

FREMANTLE PORT — LEAD EXPORT

Urgency Motion

THE PRESIDENT (Hon Nick Griffiths): Members, I am in receipt of a letter in these terms —

Dear Mr President,

I hereby give notice that at today's sitting I intend to move, pursuant to standing order 72;

That the house calls on the government to reconsider its decision to approve the export of lead through the port of Fremantle.

The letter is from Hon Dr Sally Talbot, MLC. In order for Hon Sally Talbot to move her motion, at least four members should stand in their places.

[At least four members rose in their places.]

HON SALLY TALBOT (South West) [4.40 pm]: I move the motion.

It will not be lost on anyone in this chamber that at the end of this week it will be six months since the Liberal Party managed to carve out its alliance with the National Party and take government in this state. Sadly, of course, it has been six months of broken promises, backflips and policy on the run. I would be the first to admit that we got some things wrong in the election campaign, but one of the things that I believe we got absolutely spot on—sadly for the people of Western Australia, it has been proved to be true many, many times over the past six months—was our analysis of those who now sit opposite us in the chamber, and that was that they had no policies, no plans and no team. Nowhere is this demonstrated more clearly than in the sorry story of the protracted decision by the government to allow the transport of lead carbonate through the port of Fremantle. I have taken a very close interest in this issue for a number of reasons. Members will recall that almost a year ago we debated an urgency motion moved by Hon Paul Llewellyn. At that stage I responded for the then Minister for Environment, on behalf of the government. I have taken a very close interest in this issue since then, both as a former parliamentary secretary and now as the shadow Minister for Environment.

To make sure that every member of this house understands just how this sorry saga has unfolded, I will do a little backwards trek through the history of the issue. I will start with Monday, 2 February, which was the day, many months after one might have expected, on which the minister felt that she was in a position to announce her decision on this issue. I say that she felt she was in a position to announce the decision, but, of course, for all those people who were paying close attention to the way in which the situation was unfolding, primarily the City of Fremantle, it was not really the announcement of a decision; it was more like a trickling out of information that the government was highly resistant to having any publicity about. At 9.30 that morning, with no announcement whatsoever, the Environmental Protection Authority posted its bulletin on its website. Some hours after that, the people at the City of Fremantle were told that the bulletin had gone up. They then phoned the minister's office to ask what was happening and when they would be able to speak to the minister about what the decision was going to be. They were told that there was absolutely no need for them to put any arrangements in place, because a media conference was already arranged for four o'clock that afternoon. At that media conference, the minister went ahead and announced that she had approved the application and, what is more, that she had already that day spoken with the proponent, Magellan Metals. This left the people at the City of Fremantle feeling not only that their voices had not been heard, but also that they had been deliberately and blatantly sidelined in this whole process.

Let me give a little more context to that reaction by the City of Fremantle. Let us go back to November 2008—November last year—when the City of Fremantle arranged a rally in the centre of the city so that people could both learn more about the proposal to export lead through their city and hear some of the expert advice about why that was not a good idea. On that day, the Premier rang the Mayor of the City of Fremantle, Peter Tagliaferri, and assured him that there would be no decision on this issue without consultation. I do not want to speak for the Mayor of Fremantle, who I must say has done a superb job of both informing the residents of Fremantle about exactly what the problems are with this proposal and leading the charge to have the government reconsider this decision. The Mayor of the City of Fremantle was not comforted by the Premier's advice about the consultation, because there had already been one of the most spectacular backflips in history between September and November 2008. Nevertheless, there was something at least for the City of Fremantle to hold on to in that promise of consultation.

I will go back a couple of months earlier to September 2008—to be precise, 4 September 2008, which, as everybody in this house knows, was exactly two days before the state election. At a little before 7.20 in the morning, an email was sent from Joanne Shannon, media adviser to the Leader of the Opposition, who was then Hon Colin Barnett. The email is addressed to the *Fremantle Herald* and reads —

Hi Jenny

Comments to attribute to Mr Barnett.

“The Liberal Party recognises the concerns of residents in Fremantle and surrounding areas regarding the transportation of lead through Fremantle port.”

“A Liberal Government would not allow lead to be shipped through the Fremantle Port.”

Let me just repeat that —

“A Liberal Government would not allow lead to be shipped through the Fremantle Port.”

I do not think there is any equivocation. It seems fairly clear to me that the man who is now the Premier of this state promised on 4 September that this proposal would not get approval. That is just by way of a bit of history of this issue.

Let me fast forward now to this morning when many members would be aware that, on the back of this raft of broken promises about the transport of lead through Fremantle, the Mayor of Fremantle arrived on the steps of Parliament House with the results of the forum that was held over the whole of last weekend. These results consist of thousands and thousands of pages of submissions, which were both submitted in writing and given verbally over the weekend at this forum. I will give honourable members a flavour of whom these submissions came from. As I said, there are thousands of pages. I do not have a complete list of all the submitters, but I have been able to pull out the following—I stress that all these submissions were clearly and unequivocally against the proposal to transport lead through the port of Fremantle: the South Fremantle/Hamilton Hill Residents' Association Inc; the Town of East Fremantle; the Alliance for a Clean Environment Inc; the Lance Holt School in Fremantle; the Fremantle Society; the Mayor of the City of Canning; and Doctors for the Environment Australia. These submissions are almost uniformly of a very high character and full of all the passion and very clear argument that we would expect from people with such a high stake in keeping their roads and their suburbs safe.

To stay with this morning, all the Premier could say on the steps of Parliament House was—this is not an exact quote, but I will convey it more or less in the words of the Premier—“There's lots of dangerous stuff on the streets of Fremantle.” I suggest to you, Mr President, and all the honourable members in this house —

Hon Kim Chance: Some of them have names!

Hon Ljiljanna Ravlich: They are probably talking about Hon Simon O'Brien.

Hon Ken Travers: Was he talking about before or after a Liberal Party convention?

Hon SALLY TALBOT: I will take all those interjections from my colleagues; they are all highly pertinent. As Hon Kim Chance said, some of this dangerous stuff actually has names.

I think that is a very extraordinary kind of reassurance to give the people of Fremantle, and of course it is no reassurance at all. It simply acknowledges that the export of lead through the port of Fremantle will effectively double the amount of hazardous substances being transported through the streets of Fremantle and out through the port.

The Premier also referred to the fact that there was indeed a risk—that is, a risk of an accident, and a risk that in the case of an accident there might be a spillage—but he said, “Don't worry about this: if this happens, it will only be a one-off incident.” That is the most extraordinary way to mount any sort of argument in favour of the case the Liberal Party is so lamely trying to establish.

We had this debate before in March 2008, when I led the response on behalf of the Minister for the Environment. I started by addressing the misapprehension that some supporters of that urgency motion seemed to be labouring under; namely, that Labor in some way had approved this application to transport lead through Fremantle. I was not particularly surprised, as I am sure no member of this chamber would be surprised, that that point of view was being expressed. The debate had a lot of passion after the motion was moved by Hon Paul Llewellyn. However, I am absolutely astonished that the present Minister for Environment is hiding behind that same story. On the television news recently all she could say to defend her decision was, “Labor was on that track as well. I'm only doing what Labor had already put in process.” That is absolutely not the case. I stated in the previous debate that the then Minister for the Environment, David Templeman, had not approved the proposal, and it would not be approved until all matters of concern to the community had been addressed. All I can say is that it is a very great shame that the new minister was not prepared to make that same commitment on this issue.

The second furphy coming from the minister was in her press release on the day of the announcement—I am not actually sure whether it was a press release, as it reads more like the transcript of a doorstep interview because it is all in inverted commas. Nevertheless, she states at one stage that in the seven months prior to the election,

Labor did not make a final decision. It is worth putting on the record that the reason Labor did not make a decision in that seven months was that it did not receive any response from the proponent. To suggest that Labor was in any way derelict in its duties or slow off the mark is a complete nonsense. I suggest that the minister knows that very well. The ball was clearly in Magellan's court, and at the time of the election we were still awaiting a response.

What is being compromised here? It is open and transparent government, and that promise made by the Liberal-National Party government to keep government open and transparent. The fact is that being in government is about making decisions in a timely way and in consultation with the people affected by those decisions.

One could hardly say, about a range of issues that I know are sitting on this minister's desk, that any of her decisions have been timely. The Labor Party did a calculation at the beginning of February because it knew that within weeks of this minister taking up this portfolio she had gone on holiday. She was not alone in that, of course, but it did seem particularly extraordinary that at the time she went on holiday, she had made seven decisions in four and a half months. She went on holiday with about 30 unresolved issues sitting on her desk, of which this was one.

Hon Ken Travers: I hope they were done by the time she came back, if there were 30 —

Hon SALLY TALBOT: I have no doubt, Hon Ken Travers, that she was hoping a lot of them would have disappeared at the hands of the acting minister. This decision was certainly not made in a timely fashion. Of course, Hon Norman Moore did attempt to come to her rescue by standing in front of a mining conference and pleading with people not to talk about some of these difficult issues; he was actually talking about uranium. Hon Norman Moore stated —

Speculation by companies ahead of any approvals does not help in the political environment in which we live ... speculation about what a company might or might not want to do simply tends to affect the psyches of people who run radio stations and write newspapers ...

Is that open and transparent government?

What sort of public consultation has occurred? There was the election promise—that was trashed. There was also the promise to involve community stakeholders. Residents in 22 suburbs in the metropolitan area found out only a few days ago that their homes, schools and shops are on the proposed route for the transport of lead to the port of Fremantle. Residents of those suburbs are very alarmed by what they have now been told. The promise to involve community stakeholders has clearly gone the same way as the Premier's promise not to export lead through Fremantle.

HON SIMON O'BRIEN (South Metropolitan — Minister for Transport) [4.55 pm]: Firstly, I rise to offer some observations to this house about the Minister for Environment. I tell members that the Minister for Environment knows how to work hard. She displays courage, integrity and an outstanding work ethic, which is more than can be said about some of the people making some pathetic, sad, little accusations from the benches opposite! They are nasty, grubby little personal reflections!

Hon Norman Moore: They can't help themselves.

Hon SIMON O'BRIEN: They just cannot help themselves, as they try to reinvent history. In relation —

Hon Sue Ellery: Did you make the promise or did you not make the promise? Did you make it or not?

Hon SIMON O'BRIEN: I am making this speech! If the member wants to get up in a minute, then get up!

Several members interjected.

Hon SIMON O'BRIEN: I cannot get a word in edgeways, thanks to the histrionics of this pathetic little crowd opposite. I want to say a few things about the pathetic campaign that is being run. Hon Sally Talbot has had her say—sit down!

The PRESIDENT: Is Hon Sally Talbot rising on a point of order?

Point of Order

Hon SALLY TALBOT: Yes, I am.

Hon Simon O'Brien: That's what you're meant to say, you twit!

Hon SALLY TALBOT: I thank Hon Simon O'Brien for his guidance.

I do not know that the words "nasty" and "grubby" are, first, parliamentary; and, second, have any relationship to the speech I just made in this house about the government's decision to export lead through the port of

Fremantle. I merely went through some of the history, all of which involves the government's decision-making process and its broken promises.

The PRESIDENT: There is no point of order. Hon Simon O'Brien has the call.

Debate Resumed

Hon SIMON O'BRIEN: I have been watching closely the performance of the Minister for Environment, particularly given the ongoing personal attacks by one or two members opposite, including the mover of this motion. The Minister for Environment is a quality performer and she does not deserve some of the carping criticism she gets when, for example, she takes a few days' leave for a well-earned visit over the Christmas break. I guess no members opposite ever took a break —

Hon Ljiljanna Ravlich: Did you take leave?

Hon SIMON O'BRIEN: I most certainly did.

Hon Ljiljanna Ravlich: How long was yours?

Hon George Cash: You were on leave when the election was called!

Hon SIMON O'BRIEN: Good point!

Hon George Cash: No wonder you lost it.

Hon Ken Travers: You're going for a very long leave soon, Mr Cash!

Hon SIMON O'BRIEN: Let us ask if the opposition can firstly try and play the ball, rather than the man. Frankly, it will lose what little credibility it has when it is seen to try to attack the Minister for Environment personally.

The Magellan lead saga commenced in Esperance when bulk lead concentrate was transported to the port and loaded onto ships. A degree of contamination occurred in Esperance, and we are all familiar with the scandalous nature of what happened there, and the puerile and completely inadequate response of the then government over a long period. Only a month or two into its term of office, the Barnett government has already moved concisely to clean up the previous government's mess. Even as we speak, that stranded lead is being removed from Esperance. As we speak, the clean-up operation is well and truly underway. In relation to the future operations of Magellan Metals, the Labor government proposed that in future that same product should not be transported in bulk, but through Fremantle by container.

Debate interrupted, pursuant to standing orders.

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