergency services levy is to somehow charge them through an indirect tax or fee. Could anyone seriously tell me, with most of the other government services—I am not picking on anyone in particular, but first off the top of my head is a community service such as policing—how much tax they pay indirectly or how much they forfeit through royalties? The same could be applied to health or education. Can any member seriously tell me how much that cost them out of their family budget every single year? They cannot; they have no idea. That is not a criticism; that is a fact. With the ESL, people know how much it costs them—or at least what 81 per cent costs them! It is contained in their rates notice.

Dr A.D. Buti: That's not what we are talking about.

Mr J.M. FRANCIS: I will come back to my opening remarks about where it goes.

Dr A.D. Buti interjected.

The ACTING SPEAKER: Member for Armadale, he is going to address you directly.

Mr J.M. FRANCIS: The member for Armadale might have missed the start of my speech, when I went through section 36Y of the Fire and Emergency Services Act and listed what the ESL can be spent on. It does not get spent on anything more or anything less. I cannot spend the ESL on surf lifesaving, but I found that, so 19.5 per cent of its operating costs come out of consolidated revenue. The ESL cannot be used to fund a number of different services

and different organisations. I can tell members that every single cent that the commissioner spends is spent in accordance with section 36Y of the act, and that every single minister and government since this levy was introduced on 1 July 2003 has varied the rate—almost always progressively increasing the percentage of the operating budget of the department that is paid for by the ESL. I could turn around and lower the ESL to 10 per cent and 90 per cent would come from consolidated revenue, but people would not have any idea when they get their rates notice how much they are paying for emergency services, but I can tell members what: as I said, governments do not have money; taxpayers have money. Money does not grow on trees and someone would have had to put up some other tax in some other way in order to fund it. That is the reality of the state's books. It does not matter who is in government; it is a financial fact that the money has to come from somewhere.

Several members interjected.

Mr J.M. FRANCIS: Where do members think consolidated revenue comes from? Whether a person is a taxpayer or a ratepayer, essentially, they are same person.

Ms J.M. Freeman: You are just hitting them in another way.

Mr J.M. FRANCIS: At least I am not being tricky; I have the decency to tell people how much I am charging them. It is the opposite of tricky; it is being an open and honest government. It is saying, "This is how much this service is costing you and this is how we are going to collect it. You pay it through your rates." The alternatives are either to bring in an indirect tax or to cut funding to schools, police, hospital services, roads or whatever it might be. At the end of the day, even that funding would come from consolidated revenue, which is raised by an indirect tax and no-one would know how much they are paying. I argue come hell or high water that this is the most transparent way of raising finances for the Department of Fire and Emergency Services. The opposition wants to remove the levy and put it back into consolidated revenue. In 2003, 2004, 2005, 2006, 2007 and 2008 the percentage of the ESL funding the department's operating budget increased from 53 per cent to 73 per cent then 76 per cent, then decreased to 65 per cent and back up to 74 per cent, so exactly the same thing happened under a Labor government.

Ms M.M. Quirk: That was more in relation to the Cockburn headquarters. In 2007–08 there was an anomaly in the figures because of the Cockburn headquarters.

Mr J.M. FRANCIS: The percentage of the total operating cost is fairly consistent and I would say that the anomaly caught up with the rate in about 2011–12 when Mr Buswell was the minister and, essentially, the government put a significant injection into the department post-Keely and raised an amount of money, which it did not spend in that year and which trickled over to the next year. Obviously, the department cannot give it back to the government; it has to spend the money it raises. The government cannot use the ESL, and it has no intention of using the ESL to raise money to pay for anything other than what is prescribed in the act. In 2012–13 the percentage of total operating costs dropped back to 47.8 per cent, and then it went back up to 78 per cent. Other than an injection arising from the Keely recommendations, we have been on a steady and fairly constant trajectory of increasing the amount of overall percentage, plus the net amount, that ESL funds the department. That is fine; I do not have a problem with that. As I said, the alternative is to put up an indirect tax, and no-one would know how much they were contributing to pay for those services.

As I said, I want to again go through the things that we spend the money on. It is not a boast of the government, although it is exceptionally proud that it does this. I want to give members an indication of the size and scale of emergency services and the cost in the state of Western Australia. In the last six years, the government recruited, and obviously paid for, a net extra 100 firefighters. Roughly, off-the-cuff, by the time we weigh up superannuation, workers compensation and all the other associated costs, a firefighter costs \$100 000 a year. I do not know the exact salary, but WA has the best-paid firefighters in the commonwealth. I am absolutely proud of that, and they are too, because it is a bloody difficult job being a firefighter. It is dangerous and confronting. I will not go into the details, but members could imagine some of the scenes that they come across. I do not want to sidetrack the debate, but we should acknowledge the volunteer fire and rescue service and the State Emergency Service. They attend road crash rescues as well. They are volunteers and they see some horrific scenes out on the road. Predominantly, career fire and rescue firefighters see appalling and confronting scenes. Good on them! They deserve every single cent they get paid because it is a difficult and challenging job.

We do not have to go far back in history to see the cost trajectory of spending on aerial firefighting. I have spoken so many times in this place about how much we budget every single year for the aerial firefighting fleet, because when it comes to putting out fires the most effective way these days is aerial firefighting and predominantly helicopters. I will give one example of what we have done, which I did as minister, that increased the total operating cost to the Department of Fire and Emergency Services, which obviously increased the requirement to raise the emergency services levy, and that is the Erickson sky crane. Every single year until two years ago, the then minister, whoever it might have been, went to cabinet at the last minute and said, "Give me an extra three million bucks out of consolidated revenue." I know Troy Buswell did this as did the member for Hillarys, and no doubt whichever member of the opposition was minister at the time would have done exactly

the same thing. They would have gone to cabinet and said at the last minute, “Give me an extra \$3 million; I want to secure the services of the Erickson sky crane.” It is obviously a fairly old air frame, which has been modernised and rebuilt, but it operates very safely. It spends our winter in Greece, I think, and our summer here, so it comes back and forth every year. It travels through the off-season on a ship, comes to Fremantle and is put together. It costs \$3 million a year. Every single year, that was a last request by whoever the minister was. I sat there two years ago and thought: you want to be a bloody brave minister to go into a fire season in the state of Western Australia with a changing climate without that aerial asset that can drop 7 000 litres of water in one hit and reload in 50 seconds. That is amazing power for fighting massive fires. I spoke to the Fire and Emergency Services Commissioner about it and asked, “Would you be able to negotiate a better deal if you knew that you were going to need that for the next three or five years, rather than rushing in at the last minute trying to secure a contract?” He said, “Absolutely”, so I said, “Let’s put it in the budget.” He asked me how I was going to pay for it and I told him by putting up the ESL but that he would have to pay for it and negotiate a contract, not at the last minute, as has been done for years under the member for Girrawheen’s government and at the start of this government, so that he could get better value for money for the people who pay the ESL—the ratepayers and taxpayers. Whoever they are; they are predominantly the same people. That led to an automatic increase to the requirement of \$3 million every single year but what members can know is that I will not have to go out every single year saying, “I secured an extra \$3 million at the last minute, aren’t I great?” It gives absolute certainty. The same thing happened for negotiating the entire aerial fleet, so there is certainty in that. I can go back 10 years—I am not having a political crack here—and look at the trajectory of the increase every single year on what has been spent on aerial firefighting fees. Obviously, the population is growing and the climate has changed and the challenges of fire have increased dramatically; therefore, the requirement for the government of the day, whichever party it might have been —

Ms M.M. Quirk: You spend more money on emergency services and less on administration. That’s the same point we’re making, minister.

Mr J.M. FRANCIS: For whatever it might be, the cost has gone up and we now allocate just over \$20 million a year—every single year it gets bigger and bigger—to have the aerial firefighting fleet. It is not just that. I have spoken in this place about it before. We just need to look at where else the money might go. I think under the Labor government, the Success fire station was opened in 1999 and the Murdoch station in 2004–05.

Ms M.M. Quirk: Duncraig, I think.

Mr J.M. FRANCIS: Is that two fire stations in seven years?

Ms M.M. Quirk: There might be more.

Mr J.M. FRANCIS: Under this government there is Kambalda Fire and Rescue, and \$6.7 million for the Kiara Fire Station alone; \$1.8 million for a new SES headquarters at Belmont; and, \$2.5 million for a new Geraldton Fire Station, which is now being built.

Ms M.M. Quirk: It’s not yet built.

Mr I.C. Blayney: It’s about half built.

Mr J.M. FRANCIS: It is about half built, member for Geraldton. I bet the community of Geraldton absolutely love the fact that it will have a decent home for its firefighters. It is not cheap at \$2.5 million. The government committed \$5.5 million for the new Butler Fire Station, which was delivered, and one for Bridgetown. The government provided \$6 million or \$7 million just for the capes enhancement project; \$9.5 million was committed and construction is about to start on the Bunbury station, which should be finished in about 12 or 14 months. There is \$9.1 million in this year’s budget for Albany Career Fire and Rescue Station, which is to be finished by next year, and \$20 million for West Perth. I know that the member for Perth is very happy about that. I will not go into the detail but we all know the reason we needed another fire station close to the CBD.

To suggest that the ESL is being used purely for administrative purposes is absolutely wrong.

Ms M.M. Quirk: I didn’t suggest that

Mr J.M. FRANCIS: The member needs to read the wording of her motion. As I said, the ESL is administered by the Fire and Emergency Services Commissioner under the authority delegated to him in accordance with the act. If he is misappropriating money—he is not allowed to under the act—as I said, he would be breaking the law. I know that the commissioner is not breaking the law. The member for Girrawheen may not like the fact that the ESL has gone up; she might not like the fact that we have been transparent with the ratepayers, taxpayers and householders—the people of Western Australia—about how much we are charging them but, as I said, I find that very open and transparent.

I refer to some of the other things we have spent money on. I am exceptionally proud—as should be the two ministers before me when they had this portfolio under this government—of the average age of the firefighting fleet. I have spoken about this in this place before. All those volunteer bush fire brigades, which are almost

overwhelmingly the main responsibility of the local councils, including all the trucks, whether they be light or heavy tankers, are all paid for by the ESL—absolutely every single bit of it. There are 644 appliances across the state: 222 light tankers, predominantly the LandCruisers, and 422 medium-to-heavy tankers. There is a definition on what is over age and under age, by the way. A heavy tanker's age threshold is 16 years and the average life of a light tanker is 10 years. On those figures alone the member for Girrawheen can look at the massive investment we have made on the firefighting fleet in Western Australia. I go back to 2002–03 when 31 per cent of the entire fleet of fire trucks was over age. I think I held up a photo in here once before of the bulk water tanker that used to belong to the Jandakot Fire Station. It was an old rubbish dump truck, with a tank put on the back, donated to the brigade by the City of Cockburn. The old yellow truck was already past its life when it was given to the Jandakot volunteer bush fire brigade by the City of Cockburn. Now the Jandakot station has a brand-new 12/2. I do not know what a 12/2 is worth—\$150 000 or \$200 000. They are not cheap appliances. In 2002–03, 31 per cent of the fleet was over age.

Ms M.M. Quirk interjected.

Mr J.M. FRANCIS: Okay, in 2003, there were 26. All credit to the member; during the Labor years, the average age of the fleet was coming down. In 2004–05 it was at 22 per cent; in 2005–06, 20 per cent; and 2007–08, when the member left office, it was 15 per cent. In 2012–13 it was zero. By 2012–13 every single truck in the fleet was within its age restriction. Right now, as I speak, that is not the case. Some of them have crept over by just a couple of per cent because, as part of our review of the fleet and because we will look at what we call the future fleet program, we will not spend money on a truck that will be replaced by a new model, whether it be a light or heavy tanker, in the next couple of years. It is a couple of per cent at the moment.

There has been a massive investment to ensure our firefighters, both career and volunteer, and our emergency service workers, whether they are SES or whatever they might be, have the newest possible equipment that the state can provide. This costs an absolute mammoth amount of money. On top of that, predominantly funded by royalties for regions, are the crew protection upgrades, the investment we put into every single new fire truck and retrofitting old trucks with radiant heat shields, burn-over blankets, new radios and all the upgrades to all the volunteer bush fire brigades in accordance with the act and all the training and protection equipment that goes with it for both volunteer fire rescue and bush fire brigades and the national standards. It costs an absolute bucketload of money because our firefighters, whether they are paid or volunteers, deserve the best equipment, the best resource and best training the state of Western Australia can provide them.

Opposition members cannot seriously sit here and argue that the government should not do that. The bottom line is that someone has to pay for it, and rather than putting up an indirect tax, we wanted to be up-front and clear. Sure, we might cop a bit of political heat over it, because people's rates went up and the emergency services levy component is listed on their rates notice. We wanted to be absolutely crystal clear with people and tell them how much we are charging them. People can see the value of the ESL every time they see a helicopter fly over them in the bushfire season or they look at fire trucks passing them on the way to a house, building or bush fire. One only has to ask the people of Boddington and Northcliffe whether they think it is worth paying the ESL. One only has to look at volunteer sea rescue.

How many people have boats? I am not the Minister for Transport or Fisheries, but I think we have one of the highest percentages of private boat ownership anywhere in the country. Why wouldn't we? We have such beautiful beaches, Rottnest Island and the great Western Australian coastline. Every time someone goes out in their private boat, as long as they are within the catchment area of a volunteer sea rescue group, they know that if they get into trouble, they can make a radio call and someone will come and help them. If the boat breaks down, they will get a tow home. They might be asked to put a few bob in the bucket for petrol or make a donation, but it is not compulsory. It would be good if people did make a donation, because there is a bit of an issue of people going to Rottnest with half a tank of petrol and running out of fuel and expecting someone to tow them home. Ask Jim McGinty, who I think is still an active member of the Fremantle Volunteer Sea Rescue Group, about the quality of boats that have been provided there that were paid for by the ESL.

Ms M.M. Quirk: Not until this year.

Mr J.M. FRANCIS: The member is right, but the group got new boats, equipment and all the resources that go with it. The electricity gets turned on so its members can operate the radios, phones and everything else. It all costs a bucketload of money.

Dr A.D. Buti: The submarines.

Mr J.M. FRANCIS: I do not think the ESL is funding submarines somehow, unless the member knows something that I do not know, and in that case I would be pretty concerned! The member for Armadale would have made a great candidate in Canning.

Dr A.D. Buti: You would have been an outstanding candidate for the Liberal Party in Canning. Why didn't you make the jump?

Mr J.M. FRANCIS: Probably for the same reason the member did not.

The ESL as a percentage of the budget predominantly every year, other than the anomaly of the injection of the Keelty funding, when the ESL was not spent that year and it was carried over—it was essentially reserved to be spent on only these things—is spent on whatever it might be that requires financing in order to provide a world-class emergency services system in Western Australia. Not only that, we then have the ability and the resources to help out our friends when they are in need. I have firefighters right now in the United States. As we stand here today, the United States has terrible fires burning in California. Our hearts, thoughts and prayers should definitely be with the people of California at the moment. I mean they have lost —

Ms M.M. Quirk: And in Indonesia.

Mr J.M. FRANCIS: The member for Girrawheen is right, and in Indonesia and a number of different places. I think the last count I saw was that 580 houses had gone in one area of California alone. We want to be able to help our friends in need, just as when we get into trouble, we can pick up the phone to our friends in the eastern states and ask for resources. We did that this year in Northcliffe. We brought in about 120 firefighters from the eastern states and the really, really big fixed-wing firefighting aeroplanes. The planes flew out of RAAF Base Pearce, down to Northcliffe and back, just to dump one load. We have reciprocal arrangements with other states, and we want to be able to meet them. We want world-class training for our firefighters and for them to have all the best equipment and the best personal protective equipment and, as I said, it all costs money.

I will come back to the member for Girrawheen's motion. To suggest that the government is misappropriating funds collected by the emergency services levy is essentially saying that Commissioner Gregson —

Ms M.M. Quirk: No, it does not say that.

Mr J.M. FRANCIS: By delegated authority, he is the person who spends every single cent. If the member is saying that Commissioner Gregson is somehow magically taking instructions from me to breach the act and spend money on things that he is not allowed to under the act, if that is the member's accusation, say it. I reckon the Corruption and Crime Commission and the Auditor General might have something to say about that. It is just not happening. The commissioner is a man of absolute integrity, as are the rest of the people who work for him, especially when it comes to the expenditure of ratepayers' ESL and taxpayers' money.

This week we announced the rollout of the volunteer fuel card.

Ms M.M. Quirk: Funded by royalties for regions.

Mr J.M. FRANCIS: Almost, but not entirely, and I will tell the member why. If the brigade, group or unit volunteers—State Emergency Service, sea rescue, St John Ambulance—fall into a royalties for regions gazetted area, they will be covered by royalties for regions, but the rest will be funded through consolidated revenue. I cannot use the ESL to pay for the fuel card because I know that that would be in breach of the act. Therefore, funding for the fuel card is not coming out of the ESL component of the department's budget. I am not going to direct the commissioner to break the law. He does not do that; it just does not happen. Annual reports are tabled in this house by every government agency, every year, including the Department of Fire and Emergency Services, and agencies can expend the money only in accordance with the act. I cannot tell the commissioner to break the law, and he would not do that anyway. I do not accept that the Fire and Emergency Services Commissioner is "misappropriating funds collected by the emergency services levy". He is just not doing that.

Secondly, as I said, member for Armadale, I do not accept that what the government is doing is sneaky or tricky in any way. I think whatever the opposite of sneaky and tricky is, that is what we are doing. Sure, we may bear a bit of political pain for being honest and open with people and telling them how much we will charge them and that we are going to charge them more through the ESL on their rates notice, but the only alternative if we want this world-class service that we are so proud to be delivering is to put up an indirect tax—a hidden or secret tax that no-one knows they are paying.

Of course, member for Girrawheen, we acknowledge that we have moved towards—as did the member's government—funding a greater percentage of the department's budget through the ESL, but there are some things that just cannot be funded through the ESL and we are funding them out of consolidated revenue. We are doing exactly what the Labor Party did in government; we are following that trajectory. We are doing exactly what the member for Hillarys did when he was the Minister for Emergency Services and exactly what the member for Midland did when she was the minister. We are probably almost at the point at which we have reached the limit without making some kind of amendment to the operating manual in the act or whatever it might take.

On 1 July 2003, when the member for Midland was the Minister for Police and Emergency Services and amended the act through this Parliament, she got it right. If there was an issue with the percentage that the department was funded through the ESL rather than consolidated revenue, it should have been limited in the act at the time, if that is the point of the member's motion, but it was not. If there is an issue with what the department can and cannot spend the ESL funds on and Labor Party members do not like what the commissioner

is spending the levy funds on, they should have limited that in the act as well, but they did not. We are not breaking the law and we are not doing anything wrong; we are doing everything as transparently as possible. We might take political pain for that, but we are doing what is required to provide a world-class service to the people of Western Australia and provide all the equipment, training and resources, including new trucks, crew protection—you name it—to our career and volunteer firefighters, SES and Marine Search and Rescue workers. They bring the boats and horses at their own cost. We are doing whatever it takes to ensure that they have the best of the best in the world. That costs money, and we are being very open and transparent about the way that we are raising that money.

MS M.M. QUIRK (Girrawheen) [6.19 pm] — in reply: The minister did not address a number of the issues I raised in my speech, so I need to reiterate a couple of them. Members, that was a fantastic example of smoke and mirrors. Basically, I have been verballed. The motion is not about the integrity of the Fire and Emergency Services Commissioner nor is it about the integrity of public servants; the motion condemns the Barnett government for misappropriating funds. The minister is being very cute. He is responsible for that agency's budget. He is the one who goes along cap in hand to Treasury and justifies and puts a case up for funding from consolidated revenue, and he is the one who got rolled. Pressure was brought to bear on the department this year and the commissioner in estimates in the other place, as I quoted, frankly admitted that increasing amounts of the ESL pool were being spent on administrative costs and less was being contributed by the government itself under consolidated revenue. As I said, the minister needs to take some responsibility, because he was rolled by Treasury.

To talk about what is spent on emergency services is not the point. I had the dubious honour of being in the chamber when the legislation was debated, and I had the privilege of travelling around to many units to, if you like, sell the bill to them before it was brought into this place. People such as the member for Hillarys and the then Leader of the Opposition, Paul Omodei, were very concerned that part of the revenue from the ESL would go to matters that were not directly related to emergency response or mitigation. They were concerned that it would be spent on administrative costs and they were concerned that the government itself would contribute less, and all those things have in fact come to pass under this government's administration. I am well aware of the history of the legislation, and the assurances given by the minister at the time, Hon Michelle Roberts, that this would not occur. In my view, this is part of the mischief of the legislation. The intention of the legislation was very clear and the minister put her hand on her heart and said the levy would be spent on matters directly related to emergency response.

As the current minister has explained, the emergency services levy amount a householder has to pay obviously depends on location—whether people have access, for example, to career firefighting services—and also gross rental value. The ESL is very much linked to property ownership and the argument at the time was that it replaced a system by which insurance companies paid, but those who insured offshore were effectively not contributing to the costs of running emergency services.

I mentioned marine rescue and I think it does a wonderful job, but people do not pay under their household insurance policy, or effectively under the ESL, for marine rescue, because that is a separate issue. It has always been treated separately and has been funded out of things such as Lotterywest and other sources. Yes, marine rescue always did have trouble fundraising and so on, but two wrongs do not make a right. Why should people who do not own a boat pay for marine rescue? I find that a bit interesting.

Mr J.M. Francis: There are lots of people who go out on boats they do not own.

Ms M.M. QUIRK: Yes, but at some stage there is insurance on those boats, but there is no levy on boats for marine rescue.

Mr J.M. Francis: Another point, though, if you are making that point—I am just trying to add something worthwhile here—is that there are people who live in apartments in Scarborough who pay the ESL and that goes to funding the cost of the helicopters to put out fires for people who live in the bush. You could just as well make that argument. Why should people who live in apartments pay the ESL? Sometimes they go out to the bush as well.

Ms M.M. QUIRK: Their unit in Scarborough might burn down and the local fire station, which is probably at Osborne Park, although there might be one closer than that that, will send people to rescue them.

Mr J.M. Francis: But sometimes they might go bushwalking.

Ms M.M. QUIRK: What I am saying is that there is a direct nexus between property ownership and the levy, whereas there is not that direct nexus with marine rescue. I do not want to take too much time on it, but that is one of the sleights of hand that we now have to deal with.

Mr P.T. Miles interjected.

The ACTING SPEAKER: Member!

Ms M.M. QUIRK: The minister has talked about how volunteers are funded, but that is effectively the large number of bush fire brigades funded by local government under local government grants, and that amount has stayed static for a number of years—it is a little over \$30 million. In Western Australia we are much more heavily reliant on volunteers than in any other jurisdiction, so on average in Australia there are 63.5 career firefighters per 100 000 people, but in Western Australia there are only 48 career firefighters per 100 000. Effectively, that means that volunteers need to take up the slack, so there is an increasing amount of money under the ESL, but the amount that goes to bush fire brigades has not gone up.

I mentioned two things that I could not really understand the ESL would fund: \$80 000 for a branding exercise by the Department of Fire and Emergency Services and an \$800 000 contract for graphic work for the department. Both of those things seem to be really above and beyond and have no nexus with emergency response.

The next issue the minister raised is that the ESL is on the rates notice and it is transparent, and people know what it is spent on. They would have a view that it was spent within their local government area, because it is in the local government rates, but the minister and I know that a very small percentage is actually spent in the local government area where the levy is imposed and a lot of money goes back into the central coffers, if you like. That is a lack of transparency there. There is also the issue that local government is now not properly funded to administer the imposition of that levy. It costs them money.

Mr J.M. Francis: We give them about \$2 million a year.

Ms M.M. QUIRK: It is not enough. They say they are short of money and if the ESL is not paid —

Mr J.M. Francis: I would argue they should be doing it for free. It costs them absolutely nothing to add a line on their rates notice.

Ms M.M. QUIRK: It costs them every time they have to change a computer program to change the rate. It also costs them, for example, if people do not pay their ESL and local government has to pay for the debt collection. I understand that the Western Australian Local Government Association came to the government and advised that councils were out of pocket by virtue of collecting this ESL.

The minister also asserted that this motion was political in nature, but I remind him that Mr Keelty's first report, the Perth hills bushfire review, made a recommendation that this money should be administered and collected independently and he suggested this be done by the Department of Finance. I certainly think, and the opposition thinks, that even if the government, which has rejected this recommendation on a number of occasions, is not prepared to hand it to a separate authority, a separate inquiry is nevertheless warranted. The act has been in force for over 10 years or so and it is probably appropriate that we review how the collection and the expenditure of the ESL is going. A review is currently taking place on all the emergency services legislation, and in the concept paper that was supposed to generate discussion there is a chapter on the ESL. However, it has been indicated that the submissions from the public on that concept paper will not be made public, so because of that when the legislation is introduced, we will not know how people feel about the ESL.

The other example I want to raise is the lack of money in Northcliffe to do some prescribed burning. The district officer told two different units, one from, I think, the bush fire brigade and another from a unit attached to the Department of Fire and Emergency Services, that there was insufficient funding to do prescribed burns on the western, eastern and northern sectors around the town of Northcliffe, where some of the fuel load was over 20 years old. That concerns me. When we are talking about coffers of over \$300 million, there is not a few thousand dollars available to fund the volunteers to do the prescribed burning around Northcliffe that they wanted to do.

Mr J.M. Francis: So you want to be able to use the ESL to fund mitigation?

Ms M.M. QUIRK: Well, yes.

Mr J.M. Francis: That would require an amendment. That is fine, if that is your policy.

Ms M.M. QUIRK: If not, it is a training exercise. In any event, the government is placing resources at risk for a mere few thousand dollars so that it can feed some volunteers. If that training exercise happens to be prescribed burning, so be it, but I cannot see the equity, with all this money being paid under the emergency services levy, for a township like Northcliffe that went through the trauma last year. The Minister for Environment can laugh, but only last week another controlled burn escaped and did a small business out of a day's earnings because of the mistake of burning when the temperature forecast was in the low 30s.

Mr A.P. Jacob: Should we know what the temperature will be a week before it happens?

Ms M.M. QUIRK: I can go into my mobile phone and tell the member what the temperature will be next Thursday.

Several members interjected.

The ACTING SPEAKER (Mr N.W. Morton): I have been allowing some generally civil interaction between the minister and the shadow minister, but I do not want it to descend into a free-for-all. Member for Girrawheen, you have the call.

Ms M.M. QUIRK: I note the point about mitigation, and that the ESL is by and large spent on response, but a stitch in time saves nine. The minister may need to, as part of a review, re-examine whether some of those funds should be put towards mitigation. As I said, there is a fine line between training and mitigation exercises, so I do not accept that it necessarily hampering. I am just not sure why this money is being spent on human resources, media, branding exercises and a number of administrative matters that are clearly not related to emergency response. There needs to be a review, given that 70 per cent of the volunteers effectively receive 30 per cent of the funding. There needs to be some detente with local governments to ensure that they are able to train, equip and administer the ESL collection.

Finally, I will give the minister a bouquet. I am very pleased that the Aboriginal cadet program is a finalist in the Premier's awards. Aboriginals have a long history of being custodians and guardians of our landscape. I went to the launch of that program, and it is terrific that these kids will have a future in fire and emergency services. I wish the program well in the Premier's awards.

Just to summarise, we are not making any accusations about the commissioner or public servants. It is in the minister's court; he is the one who has to get the funds out of consolidated revenue. He has failed to do so, and therefore he is dipping into the ESL for matters that are clearly not within the contemplation of the original legislators. As I said, I sat through that debate in here, and I have a recollection of what was said. What is being done is very contrary to the intention of the legislation.

We have not had an adequate explanation for why there is expenditure for these other matters which, as I said, is not insubstantial. Thirdly, there needs to be an independent assessment of the current scheme with a view to revisiting the funding arrangements, especially those for local government.

Question put and a division called for.

Bells rung and the house divided.

Several members interjected.

The ACTING SPEAKER (Mr N.W. Morton): Thank you, members! Just on that point of order, I think that has been discussed at length today, and I have not yet appointed the tellers, having been well across the standing orders, member. Anyway, let us just get back to this, please.

Division

The division resulted as follows, the Acting Speaker (Mr N.W. Morton) casting his vote with the noes —

Ayes (16)

Ms L.L. Baker	Mr D.J. Kelly	Ms M.M. Quirk	Mr P.C. Tinley
Dr A.D. Buti	Mr F.M. Logan	Mrs M.H. Roberts	Mr P.B. Watson
Mr R.H. Cook	Ms S.F. McGurk	Ms R. Saffioti	Mr B.S. Wyatt
Ms J.M. Freeman	Mr P. Papalia	Mr C.J. Tallentire	Mr D.A. Templeman (<i>Teller</i>)

Noes (31)

Mr F.A. Alban	Mr J.M. Francis	Mr S.K. L'Estrange	Mr D.C. Nalder
Mr C.J. Barnett	Mrs G.J. Godfrey	Mr R.S. Love	Mr J. Norberger
Mr I.C. Blayney	Mr B.J. Grylls	Mr J.E. McGrath	Mr D.T. Redman
Mr I.M. Britza	Dr K.D. Hames	Ms L. Mettam	Mr A.J. Simpson
Mr G.M. Castrilli	Mrs L.M. Harvey	Mr P.T. Miles	Mr M.H. Taylor
Mr M.J. Cowper	Mr C.D. Hatton	Ms A.R. Mitchell	Mr T.K. Waldron
Mr J.H.D. Day	Mr A.P. Jacob	Mr N.W. Morton	Mr A. Krsticevic (<i>Teller</i>)
Ms E. Evangel	Dr G.G. Jacobs	Dr M.D. Nahan	

Pairs

Mr J. Farrer	Mr R.F. Johnson
Mr W.J. Johnston	Ms W.M. Duncan
Mr M. McGowan	Ms M.J. Davies
Mr J.R. Quigley	Mr W.R. Marmion
Mr M.P. Murray	Mr P. Abetz

Question thus negatived.

PERTH AND PEEL@3.5MILLION — HOUSING SUPPLY*Motion*

MS R. SAFFIOTI (West Swan) [6.40 pm]: I move —

That this house expresses concern that the government's Perth and Peel@3.5million plan does not provide for an adequate level of housing supply for the future.

Mr B.S. Wyatt: Hear! Hear!

Ms R. SAFFIOTI: Thank you, member for Victoria Park for that unqualified support. Today we are expressing concern that has been put to me by a number of people in the industry. I do not normally come in here and refer to one submission, but I will reflect significantly on the submission made by the Urban Development Institute of Australia.

Mr B.S. Wyatt: It is quite an extraordinary submission.

Ms R. SAFFIOTI: It is quite a significant and extraordinary submission, member for Victoria Park.

Mr J.H.D. Day: And one which you endorse, by the sounds of it.

Ms R. SAFFIOTI: That is awful and so personal and aggressive, minister!

The ACTING SPEAKER (Mr N.W. Morton): Order, members!

Ms R. SAFFIOTI: The motion states "expresses concern". We could have used the word "condemns" but we want this to be a very good debate.

Mr B.S. Wyatt: The Minister for Planning is on the front foot.

Ms R. SAFFIOTI: I know. The minister is dancing down the wicket. What is it called—the reverse sweep? I would not want the minister to try the reverse sweep on this one!

Today we want a general debate about the direction of planning in Western Australia. One of the key points raised in this report that I will make right at the start is that it is clear to us on this side that there is absolutely no coordination between the Departments of Transport and Planning in this government. This submission points that out but I believe one of the key negatives of how this government is managing the state of affairs is the absolute lack of coordination and planning between Transport and Planning and the responsible ministers. We have seen ad hoc development and a number of issues have been raised about density in some of our suburbs. One of the key reasons for that is that there is no clear direction from this government and no coordination. Let us go back to the key point: there is no infrastructure certainty for this state, and transport is the key.

In 2011, a draft public transport plan was released for this state. It identified three key priority projects: the Ellenbrook Bus Rapid Transit service, the Yanchep rail extension and the Metro Area Express light rail. They were meant to be transformational projects that would lead the planning of many parts of our suburbs. It is quite interesting to note that in 2011—I had a look at the report, which is on the desk in my office—the government put some estimates on all those transformational projects of about \$2.4 billion in 2010 dollars. In 2011, it estimated light rail would cost \$1 billion and heavy rail about \$1.4 billion. We have since seen these priority projects disappear. We have seen an absolute breakdown of that relationship between Planning and Transport and we are not getting the outcomes we need to ensure housing supply into the future, and that is the key question. I will go through some of the comments made by the Urban Development Institute of Australia in a moment.

Nowhere is this better demonstrated than in what is happening with the proposed Forrestfield train station. I find this issue very interesting. People bring us an issue, as you would know, Mr Acting Speaker (Mr N.W. Morton), and we sit there and think this is of some concern, and we then realise, as more and more stakeholders talk to us and we get a better impression of what is happening, that there seems to be a breakdown in the relationship between Planning and Transport on that issue. We have a \$2 billion state government investment. A new Forrestfield station precinct is being planned. That should be the jewel in the crown of this project. However, there are massive question marks about the future of that precinct. I have seen the documents, and I am aware of absolutely chaotic planning that is leaving landowners in that region in the lurch and creating significant problems for them. That means that we will not be able to get the outcome that we need. I put this to the government. It has been three years since the election. It has been three years since the fully funded, fully costed election. Members opposite trotted out the airport rail line, after we had announced our airport rail line. However, it appears that there is no coordination within government to make that happen. I know that the Minister for Planning turned around and talked —

Mr J.H.D. Day: You probably don't know everything that is going on. I am not criticising you for that. But I can assure you that a lot of things are happening.

Several members interjected.

Ms R. SAFFIOTI: I do not like these personal attacks, minister! It is most unlike the minister.

Mr J.H.D. Day: I'm not criticising you.

The ACTING SPEAKER: Minister, can we just listen to the member for West Swan. She has the call. I do not want this to descend into a freefall.

Ms R. SAFFIOTI: I do not like this gutter talk from the Minister for Planning! I do not like it! I do not like it when he descends into the gutter!

Mr J.H.D. Day: You sound too much like Pauline when you speak.

Ms R. SAFFIOTI: I sound like what?

Mr J.H.D. Day: Pauline.

Mr P.C. Tinley: Pauline who?

Mr J.H.D. Day: Pauline Hanson.

Ms R. SAFFIOTI: Geez!

Mr J.H.D. Day: I said you sound like.

Ms R. SAFFIOTI: Pauline Hanson! That is the worst thing anyone has ever said to me in this place!

The ACTING SPEAKER: Members! Can we just bring it back to debate on the bill. Minister, I have asked for no interjections. I would appreciate it if we could just listen to the member for West Swan.

Mr P.C. Tinley interjected.

The SPEAKER: Member for Willagee, I remind you that you are on three calls.

Ms R. SAFFIOTI: I have seen emails and I have seen documents, and I have seen submissions from the agencies of government, saying that all these road interchanges are being built with no reference to the fact that there will be a station precinct in that vicinity. Landowners have had little communication, or very confusing communication. There will be a set of moving car parks, where people's land will be sterilised for decades, possibly. It is an incredible scenario that the state would invest \$2 billion and let something as key as the precinct around that station slowly fall apart. The Minister for Planning turned around, when I asked the Minister for Transport about it yesterday, and said it is only a draft. Seriously, we are three years in. The minister is telling me that the government will be starting construction on the rail line next year line. So, it has to get the planning right. From what I have seen, that Planning and Transport are not talking to each other. As I said, for \$2 billion of investment we need to get the best outcome. I am afraid, minister, that I will be quite attacking: I do not think anyone is driving it. Honestly, if we leave it to the Minister for Transport, it is going to turn bad; we know that. The Minister for Transport cannot handle policy of any nature, so we cannot leave it to him—we just cannot—because either it will not go anywhere or it will completely unravel, as we have seen with the Perth Freight Link. It will unravel before our eyes; so, please, I implore the Minister for Planning, do not leave it with the Minister for Transport because by the time we inherit it, it is going to be an absolute mess.

I just want to go through some of the key points in the Urban Development Institute of Australia submission, which I have reiterated in some other forms in this place. UDIA introduced the concept to me, which I use quite extensively, about having density where it deserves—that Perth should be seeking density where it deserves. I have talked to my colleagues about this quite a bit. They have to deal with problematic developments in their suburban streets. Everyone accepts the need for density, but it is about making sure that we put it in the appropriate places so we do not reduce the amenity of our suburbs. I will go through the report in a bit more detail, but basically we are talking about making sure that we get density, particularly around our public transport system.

I want to touch briefly on Metronet. As I said, Metronet is not just a transport policy; it is also a planning policy. There are two key focuses for Metronet: expanding our rail system and creating new stations with some planning certainty around them. We need to identify very early on that these areas will become precincts, and we need to get our planning done very early on to ensure that those precincts can provide homes to thousands of people. It is about new stations and making sure that we plan around those new stations. The other element that we have introduced as part of our launch a couple of weeks ago is the revitalisation of many areas within our existing suburbs and existing train lines. I have been out with the member for Gosnells to his electorate and to the member for Cannington's electorate and, whether it is in the electorate of the member for Bassendean, the member for Armadale and, more generally in relation to other public transport systems, the member for Mirrabooka, what we basically need to do is to ensure that we go and look at areas where we have existing infrastructure, particularly along the Fremantle and Armadale lines, and look at how we can actually get the density along those lines. It is very, very important that we utilise the infrastructure that is there and that on those lines we have stations that can be much better utilised.

Part of the whole equation is the removal of level crossings. I heard the minister say that the government was committed to the removal of 31 level crossings; I am not sure whether we ever said that.

Mr P. Papalia: He discovered level crossings last week.

Ms R. SAFFIOTI: He discovered level crossings after ignoring the member for Armadale for years on this issue in relation to Denny Avenue. He discovered a level crossing a couple of weeks ago in Kelmscott, I understand. He had never heard of it before, even when the late Don Randall asked him to go and visit this level crossing, but a couple of weeks ago he visited the Denny Avenue level crossing.

As I said, the removal of these level crossings is part of improving safety, reducing congestion and providing a vehicle for urban redevelopment around these stations. My colleagues are crying out for it, because they know there is so much land in their suburbs that is basically being underutilised. When one sits in a train on the Armadale line in particular and looks out the window, one thinks, “There is so much we can do to get more housing closer to the city.”

That is a key part of our strategy: density where it is needed. As I said, we believe that it is about making sure we have the right planning around our new stations to provide infrastructure certainty, coupled with the revitalisation of many of our existing suburbs. We talk about small business quite a bit, and it is something that the other side gives a lot of lip-service to.

Mr P. Papalia: They give it a lot of taxes as well.

Ms R. SAFFIOTI: It increases a lot of taxes for small business.

I believe that one of the key points is making sure that small businesses thrive through density. Once people get into the car and have to drive a long distance, they may choose the bigger commercial centres rather than the smaller businesses. By creating stronger precincts, we are also assisting small businesses in local areas. I am of the strong belief that better precinct planning can support small businesses in our suburbs.

A key point made by the Urban Development Institute of Australia is —

UDIA strongly supports the development of high and medium density activity centres which offer lifestyle choice for residents. There are many benefits of the highly urbanised outcomes offered in these precincts including vibrancy, amenity and services.

That is very much a theme we have adopted: creating precincts, creating the vibrancy and making sure that, as part of these precincts, we do not decrease amenity. We want to increase amenity by giving people more choices, whether better public transport or lifestyle choices, and they will result from vibrancy.

The UDIA makes reference to the different planning styles or regimes embarked on by the state on over time. One of the interesting points is around the shape of the blocks in some suburbs. The UDIA states —

... the shape became more irregular after a 1973 government report championed the introduction of cul-de-sac development as a strategy for increasing yields and liveability. The combination of cul-de-sacs and curvilinear streets has left a legacy of irregularly shaped blocks that are harder to subdivide than the quarter-acre blocks that preceded them.

That is not only a subdivision issue, but also a community safety issue. Some of the theories around designing-out crime are about making sure that we move away from cul-de-sac-style developments.

Mr J.H.D. Day: The Radburn design, I think it was known as, which was in vogue for about 30 or 40 years. It certainly is not now, as you say.

Ms R. SAFFIOTI: Yes.

Many of our suburbs—Ballajura is classic—were developed entirely under that theory, making doorknocking very difficult, I have to say; doorknocking cul-de-sacs is very, very difficult. But it has also left a legacy of problems around community safety because of the paths that connect cul-de-sac to cul-de-sac.

Mr P.C. Tinley: Emergency services vehicles.

Ms R. SAFFIOTI: Yes, and it causes problems for emergency services.

That design can also affect people’s ability to access small businesses; in some suburbs that have a number of small shopping centres, those shopping centres struggle to survive. We also have to look at what the state government can do in that style of suburb with some level of investment. I am not just saying that everyone should try to subdivide or work to an infill target, but I think the state government should try and get some of the modern planning theory into some of these suburbs to make sure that they can withstand and thrive into the future.

The UDIA made reference to the key point of public transport and a number of findings about public transport usage over time. People on this side of the house would not be surprised to learn that the UDIA reports —

... rail patronage jump four-fold to 54.7 million passengers annually in just over a decade to 2010

Mr P. Papalia: What happened in that time?

Ms R. SAFFIOTI: That was primarily driven by the Labor government. Also, bus patronage increased by 43 per cent in the decade to 2009. The UDIA completely contradicts the claim made by the Minister for Transport that bus patronage did not increase under Labor.

Debate adjourned, pursuant to standing orders.

House adjourned at 7.00 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

GOVERNMENT DEPARTMENTS AND AGENCIES — LOST OR STOLEN EQUIPMENT

4328. Mr M. McGowan to the Minister representing the Attorney General; Minister for Commerce:

For each department, agency and government-trading enterprise within the Minister's portfolio of responsibilities, I ask:

- (a) how many computers, laptops or tablets have been recorded as lost since 1 July 2014;
- (b) how many computers, laptops or tablets have been recorded as stolen since 1 July 2014;
- (c) what is the actual or estimated value of the lost or stolen computers, laptops or tablets;
- (d) how many mobile phones have been recorded as lost since 1 July 2014;
- (e) how many mobile phones have been recorded as stolen since 1 July 2014; and
- (f) what is the actual or estimated value of the lost or stolen mobile phones?

Mrs L.M. Harvey replied:

Corruption and Crime Commission

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

Commissioner for Children and Young People

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

Department of Commerce

- (a)–(b) Nil
- (c) N/A
- (d) One
- (e) Nil
- (f) \$739.00

Department of the Attorney General

- (a)–(b) Nil
- (c) N/A
- (d) One
- (e) One
- (f) \$400.00 — both mobile phones were stolen and were reported stolen to the WA Police.

Office of the Director of Public Prosecutions

- (a) Nil
- (b) One
- (c) \$1 070.00
- (d)–(e) Nil
- (f) N/A

Equal Opportunity Commission

- (a)–(b) Nil

- (c) N/A
- (d)–(e) Nil
- (f) N/A

Office of the Information Commissioner

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

Legal Aid

- (a) Nil
- (b) One
- (c) \$635.00
- (d)–(e) Nil
- (f) N/A

Legal Practice Board of Western Australia

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

Legal Profession Complaints Committee

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

State Solicitor's Office

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

Solicitor General's Office

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

The Department of the Registrar, WA Industrial Relations Commission

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

WorkCover

- (a)–(b) Nil
- (c) N/A
- (d)–(e) Nil
- (f) N/A

MINISTERIAL OFFICES — MEETINGS — HON PETER REITH

4357. Mr M. McGowan to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development:

- (1) Has the Minister and/or any staff member or placement within the Minister's Office, had any contact or meetings with registered lobbyist Hon Peter Reith, since 1 July 2014?
- (2) If yes to (1):
 - (a) what were the dates of the contact(s) or meeting(s);
 - (b) what was the name of the client being represented during the contact;
 - (c) what was the nature or subject of discussion during the contact(s) or meeting(s);
 - (d) were other people present during the contact(s) or meeting(s); and
 - (e) what were the names of all people present?

Mr D.T. Redman replied:

The Minister and his current Ministerial staff may have had contact with Hon Peter Reith for administrative purposes only or may have had incidental or irregular social contact in which case this is not listed below:

- (1) No
- (2) (a)–(e) Not applicable

MINISTERIAL OFFICES — MEETINGS — BIRNEY CORPORATE COMMUNICATIONS

4374. Mr M. McGowan to the Minister for Regional Development; Lands; Minister Assisting the Minister for State Development:

- (1) Has the Minister and/or any staff member or placement within the Minister's Office, had any contact or meetings with representatives of registered lobbyist Birney Corporate Communications, since 1 July 2014?
- (2) If yes to (1):
 - (a) what were the dates of the contact(s) or meeting(s);
 - (b) what was the name of the client being represented during the contact;
 - (c) what was the nature or subject of discussion during the contact(s) or meeting(s);
 - (d) were other people present during the contact(s) or meeting(s); and
 - (e) what were the names of all people present?

Mr D.T. Redman replied:

- (1)–(2) A member of the Minister's staff has had email contact with a representative of Birney Corporate Communications for administrative purposes only.

MINISTERS OF THE CROWN — WELD CLUB EVENTS

4459. Mr M. McGowan to the Premier; Minister for State Development; Science:

- (1) Since 1 July 2014, has the Minister attended any events at the Weld Club?
- (2) If yes to (1), on what date or dates did the Minister attend?
- (3) Which organisation or individual invited the Minister, or for which event did the Minister attend?
- (4) What are the names, if any, of current public sector staff or current Ministerial staff who attended the Weld Club with the Minister, and on which occasions?

Mr C.J. Barnett replied:

- (1) Yes
- (2) 30 July 2014
- (3) Consular Corps of WA
- (4) Brian Pontifex, Roxana Pike

TRAINING AND WORKFORCE DEVELOPMENT — TRAINING ACCREDITATION COUNCIL —
COMPLIANCE CHECKS

4463. Mr F.M. Logan to the Minister for Training and Workforce Development:

I refer to the Training Accreditation Council's role in carrying out checks of compliance for Registered Training Organisations (RTOs) and I ask:

- (a) how many RTOs have been found to be non-compliant over the course of their registration:
 - (i) once;
 - (ii) twice;
 - (iii) three times;
 - (iv) four times; and
 - (v) more than five times?

Mrs L.M. Harvey replied:

- (a) (i) 80
- (ii) 80
- (iii) 59
- (iv) 31
- (v) 43

Note: these figures include non-compliance by RTOs over multiple registration periods some going back to 1999; include non-compliances on initial registration and extensions to registration (prior to students undertaking training) and non-compliances identified from five different sets of standards since 2000.

TRAINING AND WORKFORCE DEVELOPMENT — TRAINING ACCREDITATION COUNCIL —
COMPLIANCE CHECKS

4464. Mr F.M. Logan to the Minister for Training and Workforce Development:

I refer to the Training Accreditation Council's role in carrying out checks of compliance for Registered Training Organisations (RTOs) and I ask, for the 2014–15 financial year:

- (a) how many of the checks were regarding:
 - (i) new RTOs;
 - (ii) expanding RTOs;
 - (iii) 12 month checks; and
 - (iv) 5 year checks;
- (b) how many instances of minor non-compliance were found in:
 - (i) new RTOs;
 - (ii) expanding RTOs;
 - (iii) 12 month checks; and
 - (iv) 5 year checks;
- (c) how many instances of significant non-compliance were found in:
 - (i) new RTOs;
 - (ii) expanding RTOs;
 - (iii) 12 month checks; and
 - (iv) 5 year checks;
- (d) how many instances of critical non-compliance were found in:
 - (i) new RTOs;
 - (ii) expanding RTOs;
 - (iii) 12 month checks; and
 - (iv) 5 year checks; and
- (e) how many checks were conducted in total?

Mrs L.M. Harvey replied:

- (a) (i) 32
 - (ii) 110
 - (iii) 32
 - (iv) 43
- (b) (i) 6
 - (ii) 21
 - (iii) 8
 - (iv) 9
- (c) (i) 17
 - (ii) 37
 - (iii) 9
 - (iv) 16
- (d) (i) 4
 - (ii) 3
 - (iii) 5
 - (iv) 4
- (e) 235

TRAINING AND WORKFORCE DEVELOPMENT — REGISTERED TRAINING ORGANISATIONS —
REGULATION CHECKS

4465. Mr F.M. Logan to the Minister for Training and Workforce Development:

I refer to the Auditor General's report "Regulation of Training Organisations", and the 323 checks conducted in 2013–14, and I ask:

- (a) how many of the checks were regarding:
 - (i) new RTOs;
 - (ii) expanding RTOs;
 - (iii) 12 month checks; and
 - (iv) 5 year checks;
- (b) how many instances of minor non-compliance were found in:
 - (i) new RTOs;
 - (ii) expanding RTOs;
 - (iii) 12 month checks; and
 - (iv) 5 year checks;
- (c) how many instances of significant non-compliance were found in:
 - (i) new RTOs;
 - (ii) expanding RTOs;
 - (iii) 12 month checks; and
 - (iv) 5 year checks; and
- (d) how many instances of critical non-compliance were found in:
 - (i) new RTOs;
 - (ii) expanding RTOs;
 - (iii) 12 month checks; and
 - (iv) 5 year checks?

Mrs L.M. Harvey replied:

Total checks relating to the categories requested — 232

The Council also conducted 55 monitoring audits and 36 Accreditation reviews.

- (a) (i) 36
- (ii) 109
- (iii) 13
- (iv) 74
- (b) (i) 1
- (ii) 9
- (iii) 1
- (iv) 11
- (c) (i) 9
- (ii) 15
- (iii) 1
- (iv) 10
- (d) (i) 3
- (ii) 1
- (iii) 1
- (iv) 9

TRAINING AND WORKFORCE DEVELOPMENT — REGULATION CHECKS — NONCOMPLIANCE

4466. Mr F.M. Logan to the Minister for Training and Workforce Development:

I refer to the Auditor General's report "Regulation of Training Organisations", and the 323 checks conducted in 2013–14, and I ask:

- (a) noting that 35% were found to be significant or critically non-compliant, can the Minister please detail each instance of non-compliance, including:
 - (i) the name of RTO;
 - (ii) the nature of the non-compliance;
 - (iii) whether the problem has been fixed;
 - (iv) the time taken to correct the problem; and
 - (v) If it had previously been found to be non-compliant in an earlier check?

Mrs L.M. Harvey replied:

- (a) (i)–(v) [See tabled paper no 3289.]

Note (iv): Under the existing national regulatory scheme, all RTOs are provided with 20 days following the initial audit to provide additional evidence to demonstrate compliance. If the RTO does not demonstrate compliance following the 20 day evidence provision period, the Council may consider providing additional time to the RTO if significant progress has been demonstrated or commence the process of applying sanctions.

Note (v): the majority of RTOs operate across multiple industry areas and a sampling approach is applied to audit. Data has been provided on whether at least one of the areas of non-compliance has previously been identified against an RTO in the same industry area, noting that previous non-compliances may not relate to the same qualification.

TRAINING AND WORKFORCE DEVELOPMENT — REGULATION CHECKS

4467. Mr F.M. Logan to the Minister for Training and Workforce Development:

I refer to the Auditor General's report "Regulation of Training Organisations", and the 323 checks conducted in 2013–14, and I ask:

- (a) how many of those checks were of registering or expanding RTOs;
- (b) can the Minister confirm that all of the instances of non-compliance for registering and expanding RTOs were fixed before training and instruction of students commenced; and
- (c) If no to b), in what instances was this allowed to occur?

Mrs L.M. Harvey replied:

- (a) 145
- (b) Yes
- (c) Not applicable

TRAINING AND WORKFORCE DEVELOPMENT — REGISTERED TRAINING ORGANISATIONS —
CRITICAL NONCOMPLIANCE

4468. Mr F.M. Logan to the Minister for Training and Workforce Development:

I refer to the Auditor General's report "Regulation of Training Organisations", and noting that the Auditor General highlighted the risks of students enrolling, training and graduating in organisations that are uncompliant and I ask, for 2013–14:

- (a) how many students enrolled at an RTO that was at the time found to be critically non-compliant;
- (b) how many students studied at an RTO that was at the time found to be critically non-compliant; and
- (c) how many students graduated from an RTO that was at the time found to be critically non-compliant?

Mrs L.M. Harvey replied:

- (a) Information not available
- (b) Information not available
- (c) Information not available

TRAINING AND WORKFORCE DEVELOPMENT — REGISTERED TRAINING ORGANISATIONS —
CRITICAL NONCOMPLIANCE

4469. Mr F.M. Logan to the Minister for Training and Workforce Development:

I refer to the Auditor General's report "Regulation of Training Organisations", and I ask:

- (a) for each of the three examples of critical non-compliance provided in figure 2 on page 14:
 - (i) what is the name of the RTO;
 - (ii) was a sanction imposed, and if so what was it; and
 - (iii) has the problem now been corrected and if not, why not?

Mrs L.M. Harvey replied:

- (1)
 - (i) CY O'Connor Institute
 - (ii) No
 - (iii) Yes
 - (2)
 - (i) Challenger Institute of Technology
 - (ii) No
 - (iii) Yes
 - (3)
 - (i) Fairbridge Western Australia Inc.
 - (ii) No
 - (iii) Yes
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