



Parliamentary Debates

(HANSARD)

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LEGISLATIVE ASSEMBLY

Wednesday, 15 June 2022

Legislative Assembly

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THE SPEAKER (Mrs M.H. Roberts) took the chair at 12 noon, acknowledged country and read prayers.

PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

EDUCATION AND HEALTH STANDING COMMITTEE

Co-option of Member — Notice of Motion

Mr D.A. Templeman (Leader of the House) gave notice that at the next sitting of the house he would move —

That the member for Scarborough be co-opted to participate in the Education and Health Standing Committee's inquiry into the Esther Foundation and unregulated private health facilities.

WESTERN AUSTRALIAN SPORT SUCCESS

Statement by Minister for Sport and Recreation

MR D.A. TEMPLEMAN (Mandurah — Minister for Sport and Recreation) [12.02 pm]: I would like to offer my congratulations to two outstanding Western Australian athletes who have achieved great success on the international sporting stage in recent weeks and to two impressive Western Australian teams. Jai Hindley, who is a Western Australian Institute of Sport graduate, became the first Western Australian to win one of cycling's grand tours by claiming victory in this year's Giro d'Italia on 29 May. Jai hails from the Midland Cycle Club and joins Cadel Evans as the only Australians ever to have won a grand tour.

In similar fashion, Western Australian golfer Minjee Lee secured her second major Ladies Professional Golf Association title by winning the US Women's Open in North Carolina on 5 June. This four-stroke victory has elevated Minjee to number three on the Women's World Golf Rankings and places her in illustrious company, joining Karrie Webb and Jan Stephenson as Australia's only female golfers to win multiple major titles. A dual Olympian, Minjee started her golfing journey at the Melville Glades Golf Club at 10 years of age. Now 26, with two majors under her belt and her sights firmly set on winning the remaining three, Minjee is certainly inspiring the next crop of golfers at every turn.

The West Coast Fever will now enter the netball final series. Fingers crossed for a home grand final! Congratulations to Jhaniele Fowler of the West Coast Fever, who on Sunday broke her own goals record in a Super Netball season, scoring 44 in the game to finish with 804 goals for the season. That is remarkable. I understand she received a standing ovation for her effort. In addition, West Coast Fever defensive duo Courtney Bruce and Sunday Aryang have been named in the Australian Diamonds team to compete at the Birmingham 2022 Commonwealth Games.

Lastly, congratulations to the magnificent Wanneroo Giants, who won the baseball 2022 Australian Intermediate League Championships. This group of under-13 boys went undefeated through the state and national titles. Their motto is "We not me", and the team are now heading to the Intermediate 50/70 Little League Baseball World Series in California.

Please join me in acknowledging Jai and Minjee on their outstanding achievements, in wishing the best to the West Coast Fever as they head into the final series and in sending congratulations to the Wanneroo Giants on their national championship win.

POLICE — E-VEHICLE TRIAL

Statement by Minister for Police

MR P. PAPALIA (Warnbro — Minister for Police) [12.05 pm]: I am pleased to advise the house of the McGowan government's continued commitment to improving our environment and investing in leading, world-class technology. The Western Australia Police Force will trial two new high-powered e-vehicles in an Australian first for policing. The Hyundai Ioniq 5 electric vehicle and the Toyota Mirai hydrogen car have recently been rolled out on WA roads as part of a nine-month trial. They have already been fitted with WA police branding, radios, lights and sirens. The cars will be used by state traffic officers in metropolitan Perth, Geraldton and Bunbury. The WA Police Force has initiated research and testing of green vehicles for operational policing. Toyota and Hyundai have kindly provided vehicles to the WA Police Force for the purpose of a long-term full operational trial. The introduction of electric vehicles into the fleet has potential to provide value for the community in reducing carbon emissions. E-vehicles may in time be part of the government's overall strategy to reduce carbon emissions and be more environmentally friendly. This is a fantastic opportunity. Western Australia is once again leading the nation, as no other police jurisdiction is trialling either the Ioniq or the Mirai in policing. Over the next nine months, the trial will give us an understanding of the full capacity of what these e-vehicles are capable of and how they might be employed for police operations.

POLICE — BEARCAT ARMoured VEHICLES*Statement by Minister for Police*

MR P. PAPALIA (Warnbro — Minister for Police) [12.06 pm]: I am pleased to advise the house of the McGowan government's continued commitment to the safety of the community with the purchase of two new ballistic-engineered armoured response counterattack trucks, commonly known as BearCats. The Western Australia Police Force will acquire the new specialist armoured vehicles to boost the force's capability to respond to terrorism and other emergencies. The vehicles provide ballistic protection for police negotiators and tactical teams when responding to incidents when suspects are armed with firearms or explosive devices.

In addition to being a key asset in the state's counterterrorism capability—the vehicles are deemed standard by the Australia–New Zealand Counter-Terrorism Committee for counterterrorism response across the nation—the BearCat is used in many other high-risk police raids and responses to critical incidents on a day-to-day basis. In the past 12 months, the tactical response group has deployed armoured vehicles on 45 occasions to incidents involving firearms or explosives. The vehicles are bullet and blast resistant and are specially designed to fit an entire tactical response group team and their specialist equipment. These specialist vehicles are an extremely valuable asset for our tactical police, who are often on the front line of dangerous and sometimes hostile situations. They will now have the most modern equipment to safely resolve what can sometimes be extremely volatile situations.

Our specialist police officers are world class, both in training and in their response to emergencies. As a government, we are committed to making sure that WA police have world-class equipment and the resources they need to keep the community safe. These new specialist vehicles will ensure our police have the capability they need to rapidly and effectively respond in the event of a terrorism incident or other emergency.

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION — APPOINTMENTS*Statement by Minister for Industrial Relations*

MR W.J. JOHNSTON (Cannington — Minister for Industrial Relations) [12.08 pm]: I am pleased to advise the house that two new commissioners have been appointed to the Western Australian Industrial Relations Commission. The appointments reflect the McGowan government's commitment to ensuring a well-resourced and balanced commission to oversee industrial relations matters in this state. Charmaine Tsang has been appointed from 18 July 2022 and Timothy Kucera has been appointed from 29 August 2022.

Ms Tsang and Mr Kucera both have a wealth of experience in employment law and industrial relations matters. Prior to her appointment, Ms Tsang was a partner of the Perth employment and safety team at global law firm HFW, while Mr Kucera was the state secretary of the United Professional Firefighters' Union of Western Australia. Their specialist employment law backgrounds will hold them in good stead to adjudicate on matters such as industrial dispute, enterprise bargaining, unfair dismissal, workplace bullying and sexual harassment.

The Western Australian Industrial Relations Commission has presided over industrial relations matters in Western Australia for well over 14 years. The McGowan government recently passed a raft of legislation to reform industrial relations and work health and safety rules as well as introduce a new compensation scheme for medically retired police officers. The commission will be pivotal to overseeing the implementation of these reforms in practice.

The government has been mindful to ensure that appointments to the commission are very much merit based and that commissioners come from a diverse range of backgrounds to reflect the diversity of Western Australia and its workplaces. As the Minister for Industrial Relations, I have been proud to appoint commissioners whom I know will uphold the standing and integrity of the commission for many years to come.

HEALTHCARE STAFF — QUEEN'S BIRTHDAY HONOURS LIST*Statement by Minister for Health*

MS A. SANDERSON (Morley — Minister for Health) [12.10 pm]: I would like to extend my sincere congratulations to the seven health leaders who were recognised in the 2022 Queen's Birthday honours list. Firstly, I want to acknowledge Ms Angela Kelly, deputy director general, Department of Health, who was awarded the Public Service Medal for her outstanding service in the Western Australian health system, particularly during the COVID-19 pandemic. Ms Kelly, PSM, has devoted herself to the improvement of the Western Australia public health system, from system performance and financial management to strategic planning and corporate governance, and has proven herself adept, responsive and flexible in addressing the various challenges.

I also acknowledge three currently serving health professionals who were awarded a Medal of the Order of Australia. Professor Graham Barrett, a consultant ophthalmologist at Sir Charles Gairdner Hospital, was recognised for his significant service to ophthalmology and to professional organisations. He has a special interest in cataract and refractive surgery and corneal and anterior segment disorders. Ms Annette Barton, head of occupational therapy at Sir Charles Gairdner Hospital, was awarded for her service to occupational therapy. She is committed to a broader vision for allied health and achieving best outcomes through transdisciplinary and interdisciplinary models. Dr Meredith Borland, a hospital emergency physician and director of emergency research at Perth Children's

Hospital, was awarded for her significant service to emergency medicine, particularly paediatrics and medical research. Through her passion and her leadership and mentoring of staff, she has built a reputation as a highly regarded national and international researcher.

I also acknowledge past serving leaders in the WA health system who were recognised in the honours list. Mr Alan Bansemer, a former commissioner of health from 1995 to 2001, became an Officer of the Order of Australia for his distinguished service to public administration. Mr Bansemer, AO, is particularly recognised for his health leadership and policy development. Professor Tarun Weeramanthri served as Chief Health Officer and was the inaugural assistant director general of the public and Aboriginal health division from 2017 to 2018 at the Department of Health. He also became a Member of the Order of Australia for his significant service to public health administration. Professor Weeramanthri, AM, is currently deputy chair of the PathWest board. Finally, I acknowledge Dr Jennifer Stedmon who gained the Medal of the Order of Australia for service to medicine in the field of anaesthesia. Dr Stedmon was a consultant anaesthetist at Fremantle Hospital between 1999 and 2013. Congratulations again to all recipients.

WORLD ELDER ABUSE AWARENESS DAY

Statement by Minister for Seniors and Ageing

MR D.T. PUNCH (Bunbury — Minister for Seniors and Ageing) [12.12 pm]: I am pleased to inform the house that today is World Elder Abuse Awareness Day. World Elder Abuse Awareness Day is a globally recognised event that is commemorated on 15 June each year to highlight the devastating effects of elder abuse on individuals and in societies across the world. Elder abuse is a complex human rights issue that has profound effects for many older Western Australians, their families and the broader community. It can manifest in many forms including financial, social, physical, sexual, psychological and emotional abuse. Through the Department of Communities, the state government has been engaging with key stakeholders to plan and develop a collaborative approach to this year's World Elder Abuse Awareness Day. A range of community-based events are being held to raise awareness of elder abuse, engage with members of the public and articulate the supports that are available. Some of this year's key activities include the Council on the Ageing Western Australia facilitating a virtual sector forum yesterday, which I was very pleased to attend, and launching its guide "Understanding the mistreatment of older people". Iconic Western Australian landmarks have been lit up in purple lights—the symbolic colour of World Elder Abuse Awareness Day—including Optus Stadium, Bankwest's Wentworth Building, Matagarup Bridge, Council House, Trafalgar Bridge, Fraser Avenue in Kings Park, Yagan Square, Elizabeth Quay and the Bell Tower. Legal Aid WA has launched the Elder Rights WA service, which I was proud to be part of this morning, and Advocare has facilitated a series of ready-to-listen webinars for community and service provider audiences over coming days.

I am proud that the McGowan government has helped to protect vulnerable seniors by investing in a series of initiatives including establishing the Elder Rights WA legal service, funding the WA elder abuse helpline and information service, supporting the older people's rights service delivered by Northern Suburbs Community Legal Centre and designating the Council on the Ageing WA as the state's first ever peak body for vulnerable older Western Australians. Addressing elder abuse is everyone's business and on this iconic day, I encourage everyone to turn their mind to this issue, pause and think deeply on the role we all must play to make a united stand against all forms of abuse that affect and are experienced by older people.

MEMBER FOR KWINANA

Leave of Absence

On motion by **Mr D.A. Templeman (Leader of the House)**, resolved —

That the Deputy Premier be given leave of absence from the Legislative Assembly up to and including 23 June 2022 on account of international ministerial business.

BAIL AMENDMENT BILL 2022

Introduction and First Reading

Bill introduced, on motion by **Mr J.R. Quigley (Attorney General)**, and read a first time.

Explanatory memorandum presented by the Attorney General.

Second Reading

MR J.R. QUIGLEY (Butler — Attorney General) [12.16 pm]: I move —

That the bill be now read a second time.

In late 2020, the McGowan government committed to examine the operation of the Bail Act 1982 and identify ways to better respond to bail applications for adults accused of sexual offences against children. I recognise the traumatic effect that the release on bail of alleged abusers can have on their victims and I believe it is critical that we emphasise the importance of, and seek to mitigate, this trauma whenever we can. This is especially the case when the alleged victim is a child. That is what the Bail Amendment Bill 2022 seeks to achieve. Some in the community have called for a mandatory denial of bail for adults accused of sexual offences against children. I remind members

that the very foundation of our justice system is the presumption of innocence. The Bail Act operates in general to preserve this principle, while allowing the bail decision-maker to consider the risks should an accused person be released. A presumption against or mandatory denial of bail is an extraordinary step with wideranging ramifications for not only the justice system, but also the remand population of our prisons, so much so that even for alleged murder there is no mandatory denial of bail. In drafting this bill, the government has had to balance these principles with the desire to improve protections for child victims. I now turn to its provisions in more detail.

Firstly, the bill will delete the definition of “serious offence” from section 6A of the Bail Act. Section 6A permits an authorised officer—a police officer or a justice; that is, a justice of the peace—to allow an accused person to be released without bail and served with a summons or court hearing notice for a simple offence or an indictable offence that is not serious for the purposes of the definition. The definition in section 6A refers to an indictable offence attracting a penalty of imprisonment for five years or more or life. However, there are some child sexual offences that could attract penalties of less than five years’ imprisonment, such as indecent dealing with a child over 13 and under 16 years of age. To avoid the possibility of a person accused with such an offence from being released without bail by an authorised officer or justice, the bill will delete the definition of “serious offence” from section 6A of the Bail Act. This means that the definition of serious offence at section 3 will apply. This amendment will also provide for consistency of the definition of this term in the Bail Act. It bears noting that section 6A(4) remains in force and the decision-maker will continue to consider matters listed there before being able to issue a summons for any offences that do not fall under the definition of serious offence. These are matters such as whether the accused would endanger another person’s safety or property, or would interfere with witnesses. I will talk more about serious offences shortly.

Secondly, the bill will provide for a bail decision to be deferred for up to 30 days to allow a bail decision-maker to consider what, if any, bail conditions should be imposed to enhance the protection of an alleged victim of an offence, where that offence is a sexual offence and the alleged victim is under 18 years of age when the case for bail is to be considered—put simply: a sexual offence against a child victim. This builds on reforms previously introduced by the McGowan Labor government in the Family Violence Legislation Reform Act 2020, which allowed for a similar deferral of bail to consider conditions to protect alleged victims where they are in a family relationship with the accused.

Thirdly, and most importantly, the bill will give extensive guidance to bail decision-makers when considering bail. Those considerations include having regard to the conduct of the accused towards the alleged victim and their family members since the time the offence was alleged to have been committed, to allow a bail decision-maker to determine whether there is a pattern of behaviour, such as grooming, controlling or coercive conduct; and extending this consideration to the conduct of the accused towards victims and family members of victims of offences they have been convicted of in the past—again, to examine the accused’s behaviour and assist in the development of a risk profile to inform the decision as to whether they should be released on bail.

I note that these new considerations will extend to any offence, not just child sexual offences. This bill will introduce new bail considerations particular to child sexual offences, and I will talk to those considerations now.

Part C of schedule 1 to the Bail Act outlines the manner in which the jurisdiction to grant bail is to be exercised. Clause 1 provides that among the matters a judicial or authorised officer must have regard to is the consideration of whether, if an accused is not kept in custody, they may fail to appear in court in accordance with a bail undertaking; or commit an offence; or endanger the safety, welfare, or property of any person; or interfere with witnesses or otherwise obstruct the course of justice, whether in relation to himself or any other person.

New clause 3AA in the bill provides that in turning their minds to the question of whether an accused will endanger the safety, welfare or property of any person if not kept in custody, where the offence is a sexual offence against a child victim, a bail decision-maker must have regard to the following matters: the age of the child victim; the age of the accused; whether the child victim is in a family relationship with the accused; the importance of safety, continuity, security and stability in the child victim’s living arrangements and family and community relationships; and the physical and emotional wellbeing of the child victim.

It is important to note that bail decisions can be made by both judicial officers and authorised officers. Most commonly, authorised officers are police officers. The Western Australia Police Force was consulted throughout the drafting of this bill and has indicated its support for it.

At the time when a police officer may be required to consider bail, they may not have comprehensive information before them in respect of every new bail consideration, particularly matters such as the child victim’s physical and emotional wellbeing or detailed information about their living arrangements, family and community relationships. Bail decision-makers exercise the jurisdiction, and when applicable, must consider the new bail considerations, with the information they have to hand. This is where section 9 of the Bail Act, which I spoke to earlier, comes in—allowing a bail decision-maker to defer consideration of bail for up to 30 days in order to specifically consider what, if any, bail conditions could be imposed to enhance the protection of a child victim of a sexual offence. This ability to defer consideration of bail does not limit an accused’s right to be brought before a court as soon as is practicable.

Additionally, the bill will introduce an express provision for elevating the voices of child victims, where they have raised concerns for their safety and welfare if the accused is not kept in custody. New clause 3AB provides that where a bail decision-maker is considering bail for an accused charged with a sexual offence against a child, and the child victim or a family member or police officer investigating the offence informs the prosecutor that the victim has expressed a concern about their safety and welfare if the accused is not kept in custody, the prosecutor must inform the bail decision-maker of that concern and the reasons for it, so far as practicable. The bail decision-maker must have regard to that information. The introduction of these new bail considerations will ensure that concerns specific to child victims of alleged sexual offences are front of mind for bail decision-makers.

The bill will also amend clause 4 of part C, schedule 1, which deals with bail after conviction for persons awaiting sentence. This amendment will require a bail decision-maker to exercise their discretion to grant bail in these circumstances having regard to the fact that the accused has been convicted of the offence and the probable method of dealing with them for that offence and any pending offence. This is in addition to the pre-existing considerations under clause 1, some of which I have already spoken to and other matters the decision-maker considers relevant.

Finally, the bill will expand the list of serious offences in schedule 2 of the Bail Act to include a range of serious offences on the WA and commonwealth statute books, including WA child sexual offences not previously captured and commonwealth offences such as murder. Members will recall that I spoke earlier about the deletion of the section 6A definition of serious offence; this will result in a single definition for this term as set out in section 3 of the Bail Act. A serious offence is an offence listed in schedule 2 or an offence against section 51(2a)—a failure to comply with a condition of a bail undertaking. When an accused person who is already on bail or an early release order for a serious offence is charged with committing a second serious offence, a presumption against bail being granted to that accused person applies under clause 3A of part C, schedule 1 to the Bail Act. This means that the bail decision-maker must be satisfied that there are exceptional reasons why the accused should not be kept in custody.

I know the Western Australian community has been waiting for this bill. I also know that some will feel that it does not go far enough. This bill has been subject to extensive consultation with the subject matter expert stakeholders to ensure the right balance is struck between elevating the voices and concerns of child victims of sexual abuse and maintaining the precepts of our justice system. I hope that this bill will go some way towards addressing these complex issues.

I commend the bill to the house.

Debate adjourned, on motion by **Mr P.J. Rundle**.

APPROPRIATION (RECURRENT 2022–23) BILL 2022

Third Reading

MR M. MCGOWAN (Rockingham — Treasurer) [12.30 pm]: I move —

That the bill be now read a third time.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [12.30 pm]: I would like to make a very brief contribution to this third reading debate. As we know, the budget was thoroughly interrogated during budget estimates. I think there was something like 1 100 questions asked around the budget throughout the estimates process, and it was a good opportunity for the opposition to tease out many issues. They are all recorded in *Hansard*; I am not intending to run through, in any detailed sense, all the findings of the estimates process or make any comments other than some very brief words about the headline situation. As we know, there is a \$5.7 billion budget surplus, which comes on top of a similar figure in the previous year and adds up to around \$20 billion of accumulated surpluses in the last five years. What we saw was that much of that surplus, rather than being used to pay down debt, as we were told, is actually being put aside for a rainy day. Government trading enterprises have been encouraged to retain dividends and other agencies are being given, if you like, large amounts in special purpose accounts. There was quite a deal of discussion and drilling down required in trying to clarify exactly what special purpose accounts existed and how much money had been salted away in those special purpose accounts. It appears that rather than pay off debt the government is building up a handy war chest, and is looking to spend it, perhaps, in around 2025, when the next election comes along. That is the only explanation I can get for the very large amounts of money that are being left in those special purpose accounts, which are growing rapidly, as we know.

Those types of surpluses are at odds with mounting problems with housing, health and the cost of living. We know that there are large allocations towards many of these things, but they are being made at a time of steep rising costs and great pressures on supply chains, and it is very unlikely that the projects will be delivered in the time lines that have been promised. Making an allocation in the budget is fine, but actually being able to deliver it is perhaps another matter. That comes about because there has been inactivity in some of these areas over the last five years and it has led to a crisis situation in social housing, and in health. We have a growing health crisis and I am sure the member for Vasse, who interrogated the health budget quite fully, will want to talk on some of those issues, so I will not go into them too much.

An example is the allocation that was made to the Geraldton Health Campus in the last budget. It could not be delivered because the costs had risen so dramatically that it was unrealistic to buy at that price, and another allocation of money had to be made to enable the project to go ahead. We saw there a heavy escalation of costs—about 50 per cent escalation—which had to be addressed. Other projects, we know, are going to face similar issues. The Bunbury Outer Ring Road is a project that was forecast at around about \$800 million, but the government has spent \$1.25 billion. Furthermore, \$250 million of the original scope of works—in what are now roundabouts that were promised to be flyovers—have not been delivered. If the government were to deliver that project as it was first announced, it would actually be \$1.5 billion, instead of the \$800 million that was first announced. That is indicative of the pressures on costs that we know exist, and yet we have a government that is still pursuing a very aggressive asset bill at a time when it is very difficult to achieve that. It appears that a lot of money is being put towards projects, but getting results on the ground might be difficult in the current circumstances of labour shortages and higher cost increases.

In terms of cost of living, we know that the budget projected an underlying inflation rate of four per cent over the last year, which we are about to finish. It looks like that has already been blown out of the water because it is now around 7.6 per cent. The budget forecasts 2.75 per cent in the coming year, which is at odds with the reports that the Reserve Bank of Australia have been putting about. We saw a very steep increase of half a per cent in interest rates just the other day because the RBA is very concerned that inflation is getting out of the bag—as are central banks throughout the world.

To have an inflation rate of 2.75 per cent implied in the budget is a very conservative view of what inflation will be. Where that sits with the government's wage policy is interesting because we know there have been offers for public servants. Of course, there was a protest here today about wages for public servants. If the government was making those offers based on a likely inflation rate of four per cent and we have had an inflation rate of 7.6 per cent, one would imagine that those people would have a good argument to say that they have been given a wage rise that does not reflect the increase in cost of living and will not do so going forward. We also know that there is a power credit, which the Premier has said will help alleviate the cost of living pressures brought about and accentuated by the steep increases in the budget. Water costs have increased by 2.5 per cent; registrations have increased by 3.8 per cent; drivers' licences have increased by 6.4 per cent; and the emergency services levy has increased by five per cent. These are very steep rises indeed and although a \$400 credit may go some way to reducing those increases in the immediate term, they will not go away; they will be there for the next year as well. That is an increase in the base that will be compounded by any future increases. The effect in the coming years will be very difficult for householders to bear.

I am also disappointed to see that, in the budget, despite what I think is a very good reason to do so, there is no increase in the Country Age Pension Fuel Card, which I had asked the Premier; Treasurer in this place to consider before the budget. He indicated that he thought there was some merit in it but it did not quite seem to make the cut through the budget process.

I want to briefly highlight a couple of things that came out of discussions in relation to my own electorate. The first is the Mullewa Hospital, which still has its original allocation of money under the primary health care demonstrated site initiative. The hospital's share of that amount is \$6 million. That is the same amount of money it had attached to it in 2016; it would cost at least double that, one would imagine, to deliver any sort of health centre in Mullewa at this point. In addition, there has been an increase—and I acknowledge the government for the increase—in the scope of the planned project, but of course it has not delivered on the health centre in Mullewa. In the meantime, the old hospital is falling more and more into decay, and there is a growing sense of despair around health services in that town.

I am also disappointed that, once again, the Jurien Bay marina has been ignored. Questions to the Minister for Transport about that indicate that the government still believes a case needs to be made for the federal government to put in money to fix that state asset. That seems strange when there is a \$5.7 billion surplus, some of which could be put towards rectifying the situation that is clearly the responsibility of the state; it always has been. Now that the new federal government is of the Premier's own political persuasion, perhaps the state government may be able to do a deal. It will be interesting to see what occurs. Nobody would be more pleased than me to see some of these projects getting some further federal funding, whether it be projects in Mullewa or Jurien Bay or the road projects that desperately need to be undertaken around much of regional Western Australia. Given that we are seeing these steep rises in costs, projects that were announced a couple of years ago and have been deferred or have not yet started now look like they will be unable to achieve the scope that was originally intended. I believe that further revisions of those projects will be needed, perhaps in a midyear review, if any of them are able to get off the ground.

With those remarks, I will conclude my contribution. I would like to thank everybody who took part in the estimates process and went through these matters. I did not speak on the estimates report, but I wanted to put on the record my thanks to the staff, the chairs and also the ministers who battled throughout various representations. I think one minister was representing a minister who was representing a minister because two of them had COVID! There were some difficulties in getting the mechanics done. I will conclude on that note, and I expect the member for Vasse will want to contribute.

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [12.41 pm]: I rise to also contribute to the debate on the Appropriation (Recurrent 2022–23) Bill 2022 and the Appropriation (Capital 2022–23) Bill 2022. I will start by also taking the opportunity, as I was unable to do yesterday, to thank the parliamentary staff for their work during the estimates process, and also the government ministers. It is fair to say that, in general terms, we were given a good opportunity to ask questions throughout the estimates process, though not so much with the Health portfolio. Although answers were provided, there was a lack of clarity. I will touch on that, along with some of the issues that were raised relating to my shadow portfolio.

In relation to the Health estimates, we heard that health service providers were given permission to recruit up to 25 per cent above their normal full-time equivalent level across the state, which is a fair recognition of the challenges that our health system is facing at the moment. As the Minister for Health stated, it is incredibly difficult to provide a global figure on how many staff vacancies there are at any one time. It was very disappointing that the minister was unable to give some clarity on the scale of the vacancy rate across the health system. Reference was made to the fact that the health FTE had grown by 18.7 per cent since 2017. The director general spoke about the focus for the next two years being on recruiting, particularly in regional and rural areas. With the crisis that we are seeing across our hospital system, particularly in the regions, that obviously needs to occur. Reference was made to that fact that it is not just us but —

... in every other jurisdiction ... feeling the same pressures. It is national and it is international. ... We are also trying to make it more attractive by recruiting as many nursing graduates and encouraging training in the nursing and midwifery fields. Also, we are obviously training more junior doctors now at Curtin Medical School.

That is obviously a worthy outcome. We certainly need to see more workers in the system. But we do not just need graduates; we also need more experienced people working in our health system. Fair concerns are being raised as we speak today, with various protests occurring. The Australian Nursing Federation is certainly raising concerns at the moment about the investment that other states, including New South Wales and Victoria, are making to lure and retain health workers. Those states obviously understand the value of health workers, offering retention bonuses and higher wages. The nursing federation points to the fact that WA has the second lowest benchmark wage rate in the nation. It also pointed to the lucrative packages offered by New South Wales and Victoria, states that recognise the obvious value of healthcare workers, as well as the obvious need and implications for patient care in WA. On a daily and weekly basis, we are seeing some of the outcomes of having an under-resourced health system, whether that is code yellow internal emergencies, bed state black or the ambulance ramping that has got out of control under this government.

In relation to midwifery services, the director general stated —

We are trying to recruit midwives from overseas and we have obviously been trying to recruit midwives from over east once the border was opened.

We asked what incentives are being offered to fill these critical shortages. This is an issue in regional WA in particular. The incentives offered are clearly falling short of what is required. There are deep concerns about the situation in Carnarvon, where we have heard of mothers, such as Bronwyn, having to make a 1 000-kilometre round trip to have a baby and being directed to other centres, whether it is Geraldton or Perth, because of a lack of resourcing.

We heard from Dr Shirley Bowen on elective surgery. She mentioned that the reduced elective surgery lists meant there were enough theatre nurses to manage demand. Going forward, Dr Shirley Bowen alluded to the fact that the department will need a full cohort of theatre nurses to meet demand. Again, we were not offered any transparency around the requirement of theatre nurses. I imagine if Dr Bowen was able to provide that information—if the minister had allowed that to happen—we would have been more informed. We are seeing a real issue with elective surgery. It is now at record levels, with 33 206 people requiring elective surgery on the current waiting list. The waiting list has blown out by over 60 per cent since the McGowan government came to office. Despite this promise of being battle ready for COVID, the elective surgery list has continued to blow out. It was already an issue before COVID; now we are seeing ongoing issues as well.

In relation to beds, 530 beds were promised, 46 of which are in the private health system. We heard that just 65 per cent of those beds have been delivered so far. The minister stated that she is as confident as she can be that the additional beds will be delivered by October. How extraordinary that the beds would be delivered back into the system after the peak of COVID and after winter. According to the Australian Medical Association WA, these are effectively the beds that were closed in 2018. Again, this highlights the desperate game of catch-up we see with our health system.

The minister stated that category 2 emergency department presentations were up by around 22 per cent and claimed that demand is creating additional challenges, pointing to significantly increasing demand. We can be selective with figures, but the figures also illustrate that overall, between April 2021 and April 2022, there has been an 11 per cent decrease in ED presentations. At the same time, triage category 3 urgent presentations have fallen from 43.8 per cent to 30.9 per cent in 2022. That means about 70 per cent of urgent category 3 presentations were not seen within the suitable 30-minute time frame. As I have said, that is despite demand reducing. The length of episode for patients being seen within four hours has also declined from 71 per cent in 2021 to 62 per cent this year.

On Joondalup Health Campus, I asked questions this year, as I did last year, about the election promises that WA Labor made and what has been delivered on the ground. It is interesting to hear about the ever-changing scope of this project from when it was first committed to and announced in 2017. The medi-hotel was going to free up beds in hospitals. It is all but a broken election promise now, five years on. What was going to be eight operating theatres is just one. We welcome the commitment for an extra mental health bed unit but this will not be operational until 2026.

We have heard much about the women's and babies' hospital, but there is just \$8 million in the budget for a business case, no clear indication of when the project will start, perhaps later next year, and certainly no clear commitment to when it will be completed—a plan for a plan. We know the birthrate is increasing. Last year, it increased five per cent on the year before as well. Services are stretched and it is important that this issue is addressed. It was extraordinary to hear again that there is no clarity and the minister was unable to confirm whether a family birth centre will be alongside the state's flagship maternity hospital. It may be there or it may be somewhere else. Many midwives have asked me why it would not be next to our flagship hospital. If there is going to be a family birth centre at Osborne Park as well, perhaps that will meet demand, but there is certainly some disappointment about the fact that the government is unable to confirm whether it will be part of that project.

I will just whizz through a couple of other things. It was good to get some information about the commitment to the eating disorders unit. I will be asking some more questions on the hubs that relate to the eating disorders unit. I thank the minister for providing a breakdown of the regional FTE for mental health as well.

At a local level, on the operations of the Activ Foundation, I asked the Minister for Disability Services some questions on where the government is at with the incoming federal government. I understand that this issue largely fits with the commonwealth, but the Premier and the minister made some assurance that those 700 jobs would not be lost from Activ. We look forward to some further detail about what the government is doing at a state level to ensure that there will be a sensible outcome, as promised.

I also asked the Minister for Environment about Leeuwin–Naturaliste National Park and Boranup forest. There was much talk earlier in the year about the six-point plan that has been put together by the Shire of Augusta–Margaret River and the Margaret River Busselton Tourism Association. We know that the tourism industry in that region is very much challenged with lighthouse revenue down by 60 per cent and caves revenue down by 30 per cent. There was a priority to invest in the Karri Bowl proposal and I hope that government members do not further drag their feet on this issue. The community and stakeholders are really keen to see what will happen there.

I have also put on the record my concerns about the terminal at the Busselton Margaret River Airport, a terminal that I can say is significantly challenged because of the McGowan government's decision to withhold funds that were originally committed under the former government. It is cutting corners, which is compromising flights already. Flights are sometimes being significantly delayed, which is leading to a challenging experience.

MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum) [12.56 pm]: I will take the call, but I think the Treasurer has returned to the chamber and I am sure he will want to close the debate.

MR M. McGOWAN (Rockingham — Treasurer) [12.57 pm] — in reply: I thank members for their contributions on the Appropriation (Recurrent 2022–23) Bill, their contributions during the estimates process, during the second reading process and, just now, as part of the third reading. Obviously, we want to see the budget go to the upper house and pass as soon as possible.

It is fair to say that the overall picture in Western Australia is extraordinarily positive by national and international standards. Last week I went to Sydney where I met with a range of banks, credit rating agencies and other financial institutions, including the Reserve Bank and the federal Treasurer. The Western Australian story is very different from the story in the other states. That is because of a range of factors, but predominantly two factors. One is that this government has managed the finances properly, unlike other governments around Australia; and second, our COVID performance was significantly different from other states around Australia. Both those factors have combined to create an extraordinarily strong financial and economic position in Western Australia, which has allowed us to be the only government in Australia paying down debt and the only government in Australia in surplus. It has allowed us to have the lowest unemployment figures in Australia and the highest participation rate in Australia. It has allowed us to set aside important funding for major and significant issues that will confront the state in the future, including climate issues.

We saw some funding yesterday for important initiatives to assist the Collie community and also other projects like remote community funding and some additional assistance for communities impacted by our decision to phase out logging of native forests. There are important initiatives around information technology across government and major cost-of-living relief, including a \$400 credit that will appear on everyone's electricity bills come 1 July. All those things are part of the budget, including amazingly strong financial figures and unemployment figures, as well as a huge package of initiatives to diversify the state's economy. Our story is very different from the rest of the country. That was very plain in all my meetings in the east last week. There is a strong recognition amongst policymakers in the east and banking institutions and credit rating agencies that Western Australia is leading Australia

by a long, long way and is in the best position of any of the jurisdictions in Australia for a range of reasons, mainly that the people of Western Australia are prepared to do difficult things and withstand difficult things as opposed to people in other parts of Australia. I commend the bill to the house and look forward to the budget passing.

Question put and passed.

Bill read a third time and transmitted to the Council.

APPROPRIATION (CAPITAL 2022–23) BILL 2022

Third Reading

Bill read a third time, on motion by **Mr M. McGowan (Treasurer)**, and transmitted to the Council.

CHARITABLE TRUSTS BILL 2022

Consideration in Detail

Resumed from 14 June.

Debate was adjourned after clause 35 had been agreed to.

Clause 36: Consequences of disclosure of privileged documents or information —

The ACTING SPEAKER (Ms A.E. Kent): We are dealing with the Charitable Trusts Bill 2022. I want to refer members to the amendment for clause 53 on today's notice paper.

Mr R.S. LOVE: Clause 36 deals with the consequences of the disclosure of privileged documents or information. It is one of several clauses that deal with confidentiality and protection from liability for complainants and providers. This question might be for this clause or it might be more general. Would this provision enable or stop people from acting as whistleblowers if they were in a situation in which they had documents that could be considered privileged but show that there is a problem? What would be the consequences of a whistleblower making a disclosure in good faith?

Mr J.R. QUIGLEY: No. This clause refers to a prohibition on investigators and staff disseminating documents or information that they have. The question the member asked about the protection of whistleblowers will come under clause 38.

Clause put and passed.

Clause 37 put and passed.

Clause 38: Protection from liability for complainants and providers —

Mr R.S. LOVE: This is the clause that deals with protections from liability for complainants and providers. Someone we might call a whistleblower could be someone with knowledge about the organisation or they may be someone who would normally expect to get a benefit from it or someone who for another reason believes there is some issue with the organisation. Before we talk more generally about the protection from liability, is there any protection for the trust, if you like, against a recalcitrant recidivist constantly making complaints? I am sure members have encountered people for whom nothing will satisfy their belief that there is a conspiracy afoot. Under this clause, is there protection for the organisation from that type of complaint?

Mr J.R. QUIGLEY: Firstly, we will come to the provisions in clause 43 under which if it is determined that a matter is frivolous or whatever, there can be an order that the complainant pays costs. Additionally, we dealt with clause 32 last evening, but we did not deal at any length with subclause (3), which states —

An investigator may refuse to investigate a complaint or, having commenced to investigate a complaint, may refuse to continue the investigation, if the investigator is of the opinion that —

- (a) the matter raised in the complaint is trivial; or
- (b) the complaint is frivolous or vexatious or is not made in good faith; or

I think that provision covers both of the aspects of the bill that concern the member. I know what he means about people coming in with frivolous complaints.

Mr R.S. LOVE: Getting back to the situation with a whistleblower, is there any liability that a person could incur for giving any information to the Attorney General or to the investigator once an investigation is underway? Is it a different situation when there is a complaint but an investigation is not yet underway?

Mr J.R. QUIGLEY: There are provisions under this clause. The protection is: if they are acting “in good faith”. That is the first test. They cannot be misleading, lying or vengeful; they have to be acting in good faith in making a complaint or providing a document, and then there are all the protections. But it has to be a whistleblower who is acting in good faith, which is a term commonly used at law. I should also say that Mrs Elliott has helpfully taken me to the next clause, 39, under which there is a very stiff penalty for providing misleading or false information.

Mr R.S. LOVE: Does the situation change depending on whether it is an investigator who is carrying out an investigation, or someone who just comes in off the street and goes to the Attorney General's office to make a complaint?

That raises the point of whether they would go to the commission or go to the Attorney General, but I imagine they would have to go to the Attorney General in the first instance to make the complaint. Are they protected at all stages of making a complaint, even if there is not an investigation?

Mr J.R. QUIGLEY: The member is right; they can complain to either, but if they come to the Attorney General, the Attorney General can refer the matter to the WA Charitable Trusts Commission. Under clause 32, which we have already dealt with and moved beyond, an investigation can be carried out by an authorised person at the direction of the Attorney General on a complaint made to the Attorney General or on a complaint made to the Charitable Trusts Commission. In either of those circumstances in which they are making a complaint, under the legislation, the whistleblower is protected.

Clause put and passed.

Clauses 39 to 41 put and passed.

Clause 42: Investigator’s report may be published, tabled and provided to certain persons by Attorney General —

Mr R.S. LOVE: I have just a simple question for the Attorney General. Under this clause, the report may be published, tabled and provided to certain persons by the Attorney General. “May” implies that it does not have to be, or is that a legalistic term for “will be”? Whether it is or is not, can the Attorney General describe what the different circumstances might be that would lead the Attorney General to cause it to be published or provided? Is there a particular reason the Attorney General would or would not do that?

Mr J.R. QUIGLEY: Obviously, there are small matters that might not take up the time of this chamber, but if a matter concerns the public interest, it would be proper for the Attorney General to decide to table the report in this place. As I said yesterday, the Attorney General acts in the public interest to protect all charitable trusts. Accordingly, it is important that the Attorney General be in a position to table the investigator’s reports in the Parliament, if it is appropriate to do so. A lot of these trusts, although they are for the public benefit, can be small or private trusts. The Attorney General of the day will take that into account. In many instances, the report may not be of sufficiently significant public interest to warrant tabling in the Parliament. In other instances, it may be significant enough to warrant tabling in the Parliament or for a copy of the report to be provided to other authorities referred to.

The member will recall the Njama People’s Trust inquiry. That inquiry and the recommendations made by Mr Sefton were of such significance—indeed, they precipitated much of this bill—that it was obviously a matter for the Attorney General to take the decision to table the report in this Parliament for the edification of all members and the public.

Mr R.S. LOVE: Just one final point: I take it that the Attorney General would probably never table a report that actually found that nothing was wrong; he or she would only table reports that revealed or discovered significant issues. Would there nevertheless sometimes be the need to reassure the public that an organisation was indeed being run properly?

Mr J.R. QUIGLEY: Certainly, all these matters must be dealt with. I cannot be prescriptive, and I do not want to tie the hands of another Attorney General, but that could be the case for charitable trusts that sometimes generate allegations and adverse media publicity. We have had a number of such cases, and I could name the particular individual trustees who have attracted the publicity, but I shall not. In such cases, if the investigator finds that there is nothing wrong, there might be utility in tabling the report before the Parliament to reassure everyone that, after thorough investigation, the false allegations or whatever can be put to death. When there is nothing wrong, there still might be public utility in presenting the report to the Parliament to reassure people that there is nothing wrong and that there is nothing of substance in any allegations.

Clause put and passed.

Clause 43: Recovery of costs and expenses of investigation of charitable trust —

Mr R.S. LOVE: The Attorney General spoke about this clause earlier when we were talking about the prevention of frivolous complaints because costs might be awarded. Can the Attorney General explain whether it would be possible to recover costs and expenses from an investigation that found no significant wrongdoing but just made a few tweaks here and there? If there was a result that was not entirely positive, but there was no devastating outcome that showed manifest corruption or misuse of resources, under what circumstances could the Attorney General seek a return on those costs and expenses?

Mr J.R. QUIGLEY: Some people do not like this sort of answer, but it would depend upon the circumstances of a particular case. We can say with confidence that, under clause 43(3)(c), if the investigation was the result of a complaint and the court finds that the complaint was frivolous or vexatious or was not made in good faith by the complainant, the court can order costs. However, there is nothing in the Charitable Trusts Act—that is, the act as it currently stands—that enables the Attorney General to cover the costs of carrying out such an investigation. By way of contrast —

The Attorney General may charge the trustees reasonable fees for the costs and expenses (including legal costs and disbursements) incurred by the Attorney General in considering the scheme and preparing a report on it.

We also discussed last night that that provision was in the old act and will be in this act. The Attorney General can charge for the report on the scheme. Further, as a general rule, when the Attorney General is a party to proceedings involving a charitable trust, his or her costs will be paid out of the trust fund on an indemnity basis, except to the extent that costs were unreasonably incurred or an unreasonable amount. In seeking a costs order, the Attorney General would have regard to the capital in the account, the public purpose that capital was to be put to and whether it would be appropriate for the Attorney to recover some of that money for the state. I say again: the important part of this whole process, or the important utility, I should say, of charitable trusts is to provide for the poor, welfare, education et cetera, so an Attorney General would do a balancing exercise. Some of these trusts through which land right claims have been settled and funds have been deposited have substantial funds, and some of the people concerned with them—avaricious is probably an unfair word—are in conflict with other family groups and other people within the group of general beneficiaries under the trust, and it might be appropriate in some cases to say, “Well, this has been going on, you’ve come back, it’s still going on and the state is going to have to recover.”

Mr R.S. LOVE: Clause 43(3) sets out from whom the costs can be recovered. It states —

On an application ... the Court may make orders for the payment of the whole or part of the costs and expenses of the investigation —

- (a) out of the property of the relevant charitable trust; or
- (b) by a trustee of the relevant charitable trust; or
- (c) if the investigation was a result of a complaint and the Court finds that the complaint was frivolous or vexatious or was not made in good faith — by the complainant.

That is what the Attorney General talked about before regarding recovering costs from a problem complainant. What happens in a circumstance whereby a trust or trustee has knowingly passed a benefit through to some other person and the benefit has gone from the trust to another person who is not a trustee? Is there an ability to recover the costs from the person who has actually received the benefits from the trust?

Mr J.R. QUIGLEY: Clause 43 has an emboldened headline. It states that it is the recovery of costs and expenses of an investigation rather than just recovering money that has been perhaps improperly moved from that trust to a third party. But there is other equitable relief available at common law to recover those funds, so someone could bring a writ and seek common law relief for the funds to be returned.

Mr R.S. LOVE: Would the Attorney General do that or would it be a member of the trust?

Mr J.R. QUIGLEY: It would usually be the trustee, but the Attorney could do that. In relation to some of these trusts, that has already happened, whereby we have threatened recovery unless substantial funds are returned to the trust. I am thinking of a particular instance at a particular law firm. I will not name it, but, as the Attorney, on the advice of the State Solicitor’s Office, I would say that moneys were used outside the purpose of the trust. There was an argument, we sent letters, and they caved in and returned the money, not because of provisions in the act, but because of the threat of legal proceedings to recover the funds.

Clause put and passed.

Clause 44: Proceedings to enforce or vary charitable trusts —

Mr R.S. LOVE: This clause deals with proceedings to enforce or vary charitable trusts. This appeared in some other wording in the original act, and I am just wondering whether the effect of this clause is different from the effect of the provisions that it will replace?

Mr J.R. QUIGLEY: Yes; I thank the member. This clause will replace section 21(1) of the Charitable Trusts Act 1962. Additional express powers have been added to seek documents for an audit, as these are commonly sought. Paragraphs (g), (h) and (i) of clause 44(2) also introduce new powers. Like section 21 in the current act, this provision will allow any person to apply to the Supreme Court for these persons. Such applicants might include, for example, a representative of persons or objects intended to benefit from the trust, such as a member of a native title group or a regulatory body such as the Australian Charities and Not-for-profits Commission. It is to be remembered that section 16(1) of the Supreme Court Act provides that the Supreme Court —

- (d) shall be a court of equity, with power and authority within Western Australia and its dependencies —
 - (i) to administer justice, and to do, exercise, and perform all acts, matters, and things necessary for the due execution of such equitable jurisdiction as, at the commencement of the *Supreme Court Ordinance 1861*, the Lord Chancellor of England could or lawfully might have done within the realm of England in the exercise of the jurisdiction to him belonging ...

And all matters relating to and concerning the operation or terms of any trust and duties and obligations of any trustee. It is already an inherent jurisdiction of the Supreme Court to be able to alter the terms of any trust.

Mr R.S. LOVE: I thank the Attorney General. That provision was in other legislation, though, not specifically in the previous act, so these are new provisions.

Mr J.R. QUIGLEY: No. As I said, the court has inherent jurisdiction, so it does not require further legislation, but additions to the express powers are set out in section 21 of the current act. The new powers are —

- (c) an order requiring a trustee of a charitable trust to provide a document or information to a person or class of persons, or a person or body representing a person or class of persons, intended to benefit from the application of trust funds from the charitable trust;

...

- (e) an order requiring an audit of the accounts of a charitable trust;

One of the protagonists in the Njamal matter, Mrs Tracy Westerman, took a matter on appeal. The case citation is *Westerman v Attorney General (WA)* [2017] WASC 369. The court left it open and did not determine whether, in its inherent jurisdiction, it had the power to require an audit to be undertaken. The bill provides that new expressed power because the court did not affirm that it had that power. Also, clause 44(2)(f) provides for —

an order directing that on and after the date of the order, or any subsequent date specified in the order, the property must not be applied except in accordance with an approved scheme;

Further, clause 44(2)(g) provides for —

an order directing that a person holding the property must not dispose of it without the approval of the Court, the Attorney General or some other person;

Those matters will be put in the act. Although we can probably say that they fall within the inherent jurisdiction of the Supreme Court of Western Australia, they have been put in the bill expressly for the guidance of trustees and the public.

Mr R.S. LOVE: Have these provisions come from a recommendation of the Sefton inquiry or did the State Solicitor's Office deem them necessary?

Mr J.R. QUIGLEY: The Sefton inquiry threw up all sorts of problems because we realised that we could not get the Supreme Court to order an audit. It was more from general case law over the journey that we decided it was best for clarification to put these matters in the act, rather than having the public or trustee companies looking at the Supreme Court Act 1935, scratching their heads and asking whether the inherent jurisdiction covers this particular point. Lawyers would argue that in court, but we wanted to put it expressly in the act. This bill is a first in Australia. We hope that it will be most helpful to both trustees and beneficiaries and the public at large, and that is why we have gone to the trouble of putting the express provisions in the bill rather than relying on inherent jurisdiction.

Mr R.S. LOVE: Was part of the problem one of jurisdiction and the Australian Charities and Not-for-profits Commission et cetera, which is probably more likely to be found under the Federal Court? Was that part of the issue?

Mr J.R. QUIGLEY: No. If we look at the Westerman case, we see that the Supreme Court was not going to order an audit but the question arose about whether that power existed. It is best to put it expressly in the act so that people such as the member for Moore, who is the lead opposition spokesperson on these matters, can direct a constituent—I know that he will not give legal advice—to the relevant section in the act.

Mr R.S. Love: I certainly would not be doing that! I would tell them to find a lawyer.

Mr J.R. QUIGLEY: It will also guide lawyers. When we start talking about the inherent jurisdiction of the Supreme Court and marginal circumstances, we are talking about senior counsel country, so laying it out expressly is for the ease of interpretation and certainty.

Clause put and passed.

Clause 45: Proceedings relating to persons involved in administration of charitable trusts —

Mr R.S. LOVE: It was stated during the opposition's briefing on the bill that this is a new provision. Can the Attorney General explain the operation of this clause, which relates to proceedings relating to persons involved in the administration of trusts rather than the body of the trust as such? I want an understanding of how that will align with the Njamal inquiry report.

Mr J.R. QUIGLEY: The trustees themselves fell within the inherent jurisdiction of the court. This clause gives effect to the first part of recommendation 60 of the Njamal inquiry. It will expand the range of orders that the Attorney General may seek from the Supreme Court. Although the Attorney General currently has the power to apply to the Supreme Court for the removal and appointment of a trustee in the exercise of the court's inherent jurisdiction, the Attorney General currently has no express power to apply to the Supreme Court to prevent other persons, who may wield influence over the trust to its detriment, from being employed, engaged or otherwise involved in the administration or management of the charitable trust. I know from experience that the inherent jurisdiction is limited to trustees, as I said at the outset. This deals with other individuals. Let me tell you, member, in some of the communities in which there have been orders against trustees or persons not acting as trustees, those people who are no longer a trustee or involved in a corporation can still bring huge influence to bear on those who are administering the trust. They can pressure them to disburse funds in certain ways to certain companies. We want the ability to

go to court and say, “That person has to be restrained from having anything to do with the trust.” It is not just the officials because in some of these family groupings, it can be other people who are not involved in the administration of the trust who, nonetheless, exert influence over the decision-makers within the trust and the administration of the trust. Some of these other persons have gone to the extent of offering benefit to people who are involved in the administration to get them to vote or administer the trust in a certain way. This has to be stopped, especially in large family groupings in which culture dictates that they have to follow what a particular family member says. If a person is a trustee, they have obligations at law to administer the trust in a particular way. We have gone through that. We have to be able to ring fence the trust from other malign influences.

Mr R.S. LOVE: I think I understand what the Attorney General is getting at with the persons who might be exerting influence. I know that there is a penalty of imprisonment for a year and a fine of \$50 000, but I wonder how, in practical terms in a social grouping in a community or some other setting, it could be determined which person was responsible for influencing whom. What will the test be? How will it be determined that the person should not be able to talk to their cousin, their relative or another associate? On what basis will that be determined if they have not been convicted of an offence but it is believed that they are giving bad advice or are pressuring them? How will that be determined? Will that be done after a thorough investigation by the investigator through a report? How will it happen?

Mr J.R. QUIGLEY: It will turn on the evidence. It is not *Pillow Talk* as Doris Day sang to Rock Hudson. That is not what the provision is aimed at. It is more than pillow talk; we see people exercising actual influence over trusts. That is a matter of evidence, so that will become evident during the investigation. We see this time and again. There is no capacity under the existing Charitable Trusts Act to restrain a person who is not a member or an administrator of the trust. When I said “member”, that was loose language. It is a person who is not a trustee or involved in the administration.

Mr R.S. LOVE: I am looking at the provision, and pardon me if I am missing something, but I do not see anything that says explicitly that that has to be at the end of a report, a thorough investigation or anything like that. I wonder what the trigger point is for getting involved and who is believed. How is the evidence gained and sustained to make this happen? There must be an investigation at some point, I guess. It is not explicit in the provision.

Mr J.R. QUIGLEY: It will always be a matter of evidence and the strength of that evidence. I can think of one example in which a West Perth lawyer had done a lot of pro bono work for the beneficiaries of a trust and had sent me the results of his own forensic investigation. He did not use any of the powers under this legislation, but presented in chapter and verse who was interfering and how they were interfering in the trust. Under the Charitable Trusts Act, there was not the capacity to go to court and have these people either banned or fined.

Clause put and passed.

Clause 46: Certain persons unfit to be involved in administration of charitable trusts —

Mr R.S. LOVE: Do not despair too much; we are getting on to tax soon and I do not know anything about it, so we will be slipping over it!

I have one little point. This provision deals with certain persons who are unfit to be involved in the administration of a charitable trust. Subclause (1)(b) refers to a person who is the director of a corporation that is insolvent or under administration as those terms are defined and paragraph (c) says —

a person who was the director of a corporation at the time it became insolvent or went into administration as those terms are defined in the *Corporations Act 2001* ...

In relation to paragraph (c), will there be a point at which someone has been rehabilitated from that barrier, even though the corporation may no longer exist or be in administration? It might have been 20 years ago. Will that person still be banned from being involved in the administration of that particular trust?

Mr J.R. QUIGLEY: Yes. It is a very high standard. They will be banned if they were the director of a company at the time it went into administration or liquidation. But that is not the end of it, because the member’s question was about rehabilitation. That is covered by subclause (3), which states —

A person to whom subsection (1) applies may apply to the Court for leave to be involved ...

It will be not for the Attorney General or the commission, but for the court to decide whether the person has, in the member’s words, been rehabilitated.

Clause put and passed.

Clause 47 put and passed.

Clause 48: Terms used —

Mr R.S. LOVE: This is the beginning of part 6, “Gifts by certain trusts for philanthropic purposes”. As I have indicated, it is quite a complex area to do with tax and the like. I wonder whether the Attorney General could explain briefly why this particular part has been inserted and what the effect of part 6 will be more generally?

Mr J.R. QUIGLEY: Part VA of the current act was inserted in 2011 to deal with the change made to commonwealth taxation legislation in 2006, so it was five years late. Nonetheless, there has been a further change to commonwealth laws as a result of the passage of the commonwealth Charities Act 2013. There is now an inconsistency in how the current act and commonwealth laws—that is, the Charities Act 2013 and the Income Tax Assessment Act 1997—operate in relation to certain trusts known as private ancillary funds or ancillary funds that are vehicles used for philanthropic purposes. For ancillary funds to be valid charitable trusts under state law, as well as obtain an income tax exemption, they need to be charitable under both state and commonwealth law. Under the Charities Act 2013, ancillary funds that make distributions to a government entity as an item 1 deductible gift recipient—otherwise known as a DGR—will be charitable and a grant can be made. However, the commonwealth Charities Act 2013 operates only for commonwealth law purposes. At present, in order to make a distribution to a deductible gift recipient and remain charitable under the current state act, the trustee must take separate action in the form of making a declaration or including specific wording in the trust deed. The trustees may need to obtain legal advice to determine the scope of the power and may also have no record of a previous declaration made under state law. It is safest for them to make the declaration under state law to ensure that they remain within the ambit of the commonwealth Charities Act and the Income Tax Assessment Act.

The object of part 6 of the bill is to continue to enable the trustees of certain kinds of trusts to make tax-deductible gifts to eligible recipients following the introduction of the commonwealth Charities Act 2013. The purpose of part 6 is that if trustees want to make a gift for philanthropic purposes to an organisation and they want it to remain tax deductible, the recipient has to be recognised as a charity at the commonwealth level.

Mr R.S. LOVE: Would this apply to every charitable trust under this legislation, without exception?

Mr J.R. QUIGLEY: It will theoretically apply to all trusts, but only a reduced number of trusts make philanthropic gifts; often trusts expend capital on the class of beneficiaries for which they were set up. But some trusts make philanthropic gifts, maybe to Telethon or a public hospital or something. It will apply generally to all trusts.

Mr R.S. LOVE: It will apply generally, but since 2013, that has not been possible; is that what I am hearing? Therefore, this has been a very long time coming.

Mr J.R. QUIGLEY: It was possible, but they had to make a declaration in a specific form of words, and if they did not make it in a specific form of words, they might have found themselves outside the boundaries of the commonwealth Charities Act or the Income Tax Assessment Act. The trust deed itself could give power to make philanthropic gifts, but this clarifies it in statute law.

Clause put and passed.

Clauses 49 to 52 put and passed.

Clause 53: Validation and transitional provisions for period preceding commencement of this Part —

Mr J.R. QUIGLEY — by leave: I move —

Page 41, line 18 — To delete “prescribed power in the trust instrument of” and substitute —
former prescribed power for

Page 41, line 22 — To insert after “The exercise of a” —
former

Page 42, lines 1 to 9 — To delete the lines and substitute —

- (4) The former prescribed power is, on and after new commencement day, taken to be a prescribed power for the purposes of section 51.

Amendments put and passed.

Clause, as amended, put and passed.

Clauses 54 to 58 put and passed.

Title put and passed.

MINING AMENDMENT BILL 2021

Second Reading

Resumed from 12 May.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [1.57 pm]: I do not have much time to go, so it is probably not a great opportunity to get into the nitty-gritty of the Mining Amendment Bill 2021, which is a very important bill that the opposition will support. The Minister for Mines and Petroleum is not here, but I do not think that the next two minutes of the contribution is going to be much beyond indicating our level of support. As an indication of why this bill is so important, I guess we only need to look at some of the reports in the sector about

a backlog of approvals because of our very strong sector, the mining industry, and a very strong demand at the moment. I am looking at a report in *The West Australian* from Friday last week. It is headed “Booming WA mining sector causes permitting backlog”, and it goes on to describe how the sector wants more to be done by the government to cut back on some of the backlog of permits and approvals it is facing. That has been brought about by a very strong sector of many, many different industries coming to Western Australia now that new minerals are being discovered. Of course, more and more exploration is going on, and all these activities need to be approved under the fairly strict regime of approvals that exists at the moment, which is one of the reasons why the industry itself would like to see some streamlining of the approval system and to see it happen rather quickly.

I note that last Friday the government made a response plan to bring mining approvals back on track. This media release from Hon Bill Johnston states —

- Significant increase in applications for Programme of Work and Mining Proposals
- Approvals Response Plan will prioritise assessment of mining applications
- Low risk Mine Closure Plans will be deferred for 12 months

These measures are supported by this side of the house. There needs to be a concerted effort to ensure that industry is not held back for an unnecessarily long period of time waiting for approvals to take place because we would like to see some of these exciting projects get off the ground.

Debate interrupted, pursuant to standing orders.

[Continued on page 2849.]

QUESTIONS WITHOUT NOTICE

COAL-FIRED POWER STATIONS — CLOSURE

358. Dr D.J. HONEY to the Minister for Energy:

I refer to the announced closure of the Collie and Muja power stations by 2027 and 2029, which is estimated to result in around 1 200 job losses in Collie.

- (1) Given the first major closure is only five years away, what specific new industries are planned for Collie to replace these lost jobs?
- (2) Can the minister guarantee that the Collie community will suffer no net job losses as a result of this government’s decision?

Mr W.J. JOHNSTON replied:

- (1)–(2) It is an interesting question. Of course it could have been directed to the correct minister, who would be the Premier. I am the Minister for Energy and my job is in the energy space. The Collie industry attraction fund is not in my portfolio of ministerial responsibilities, so I do not have the standing order capacity to answer that part of the question. But I want to address the question about the closure of the coal plant because I am not the first person to suggest that the Collie coal plant be closed. In fact, the member for Cottesloe suggested it. He did not suggest that it should be done in a staged and coordinated fashion in conjunction with the single largest investment into jobs in Collie in the state’s history that the Premier has brought forward. His plan was to do it by 2025. Whereas the Premier; Treasurer has supported the investment of \$662 million into new jobs for Collie, how much investment did the member for Cottesloe, the person who asked me this question, think was satisfactory to support the transition? It was \$100 million. In framing his supplementary question in a moment, I want the member for Cottesloe to tell me how many jobs he thought that \$100 million would create. I can tell the member that \$662 million is a genuine investment in the future of Collie. As I have said on a number of occasions, the people of Collie have been good to the people of this state and now it is our turn to return the favour. We have a plan for each individual worker who is impacted by this decision to help them to manage what they do. We are also investing in the people of Collie by bringing industries to Collie. I look forward to the member for Cottesloe explaining to everybody in this chamber why he thought \$100 million was sufficient for the people of Collie and why he thinks that a figure that is six and a half times more is apparently not sufficient.

COAL-FIRED POWER STATIONS — CLOSURE

359. Dr D.J. HONEY to the Minister for Energy:

I have a supplementary question.

Several members interjected.

The SPEAKER: Order, please!

Dr D.J. HONEY: How can the people of Collie have any confidence in this government’s assertion that jobs will be replaced when this minister cannot give us any detail of the sorts of projects that it will provide them?

Mr W.J. JOHNSTON replied:

That is a different question. If the member had asked me what are some of the projects that we have already brought to Collie, I could have given him examples of the projects that have already come to Collie and are creating jobs now, but he did not ask me that. He asked me a question related to the portfolio of another minister and he did not explain to anybody why he thought \$100 million—I ask the member for Cottesloe to tell us what industries he thought his \$100 million project would support.

Dr D.J. Honey: You're in government. What are you doing?

Mr W.J. JOHNSTON: He should tell me why he thought one-seventh —

Dr D.J. Honey: So you can't answer it.

Mr W.J. JOHNSTON: I will tell the member what I can answer: the reason why the people of Collie rejected the Liberal Party just the other weekend in the federal election when there was a 10 per cent swing in every single polling booth. Do you know what happened, Madam Speaker? Rick Wilson and Hon Angus Taylor went to Collie and said, "If you vote Labor, you'll lose your job." Ten per cent more people voted for Labor than before they visited.

Several members interjected.

The SPEAKER: Order, please!

COAL-FIRED POWER STATIONS — CLOSURE

360. Ms J.L. HANNS to the Premier:

I refer to the difficult decision by this government to retire Western Australia's state-owned coal-fired power stations and sensibly transition to a greater use of renewables. Can the Premier outline to the house how the McGowan Labor government will support the workers and the community of Collie through the transition to ensure that the town has a prosperous long-term future?

Mr M. McGOWAN replied:

I firstly thank the member for Collie—Preston for her advocacy for her community and her understanding over the very difficult things that are being done at the moment. I thought she performed magnificently yesterday in Collie with the people of her community.

Of course, the people of Collie—the coalminers and the power station workers—and the associated industries have done so much for the state of Western Australia over the past 130 years. They have powered our state over that period of time. It is often very difficult and hard work and, sometimes, particularly historically, very dangerous work, but technology is changing. We now have an electricity system that is becoming increasingly unsustainable as it currently stands. There is a massive uptake of solar and wind renewables every single day. More and more renewable energy is coming into the grid each and every day. That means that demand for coal is going down, the cost of coal is going up and the sustainability of the power stations in the way that they have to operate is becoming increasingly difficult. If nothing is done about this, the cost for each household's power bill will increase by at least \$1 200 per household by 2030. That is clearly not acceptable to us. That is why we made the decision to close the Collie power station in late 2027 and to close Muja D in late 2029. We understand that that will be difficult for the people of Collie, but it provides certainty for the community.

We are absolutely committed to standing by Collie and the people of that community and ensuring that the kids who go to school there have the opportunity to stay in Collie, obtain employment and raise a family. We owe it to Collie to do that. That is why we have announced \$662 million as part of the Collie transition package. That is an additional \$547.4 million on top of the \$115 million already committed. Part of that will be \$200 million for the attraction of new and emerging industries to the area that are particularly focused on manufacturing and the industrial land of the area. There will be the opportunity to decommission the existing power stations so that they do not sit there empty, as they have in other states for years and years, which will create an opportunity for the local workforce. Then there is at least \$21 million for the Collie Jobs and Skills Centre and the case management of people impacted. This builds on the existing investment into Collie. We have invested around \$40 million into tourism for the area—a whole range of initiatives in Collie and its surrounds. In industry, we have established the emergency services vehicle manufacturing facility, WesTrac Institute's automotive autonomous training facility, the Department of Mines, Industry Regulation and Safety's regional processing centre and the Koolinup Emergency Services Centre. A whole range of projects are being worked on in the area in terms of graphite, magnesium and medicinal cannabis. We expect that there will be significant other projects and also investment in renewable energy, which will have a real focus on the Collie area.

I am very confident that Collie has a strong and prosperous future and that this government, for as long as it is in office, will invest to ensure that the people in Collie can rely on it to support them over this difficult transition period.

Visitors — Westminster Primary School P&C

The SPEAKER: On behalf of the member for Balcatta, I would like to acknowledge Westminster Primary School P&C. Welcome to the Speaker's gallery today.

ELECTRICITY SUPPLY

361. Dr D.J. HONEY to the Minister for Energy:

I refer to the most recent Australian Energy Market Operator's *Electricity statement of opportunities*, which indicates that electricity generation capacity in 2030–31 is only 170 megawatts above forecast peak demand, and this forecast assumes 422 megawatts of capacity available for Muja 7 and 8 and 434 megawatts of capacity available for Bluewaters 1 and 2—a combined total of 856 megawatts. Given that the closure of these coal-fired power stations will leave a gap of around 685 megawatts of generation capacity, what specific non-coal and non-gas replacement electricity supplies will be implemented to replace the previously unforecast reduction in capacity caused by those closures?

Mr W.J. JOHNSTON replied:

Finally, a question that is related to my portfolio area!

I want to thank the Australian Energy Market Operator for its media release of yesterday, in which it welcomed the decision by the government to make this announcement. I want to thank Kate Ryan, the strategy manager here in Western Australia—I think that is her correct title—and Daniel Westerman, the chief executive officer of the Australian Energy Market Operator. We have been talking to them about this decision. We did it, making sure, like we have carefully planned every other element of this, that it fits into AEMO's expected plan for the future of the south west interconnected system. Indeed, the energy market operator is about to release its next ESOO. We would expect it to comment, not in detail, but just acknowledge the government's announcement. The Australian Energy Market Operator welcomes the decision we have made because it says that it is a sensible, reasonable and practical pathway forward for the retirement of these coal facilities. The member has to remember that the coal facilities are becoming harder to fit into the system. I also point out that another reason that this is being welcomed by the Australian Energy Market Operator is that both the 800 megawatts—plus of additional renewable energy generation and 4 400 megawatt hours of additional storage that we are putting into the system is within the existing footprint of the south west interconnected system. That is why the Australian Energy Market Operator was so aghast at the opposition's plan to build 1 500 megawatts of renewable energy 1 000 kilometres north of Geraldton, completely outside the south west interconnected system. The Australian Energy Market Operator said it would have to build three separate transmission lines.

Dr D.J. Honey interjected.

The SPEAKER: Order!

Mr W.J. JOHNSTON: The Australian Energy Market Operator said it would have to build three separate transmission lines to cover the risk of building transmission so far from the grid. That would have pushed up the cost of that project massively. Not only that, the Australian Energy Market Operator welcomes our decision to build 4 400 megawatt hours of storage because the opposition's proposal was to build only 500 megawatts of battery storage, which was completely and utterly inadequate. There is no possibility of balancing the system with only 500 megawatt hours of battery. That is why the Australian Energy Market Operator so positively supported our announcements and why it clearly rejected the opposition's announcements.

ELECTRICITY SUPPLY

362. Dr D.J. HONEY to the Minister for Energy:

I have a supplementary question. Given the relatively short time frame for these closures, how can the public have any certainty of power reliability post-2030 when the minister cannot provide me with any details of how peak energy demand will be satisfied?

Mr W.J. JOHNSTON replied:

That statement is not correct. I have just outlined to the member how that will be achieved. I will make that clear. Let us not have this verballing. The member is adopting the practices of the member for Vasse by making a statement not supported by what just transpired. I actually outlined to the member why the Australian Energy Market Operator rejects the member's argument and why it says the member is wrong. Then the member gets up and claims that I have not said what I already provided.

As I said to the member before, the plan is in detail. It is the result of a long process of consultation involving Synergy, Energy Policy WA, Western Power, the Department of Treasury and the Department of the Premier and Cabinet. It is a careful plan that we know can work.

Dr D.J. Honey: Are you releasing it?

Mr W.J. JOHNSTON: I released it yesterday. I do not understand. I do not get the member's behaviour. He does not listen to anybody. He says that the Australian Energy Market Operator says that this was not a good plan when it put out a media release to say it welcomed the plan. He says that others in the industry do not support it when the WA Independent Power Association made very positive comments. He says that it is not a sensible plan, yet everybody in the industry has already said that it is a sensible plan. Is the member saying it is a sensible plan?

Dr D.J. Honey: I think the closure is actually something that was inevitable. It is the detail of how you respond.

Mr W.J. JOHNSTON: On one side, we have the Australian Energy Market Operator, Western Power, Synergy, Energy Policy WA, the Department of Treasury and the Department of the Premier and Cabinet giving advice to me, the Premier and the rest of the cabinet. On the other side, we have the Leader of the Liberal Party. The member thinks that we should listen to him. It is never going to happen.

I want to finish by reminding the member of the chaos that he would like to see. The last government tried to get rid of the capacity market. It tried to have Western Australia regulated as part of the national electricity market. Today the Australian Energy Market Operator—the business the member is talking about—suspended the national electricity market. There is currently only one electricity market in Australia—that is, the wholesale electricity market here in Western Australia. The national electricity market does not exist anymore because it has been suspended from today.

COAL-FIRED POWER STATIONS — CLOSURE

363. Ms J.J. SHAW to the Minister for Energy:

I refer to the government's decision to retire all state-owned coal-fired power stations by 2030.

- (1) Can the minister outline to the house why this decision is needed in order to ensure the security of the system and protect against higher power bills as WA transitions to greater use of renewables?
- (2) Can the minister advise the house how responsible transmission compares with the energy policy authored by the member for Cottesloe, which Hon Dr Steve Thomas called "the stupidest policy" he had ever seen?

Mr W.J. JOHNSTON replied:

I am very happy to answer that superb question from the member for Swan Hills. I know that Hon Dr Steve Thomas will make a great shadow Minister for Energy when the leadership of the Liberal Party is changed. I hope he has a long career as the shadow minister.

- (1)–(2) I make the point that we are dealing with some fundamental challenges in the system. The amount of rooftop solar is constantly increasing; in fact, the amount of rooftop solar goes up by one megawatt every day. Already, 35 per cent of families and home owners in WA have rooftop solar. We expect that to get to 50 per cent. That is fundamentally changing the dynamics of the system. Last year about 300 megawatts of rooftop solar went on the system. To put that in context, that is the same capacity that exists at the Collie coal-fired power station, which is the largest single generator on the system. Members can see that we have to deal with that. That electricity is instantaneous. It is pushing down the value of electricity to negative values in the middle of the day. We regularly have negative prices of wholesale electricity in Western Australia. Those losses are suffered by Synergy because Synergy buys 100 per cent of the electricity generated by rooftop solar. It then has to dispose of that electricity into the wholesale energy market.

At the same time, what is called the ramp rate, the difference between the minimum and maximum demand, is getting very steep. The change in the dynamics of the market is such that we go from low demand to high demand very quickly and it is not possible for coal-fired power stations to respond to that demand. For example, it takes 18 hours for a coal-fired power station to go from cold to fully operational; it takes 16 minutes for a gas turbine to do the same thing. Coal-fired power stations cannot operate in that dynamic market. We can see how rooftop solar is pushing out the ability to use coal stations that work best when there is stable demand.

What is also happening, as I told members, is that the low value of the energy Synergy is buying means it has to buy energy from others to respond to that high peak, and is therefore buying energy at the highest price in the spot market. Synergy is on the wrong side of both trades. It has to buy rooftop solar and sell it at a negative price and then buy other people's electricity to cope with the peak. Synergy's business model of using coal-fired power stations as its principal generation simply no longer functions. It is not a question of ideology; it is a question of economics.

We are, over a staged period with a long notice time, giving the community a long time to adapt to these changes. We are going to retire those coal plants and introduce some additional generation, but also, much more importantly, storage. As the member for Swan Hills knows, as she is a highly competent person out of the sector, we want to raise the belly of the duck to cut off its head. In other words, we want to raise midday consumption of electricity to reduce evening consumption. We will put some of the energy into storage and then return it to the market in the evening. That levels the rate of electricity and removes that rapid ramp that we have to cope with in the evenings. It makes the system much more efficient. It makes it more secure. It makes it better. It makes it able to respond to individual changes in demand throughout the day. It is a much better structure.

We will do that over a sensible period, having previously announced the retirement of coal plants three years ago. We can think about it as a 10-year retirement phase for the coal-fired power stations that will allow us to do a moderate build over that long period. In contrast, the member for Cottesloe proposed the stupid idea to have everything shut within three years. It was just crazy!

A member interjected.

Mr W.J. JOHNSTON: It is dangerous.

The member asked me a moment ago whether we could guarantee that we would do the build over the next seven years. Think about it. We are doing it over seven years. His proposal was to do it within three years. This is a sensible policy response to an actual need to change. We will get advantages all over the place from this policy and that is why we are also investing in the people of Collie, because we do not want to leave them behind. This is a good policy and that is why everybody in the industry has been so supportive of it.

LIVE EXPORT — FEDERAL GOVERNMENT POLICY

364. Mr P.J. RUNDLE to the Premier:

I refer to the savage attacks on Western Australia's \$136 million live sheep trade by the federal Labor government.

- (1) What contact has the Premier had with live exporters since the federal election?
- (2) What representations has the Premier made to his federal Labor colleagues to stand up for WA and have this policy overturned?

Mr M. McGOWAN replied:

- (1)–(2) I think the Prime Minister has indicated that the policy, or the federal government's approach, will remain as is for the duration of this term of government.

LIVE EXPORT — FEDERAL GOVERNMENT POLICY

365. Mr P.J. RUNDLE to the Premier:

I have a supplementary question. The Premier said that it is for the duration of the government. What is the future for the industry over the long term?

Mr M. McGOWAN replied:

The Prime Minister has indicated that for this term of government the existing arrangements will remain in place. I am not a federal parliamentarian. I do not know what will happen in 10, 20 or 30 years. Maybe when the member is the Premier in 2035, he will be able to sort it out!

SAFETY AND SECURITY REBATE

366. Ms M.M. QUIRK to the Minister for Seniors and Ageing:

I refer to the McGowan Labor government's significant investment in protecting our seniors. Can the minister update the house on the seniors safety and security rebate program, which was cut by the previous Liberal–National government, and outline how it is ensuring more seniors can feel safe and secure in their home?

Mr D.T. PUNCH replied:

I thank the member for Landsdale for the question and for her passionate commitment to seniors in her area.

As the house knows, we are very committed to supporting communities and seniors are a very special part of our community. One example of how we have supported seniors through our election commitments is, of course, the seniors safety and security rebate. It is yet another election commitment that we have delivered. I was very proud to announce the rebate with the Premier and the Minister for Police, Minister Papalia, in August last year. We announced \$400 per household for eligible home security equipment. I remind members that that includes home alarm and CCTV systems, security screens and doors, deadlocks, security sensor lights, wi-fi video doorbells, residual current devices, mains-powered smoke alarms, fire extinguishers and fire blankets. We know those items are all very important to providing seniors with a sense of safety and security.

In the first nine months since the scheme's introduction, payments to Western Australian seniors have exceeded the \$4 million mark. In fact, as at 31 May, 11 830 claims have been paid, totalling \$4.49 million, with 99 per cent of applications finalised. Members may be interested to know that there has been a really high take-up in some areas. I would like to acknowledge that in the City of Joondalup, the member for Joondalup's area, there were 1 170 recipients. In the City of Mandurah, including the electorates of the members for Dawesville and Mandurah, there were 1 133 recipients. In the City of Melville, including the member for Bateman's electorate, there were 780 recipients. In the City of Stirling, including the ever-hardworking member for Scarborough's electorate, there 1 045 recipients. The members for Landsdale and Wanneroo had 765 in the City of Wanneroo. They are some very substantial numbers. I had a look at some other locations. The member for Cottesloe managed to achieve one in the Shire of Peppermint Grove, 24 in the Town of Cottesloe and 25 in the Town of Mosman Park, but we know the tank has run dry in some areas. In the Shire of Carnarvon, the member the North West Central managed to achieve five. This highlights the hard work done promoting the safety and security rebate by members on this side of the chamber who take seniors seriously. They are out there with our seniors strategy, talking with local communities about the aspirations of seniors into the future.

There have been some other benefits from this particular program, members. As Minister for Small Business, I would like to also acknowledge that 1 300 businesses have been involved in delivering or installing eligible items for holders of the WA Seniors Card, providing a welcome boost to the local safety and security industry.

Members will recall that the previous Liberal–National government abolished this program in 2015. When it realised the state’s finances were in a mess and rapidly going downhill, who did it target? It targeted seniors. The Minister for Seniors and Volunteering at that time, Hon Tony Simpson, said there was a need to ensure the concessions, rebates and supports provided to seniors were responsible, fair, sustainable and targeted at those who needed it most. The former Liberal–National government decided that nobody needed it and cut it. We are keeping seniors safe, members. Safety and security may not have been important to the Barnett Liberal–National government, but I can assure members it is a priority of the McGowan government.

ELECTIVE SURGERY — CATEGORY 1 PATIENTS

367. Ms L. METTAM to the Minister for Health:

I refer to the minister’s comments in this place yesterday regarding elective surgery and that the average number of days before a category 1 patient is seen has risen by one day in the last two or three years and they are still being seen within the clinically appropriate time. Can the minister explain why the number of category 1 over-boundary cases—that is, patients who are waiting longer than the clinically appropriate time of 30 days—has increased from 12.5 per cent in April 2021 to 28.3 per cent, or almost one-third of cases, in 2022; and how these people are being seen within the clinically appropriate times the minister alluded to yesterday?

Ms A. SANDERSON replied:

Yes, I can explain it. I also said yesterday that there has been a slight increase in the out-of-boundary cases, because the average length of waiting time and the percentage of out-of-boundary cases is different. One has to look at the data; it is complex. There has been a slight increase because we are in the middle of a COVID surge. Over the month of May, we had 3 300 staff furloughed. That is why. We had a short, sharp, planned six-week scale-down of elective surgery. During that time, we saw an exponential increase in COVID cases. That was planned for and expected. It is not ideal, and of course we do not want to do it, but if we compare with other states the situation Western Australia is in with our elective surgery, furlough numbers and ability to scale up elective surgery whilst in a COVID surge, we can see that we are in a far better place. We have ramped up elective surgeries to, depending on the hospital, anywhere from 50 per cent to 60 per cent of full capacity of elective surgery categories 1, 2 and 3. We are in a far better place than any other state.

That is not to say that some people have not had to wait a little longer, and we appreciate their patience. In many cases, these operations are sometimes cancelled for reasons outside the control of the hospital—for example, because of cancellations by patients, or through sick leave of staff and surgeons. A significant number of operating theatre nurses have also been on furlough or had caring arrangements. That is why there is a small increase in out-of-boundary cases. It is different from what the member is claiming, which is about the average number of days waiting for surgery. That is still well above the rates for any other state or territory. The average number of days has increased by one day over the last two years.

ELECTIVE SURGERY — CATEGORY 1 PATIENTS

368. Ms L. METTAM to the Minister for Health:

I have a supplementary question. The wait list has expanded significantly since 2017. Regardless of the minister’s excuses, the number of over-boundary cases —

Several members interjected.

The SPEAKER: Members! Member, it appears to me that you are again making a statement rather than asking a question. I ask you to ask a brief supplementary question, or I will sit you down.

Ms L. METTAM: When will the minister start taking her job seriously, stop playing politics and point to when these issues across the health system will be addressed?

Point of Order

Mr D.A. TEMPLEMAN: There were actually three questions in that supposed supplementary question, and it really should be ruled out of order.

The SPEAKER: Member for Vasse, you have had more warnings than others. I will give the minister a brief opportunity to respond to the tenor of your supplementary question.

Questions without Notice Resumed

Ms A. SANDERSON replied:

That is extraordinary, coming from an opposition that is the biggest joke in the history of Western Australia. Talk about taking your job seriously; look at the data, do the work and do the research. Your performance in here yesterday

was embarrassing. It is embarrassing for every person in here who takes their job seriously. You blow in here with little stunts; it is pathetic. You are paid to do this job. Start taking it seriously. We are talking about people who take their job seriously. I did not think it was possible to get a worse opposition than the one in the last Parliament, but you have achieved that. Well done! You have achieved the status of worst opposition in the history of this state.

TREASURER — SYDNEY VISIT

369. Mr D.R. MICHAEL to the Treasurer:

I refer to the strong and responsible financial management of the McGowan Labor government, which has been praised by credit rating agencies and has delivered multiple upgrades to Western Australia's credit rating. Can the Treasurer update the house on his meetings with investors and credit rating agencies last week in Sydney, and outline the response he has received?

Mr M. McGOWAN replied:

I thank the member for the question.

Last week I visited Sydney, principally to present to the state's investors—namely, our bondholders. In addition to that, I took the opportunity to meet with the credit rating agencies Standard and Poor's and Moody's, the Governor of the Reserve Bank, the federal Treasurer and the chief economist of ANZ bank. It would be fair to say that the feedback from all of them on Western Australia's financial and economic performance over the last five years was very positive. Because of this performance, demand for our bonds is very strong. We are the only state in Australia in which debt is going down; debt in other states is skyrocketing. According to the recent state budget, our net debt has declined for the third straight year, below \$30 billion for the first time since 2015, and \$14 billion—in fact, one-third—lower than what was projected across the forward estimates of the last Liberal–National government. That has saved us billions of dollars in interest payments, which we can put towards better services and infrastructure. Of course, as interest rates go up, this is an important thing; perhaps other states should have followed Western Australia's example.

As we know, the previous Liberal–National government lost our AAA credit rating in 2013. There were then multiple downgrades in our credit ratings. The previous government recorded huge deficits and rising debt over its term in office. Under my government, we have seen multiple upgrades to our credit rating and outlook. The credit rating agencies have been complimentary of Western Australia's performance compared with domestic and global peers, with Standard and Poor's saying that our budgetary and debt metrics are materially stronger than those of other states. We have very strong financial management and a robust track record. I had an opportunity to present all that to the groups I mentioned earlier, including the Reserve Bank, which, as I said, was very complimentary of Western Australia's performance.

We are seeing a very different set of circumstances in the eastern states compared with here. If we look at the finances and debt trajectories of the eastern states in a high interest rate environment, it is quite concerning. The New South Wales budget, brought down yesterday, is another example of that. Another thing we are seeing that is very concerning is its management of its electricity system. It sold off all its electricity utilities, it does not have a reserve capacity mechanism in place and it does not have a gas reservation policy in place. Those are three things that Western Australia solved years ago, particularly during the government of Alan Carpenter, which put in place the gas reservation policy that has helped preserve the position of this state. Of course, the last Liberal–National government wanted to sell off our electricity utilities; that was its policy. As we have seen, particularly in New South Wales and Victoria, that can have catastrophic consequences, which are now going on over there.

The other thing, after electricity, utilities and financial performance, is house prices. Over there, the house price situation, particularly in the major cities, is very difficult for ordinary families. The average price of a house in Sydney is twice that of Perth. I do not understand how someone on a modest or low income can live in Sydney. It is significantly better here, and that should be, and is, a major attractor for people from over east or overseas to come and live in Western Australia.

Finally, there is COVID. I was sitting next to people at these events whose children did not go to school for a year to 18 months. Their kids at university did not attend a lecture or tutorial for two years. When I told them that our children had missed out on around five or six days of school, they were agog. Since April 2020, we have had 12 days' lockdown, while Victoria had 250 days and New South Wales had 160 days of lockdown. The performance in Western Australia —

Dr D.J. Honey interjected.

Mr M. McGOWAN: I am sorry; is the member for Cottesloe objecting to this? I just heard some unfortunate noises from over there.

They were agog at the performance of Western Australia compared with the eastern states. We are on the right pathway. All those factors show that Western Australia has achieved some great things, and that is because the people of this state, under this Labor government, have been prepared to do the right thing.

PUBLIC SECTOR — WAGES

370. Ms L. METTAM to the Premier:

I refer to reports that the government is under pressure to increase wages for the public sector, with trade unions marching on Parliament and calling for wage increases to offset WA's savage 7.6 per cent inflation rate, rather than the four per cent forecast in the budget.

- (1) Does the Premier agree with Community and Public Sector Union–Civil Service Association of WA secretary Rikki Hendon's claim that the 2.75 per cent wage rise offer falls well short of the cost of living?
- (2) Given the state's inability to attract and retain essential health workers, is the Premier considering a similar retention payment to that implemented in New South Wales and Victoria?

Mr M. McGOWAN replied:

- (1)–(2) Earlier this year, we announced a new wages policy—perhaps in December last year or January this year—which at that point was the most generous of any state of Australia. It offers a 2.5 per cent pay increase plus a \$1 000 sign-on bonus, or a 2.5 per cent wage increase plus a 0.25 per cent addition subject to negotiation. That is the policy of the state government. The significant cost-of-living pressures were recognised in the state budget. That is why we put in place a \$400 electricity credit funded from the surplus. That has not added to debt. That means that in overall terms, the cost of state government goods and services will go down in the next financial year by 3.8 per cent. That is unique across Australia. It ensures that everyone will receive the support and benefit of these things.

One other point that I would make is that over the last two years, New South Wales and Victoria had mass outbreaks of COVID-19. That was no doubt very difficult for their hospital systems. That was two years of incredible difficulty—mass deaths, mass dislocation and some terribly difficult things for health system workers to manage. Obviously, we avoided that. There is a material difference between what occurred in our hospitals and what the workforce here had to endure and what occurred in New South Wales and Victoria.

PUBLIC SECTOR — WAGES

371. Ms L. METTAM to the Premier:

I have a supplementary question. How does the Premier expect to attract and retain the health workers that we need when other states are offering cash payments while WA is, effectively, offering wage cuts?

Mr M. McGOWAN replied:

I just explained to the member that over the course of the last two and a half years, Victoria has had massive dislocation and huge catch-up pressures. The pressure on the ambulance system and emergency departments in both Victoria and New South Wales was significantly worse than it was here, so it has been a much more difficult period for them. Certainly in the case of Victoria, it was outside its control. New South Wales did have some control of it, but, as we know, the New South Wales government made some significant mistakes in managing the situation. I understand that the health workforce in those states have had a different experience from the health workforce of other states in Australia.

In terms of cost-of-living pressures, I do not know whether the member listened to my earlier answer. The average price of a house in Sydney is \$1.2 million—it is double the cost of a house in Western Australia. The biggest expense in life for 95 per cent of people is their home. When someone in Sydney has to pay twice as much to buy a home as someone here, the idea that somehow it is more attractive to live in Sydney or Melbourne on a cost-of-living basis is just ludicrous. It is a ludicrous argument. Obviously, it is very difficult over there.

As the Minister for Transport just mentioned, New South Wales also put in place toll roads. I was talking to someone over there about this the other day. The New South Wales government put in place toll roads, particularly out to the western suburbs, where people on lower incomes live, and it is now paying the toll companies to reduce the tolls. It is costing hundreds of millions of dollars. That government put in place toll roads and privatised all the assets. It does not get any income from any of those things. Its debt has skyrocketed—it is heading towards \$150 billion or thereabouts—and it is now paying the toll companies to keep the tolls down. That is what it is doing. How disastrous is that? I will not get into the financial management of the New South Wales government, but it is absolutely woeful. That is the Liberals in office. The Liberals in office cannot manage anything; they are hopeless. Hopefully, there is a change of government in New South Wales next year.

SCHOOLS — ANTI-VAPING TOOLKIT

372. Mr T.J. HEALY to the Minister for Health:

I refer to growing concerns and misconceptions about vaping, particularly in regard to the safety of vaping. Can the minister outline to the house how the McGowan Labor government is ensuring that Western Australians are aware of the dangers of e-cigarettes and vapes and working to mitigate these harmful impacts?

Ms A. SANDERSON replied:

I thank the member for Southern River for the question; I know that he takes a strong interest in this issue.

We know that vaping amongst teens and young people is on the rise. Many people are under the misapprehension that vaping is safer than smoking and that vapes do not contain nicotine—that it is a safe product. That could not be further from the truth. Nicotine is probably the least harmful chemical or component of vaping. Research undertaken locally has found that vaping liquids regularly include disinfectants, pesticides, heavy metals and other harmful substances found in cleaning products and nail polish removers. These chemicals can have harmful impacts, with many linked to bladder and lung cancers. They can make people very, very sick. It is not a risk-free alternative to smoking.

Last week, the Minister for Education and Training and I launched a toolkit for schools to help educate teachers, parents and kids about the dangers of vaping. The toolkit is based on evidence-based resources produced by New South Wales Health that have had an impact on vaping in that community and raised awareness of the harmful effects of vaping. It includes factsheets, posters, newsletters and content for schools to adapt that are targeted at students in years 8, 9 and 10 and are in line with the WA curriculum. We know that kids are being targeted when vaping flavours like bubblegum and cupcake are being produced and when outlets are positioned near schools. The toolkit is a one-stop shop resource that provides guidance for schools on prevention and education, as well as consistent approaches to dealing with vaping on school premises.

We are also beefing up compliance in this space. It is illegal in Western Australia to sell e-cigarettes, vapes or vaping products to anyone—full stop—regardless of their age. The only way someone can legally buy vapes or vaping products is with a prescription from a doctor as part of a quitting smoking program, and purchased from a pharmacist. That is the only way to legally buy them. In Bunbury last month, in a Department of Health–Western Australia Police Force joint operation, 950 e-cigarettes and two cartons of tobacco were seized from a food business—out the back of a kebab shop. The Department of Health is ramping up its compliance activity. The maximum penalty for selling e-cigarettes and vapes is between \$10 000 and \$20 000 for individuals, and up to \$40 000 for businesses that do not do the right thing. More than 16 000 illegal nicotine vaping products have been seized over the last few years. I particularly want to thank the Parliamentary Secretary to the Minister for Education and Training, the member for Southern River, and the Parliamentary Secretary to the Minister for Health, who is away on parliamentary business, for their work on the consultation and development of the toolkit and compliance activities, which we will continue to roll out across the state.

ROAD SAFETY AUDIT — INDIAN OCEAN DRIVE**373. Mr R.S. LOVE to the Minister for Transport:**

I refer to the recent road safety audit undertaken on the Indian Ocean Drive–Cervantes Road intersection and correspondence I received from the minister today confirming that the audit recommended safety improvements. Will the minister keep motorists safe by agreeing to lower the speed limit while we wait for these upgrades to be commenced, as has been implemented in similar cases recently in Narrikup and Capel?

Ms R. SAFFIOTI replied:

I thank the member for that question.

Of course, road safety is a key priority of this government. That is why we approached the former federal government and asked for a partnership in delivering road safety improvements across the state. So far, we have spent over \$450 million on road safety improvements across the state, with the safety of over 9 000 kilometres of road having been improved through widening shoulders and installing audible edge lining and audible centre-lines.

I refer to Indian Ocean Drive. Since coming to government, we have undertaken an initial audit and spent tens of millions of dollars on improving safety on Indian Ocean Drive, and we will continue to work to improve safety along that area. I refer to speed limits. This is obviously a very contentious issue across the state. We often have communities calling for reduced speed limits. More recently, we have acted in both the great southern region and, of course, the south west to reduce speed limits in areas that have been identified as having safety issues. In relation to the area that the member is talking about, I will have a look at that issue, but it is a continuing task. I and the Minister for Road Safety are working together to do what we can to reduce deaths and serious injury across the state. I think that if the member looks at the expenditure and the effort being made by the Road Safety Commission, no government in the state's history has done more or spent more on road safety in Western Australia than this government.

The SPEAKER: Members, that concludes question time.

MINING AMENDMENT BILL 2021*Second Reading*

Resumed from an earlier stage of the sitting.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [2.51 pm]: I would like to continue the contribution that I was making prior to question time to debate on the Mining Amendment Bill 2021. We have had this bill in the house for quite some time. As I was saying earlier, we know that there is a lot of pressure at the moment to ensure

that mining approval rates are improved. We have seen demand from industry reaching unprecedented levels, along with pressure on government departments of all types to ensure that they have professional staff to deal with approvals. I note that in the estimates hearings, the Minister for Water talked about some of the issues that his department has in maintaining staff. That seems to be an issue especially in the environmental assessment area and other areas relevant to mining approvals. In the mining industry, other skills are also needed to ensure that programs of works et cetera are appropriate and are being assessed properly. That is why there is concern within the industry to ensure that this legislation goes ahead. I will talk about some of those issues in a little more depth as I go through my contribution.

I refer to the newspaper article that I quoted from just before question time. It is quite a recent article; I think it is from last Friday. The article refers to the approvals response plan being put in place by the government, which will redirect a number of regulatory functions and resources at the Department of Mines, Industry Regulation and Safety to support assessment processes. Of course, we have seen a number of announcements from this government about how it will ensure that assessments are done in a timelier fashion. I remember in the previous Parliament going through this in great depth with the Parliamentary Secretary to the Minister for Environment, I think he then was, who is now the Minister for Environment. We had a lot of discussion about trying to improve the time lines for approvals under the Environmental Protection Act. We know that even back then, under that legislation, there were issues in the timeliness of approvals for all sorts of industries, whether it be some of the larger mining proposals that needed an EPA assessment or other uses that might involve land disturbance or some other impact on the environment.

This is not new. Again, we are seeing more announcements by the government to try to correct the situation, but nothing seems to be actually making a difference. Approval times are still an issue for industry, as this article clearly states. The article quotes Warren Pearce, chief executive officer of the Association of Mining and Exploration Companies. It states that he —

... called on the government to add even more capacity to the assessments process through the use of external private consultants.

The article continues —

DMIRS has been inundated with PoW —

That is, program of work —

applications after the exploration sector raised a record \$3.75 billion in funds in the December quarter, up 47 per cent from the previous record of \$2.55b ... in the September quarter.

We can see that exploration is taking off. Of course, that is where a lot of these approvals initially need to be done, and they need to be done in a timely manner. I recently talked to a person at an event who told me that it can take up to five years longer in certain jurisdictions than it does in our own, one of those jurisdictions being the Northern Territory. We do not want to allow things to slip to the standard that is accepted in other places, because that is a real barrier to exploration. I am sure that the minister would share that concern. I do not think that there is a difference between parties on this view. I think there might be concern about the effectiveness of some of the measures. As I said, measures are being put in place, but we are still seeing the pressure and we are not seeing the results of those measures.

As I said before, I know that Streamline WA has been initiated, and that has a webpage; I will go into detail about that a little bit later. I attended an event held by the Urban Development Institute of Australia at which there was a presentation by senior members of government and departmental heads, including the head of the Department of Mines, Industry Regulation and Safety, Richard Sellers. He talked about the process that had been gone through and what Streamline WA was achieving in ensuring that agencies were working together, but members of the industry who were commenting from the floor did not seem to share that experience and felt that there were still silos and differences between departmental processes, time lines and the like, that were adding to their costs and leading to problems.

The article states —

... DMIRS assessments and approvals function is understood to be operating at just 60 per cent capacity because of staffing shortages amid WA's tight labour market.

... the substantial backlog of mining and exploration applications awaiting assessment and approval was delaying activities and related investment.

I think there is a bit of a perfect storm there. Obviously, there is a huge amount of extra work. There is a lot of demand on people who are qualified to do that work, and, of course, that leads to increased potential for there to be a blowout in the time line.

Mr Pearce also commented on Streamline WA; he said —

“We are also keen to see Streamline WA deliver on its promise to cut red tape and reduce administrative burden across a range of approvals.”

It will be a matter that the government will be judged on over the coming years to ensure that there is a dividend from the investment that is being made in Streamline to ensure that we see a better pathway for projects going forward in the future.

Mr Pearce also threw his weight behind the Mining Amendment Bill 2021, which is here in Parliament and being debated today.

As I said, the opposition will be supporting the legislation—there is no issue there—but we will be pointing out the need to act quickly to ensure that we do not miss out on opportunities and that the Western Australian mining sector continues to grow and remain strong for some time to come.

We know how enormously significant the Western Australian mining industry is for not only Western Australia, but also Australia generally. It is certainly one of the major drivers of Australia's economy and it is one of the major reasons that we have been able to keep going when there have been significant issues in other parts of the economy as a result of shutdowns et cetera in some industries. We know about the problems that have occurred for people in the hospitality industry and the like. They have needed support throughout this period, support that has been enabled to some extent by not only the federal government borrowing money, but also the strong performance of the mining sector and the amount of money coming into Western Australia.

I am looking at some figures, which are a bit old now, because I prepared my second reading contribution some time ago. It has been sitting around for a long time and I have only just picked it up again. These figures are from the Department of Jobs, Tourism, Science and Innovation website. As I said, they are probably a bit dated now having been released, I think, in January 2022; they are a few months out of date. I will refer to some of the figures because they are quite instructive. The website refers to minerals production in 2020 and states —

Western Australia is the main exporter of minerals and petroleum in Australia and accounts for a significant proportion of the world's minerals and petroleum production.

In 2020–21, Western Australia had 125 high-value export-oriented mining projects and 13 major mineral processing operations transforming bauxite into alumina; gold ore or into gold bars; nickel ore into nickel concentrate, matte powder and briquettes; rutile into titanium dioxide pigment; zircon into fused zirconia; and silica sand into silicon metal.

In 2020–21, Western Australia also had 22 petroleum projects that produced gas, condensate and crude oil from 56 offshore and onshore fields. These projects had 13 processing plants, mainly for LNG exports and domestic gas supply.

Western Australia accounted for 65% of Australia's mining industry gross value added in 2019–20.

I suspect that the contrast is even more stark now. Although all parts of the state contribute to the mining output, there is no doubt that the Pilbara is probably one of the premium, if not the premium, mining provinces in the world. The value of production from that area is huge, but let us not forget the importance to the state of the many different minerals that are becoming known as critical minerals. These minerals are required for the transition to a new type of economy. Lithium is one such industry and we know that it will be an important sector for the future of our planet if we want to progress to a greener future involving batteries and other critical minerals in Western Australia.

The area I represent is in the agriculture region and is known as a farming area. In fact, the upper house region is called the Agricultural Region, but, in reality, mining in my electorate would probably shade agriculture as the most significant industry. In the electorate that I represent, there is the iron ore mine at Karara, which is a magnetite product. I believe that earlier on it had some hematite, but it cut through that. We also know that there are other areas of mineralisation in that region, such as the garnet mine north of Northampton, with a fresh large mine starting there, the mineral sands mine at Cataby and the potential development of silica mining on a larger scale in the Gingin area. There are some mines already, but there are a couple of very large proposals in the wind.

There has been a talc mine at Three Springs for many years. It is unique and makes some beautiful souvenirs. If members are ever in Three Springs and they want to get a nice polished piece of talc, it makes a very nice ornament, especially when it is made into a functioning clock on the wall, which is what I had done. Someone was kind enough to provide me with a piece of polished talc on one occasion. It is a very significant industry for that town. It is not a huge industry by any means, but it is significant for that town. Sometimes a smaller, long-lasting operation like that can provide great dividends for a community. It is not all about money coming in and flowing back out in wages and profits to other areas when the people who are working there have lived there for years and will continue to do so.

We also know that on the western edge of the Darling Scarp, some significant finds have been reported, such as the Chalice find, which is around the Julimar area at the lower end of my electorate. The very high grade deposit of a platinum group of minerals is a very exciting prospect for the state. Drilling is going on at the moment in the Julimar State Forest and herein lies an issue. It took some time to get the approvals, and we imagine that it would be because it is a state forest. People in the area are deeply concerned about transitioning from a farming area to an active mining area. The area around the deposit is fairly closely settled, so transport in and out will be an issue. There are also environmental constraints with the Avon River not being too far away. Mining in those areas will

be heavily scrutinised, and we imagine that there would be an expectation of a strong level of scrutiny of its operation and approvals, but it has to be fair, transparent and scientific. We must have processes in place. If it can be demonstrated that the operation will be carried out safely, it must be allowed to do so because there will be benefits for the entire state. We should never disregard the effect that that might have on the environment. We must ensure also that the citizens are satisfied that transport arrangements and the like in the future will be suitable. There are some very large prospects in the area.

Former federal Minister for Resources and Water Keith Pitt came to Western Australia in April and made some announcements of huge import to the area, one of those being a \$1.25 billion facility for Iluka Resources to develop a rare-earth processing facility at the old mine at Eneabba, which has been closed for a few years now. Iluka has been exporting monazite from deposits that had been kept from the mine's operations. Monazite is a slightly radioactive mineral. It was deposited in an area of the mine and is quite a significant resource. Over the last couple of stages of experimenting and making use of it at different levels, Iluka has decided to build a significant refinery there, which will eventually take product from other places, not just those available in Eneabba. Presumably, the facility will be able to process minerals from all over Western Australia and perhaps even those from interstate.

There was also an announcement a little bit before that, but re-announced, as these things happen, of \$41 million to Australian Vanadium, which is developing mines in the Murchison area and developing a processing plant at Tenindewa, which is in my electorate just west of Mullewa, between Mullewa and Geraldton. It will take product from its Meekatharra mine. That was funding under what was then known as the commonwealth's modern manufacturing initiative.

There are exciting new prospects for minerals in Western Australia, not just the traditional iron ore, which is still dominant in terms of output, but also a lot of these smaller, newer mines that are at different levels of development. Of course, they would like to have their approval situation streamlined as much as possible. I will go back to that term "streamlined". I do not mind the term and I do not mind the fact that the government has attempted to do something that has some merit in trying to make a more seamless approval process, but I go back to the fact that the news I am hearing on the ground is that it is not actually helping at this point, so perhaps we need to re-examine exactly how that process will be continued.

This bill was introduced, and it is mentioned on the Streamline WA webpage, although when I had the briefing, as I recall, some months ago, the department was at pains to say that it was not a Streamline bill. The earlier drafts mentioned "streamline" in the title, but that has now been dropped. But it certainly has not been dropped from the website. Under the initiatives to improve mining and environmental approvals on the website for Streamline WA, it says —

Introduce risk-based framework for some low impact activities.

This is in mining —

Establish a single approval instrument for mining proponents.

So this legislation certainly covers that. It was introduced under that Streamline arrangement.

In budget estimates and the like, we interrogated some of the issues. As I said to the Minister for Water, we had some discussion about just how the government had gone in developing its resources within its departments to carry out the promises of Streamline. Going back to July 2021, there was a \$120 million investment to streamline that process. I think there have been further investments since then, so we would expect to see some changes coming to the fore and then additional staff being employed, but I think in some of the departments at least that is not coming to fruition, which is why, going back to the Association of Mining and Exploration Companies' call, perhaps more private consultants need to be used in the interim to clear some of the backlog. I will be quite happy to hear the minister's responses to those issues. I am sure he will have some in his summing up as we head towards private members' business today.

The bill has been described to me by some industry figures as being welcome but not particularly innovative in that it does not go too far in setting up a lot of changes. It seems to be fairly limited in some of the other things that it will do. It is seen as being a fairly insipid bill, not one that is bold in significantly improving the approvals processes. That is the feedback from industry. I am not in a position to know enough of the experiences of people in the industry to speak for them beyond reporting what they have said to me. I have simply been told that some of the aspects of the bill are a little bit disappointing.

I go back to what might have made a big difference to the approvals situation. I was talking to someone in transport, not in mining, about a problem trying to be resolved at the moment under the approvals processes with the local and federal environmental departments. Changes to the Environmental Protection Act were put in place in the last Parliament, and an instrument was provided that would lead to not just dual assessments, but also dual approvals between commonwealth and state agencies so that we would not need to get separate approvals from the federal and state agencies. Unfortunately, due to opposition from the then opposition, the now federal Labor government, the matching legislation that would have enabled that to come into law on the commonwealth side was not able to

progress, so we are left with it sitting there as an instrument that we are offering out of hand to the commonwealth to say there is a system to work with it, as was discussed and agreed would happen. I ask all the ministers involved in discussions with their federal colleagues in the environmental area and the approvals area—those involved with the Department of Mines, Industry Regulation and Safety, and the Department of Water and Environmental Regulation—to impress upon their federal counterparts the need to ensure that that legislation, in whatever form, is re-energised and brought back into the new Parliament so that there can be that position that would really streamline approvals and ensure that we do not have to go through a difficult process. As was explained to me about this particular proposal by a consultant who is very, very experienced in environmental matters, a lot of work has been done by the state agencies. Some work had been received from the federal agencies, but it was more a matter of lodging to be told no. There is not a dialogue going on, as I can see, from the federal authorities with this particular proponent, and that makes it very hard to get on top of the situation.

I have to say that for some of the offsets, there is an offset calculator that determines that if this much of a particular vegetation or threatened ecological community is going to be lost, hundreds of times as much has to be preserved, and it gets to be an extraordinary amount. In some circumstances that is not possible, because by its nature it is a pretty rare area, so there might need to be other ways to offset the immediate impact, whether that be innovative replanting at some time or making sure that the species is kept in sufficient number and population in places where its survival can be guaranteed. Perhaps it should not be done on some sort of mathematical equation that one hectare of disturbance equals whatever the multiplier effect is for an offset, because that does not seem to be achievable in some areas.

One of the difficulties that some of the operators and shires in my electorate face is what was put in place to try to deal with the Environment Protection and Biodiversity Conservation Act issues in the Perth and Peel area generally. It was first put forward in this place, as I understood it, in what I think was called the Perth and Peel growth plan. I think it is now called the strategic assessment of Perth and Peel regions. I think that is right; the minister will correct me if it is not. I have raised with the minister before the issue with the banksia and other woodlands areas in my electorate, which are similar to those in the Perth area along the Swan coastal plain. The potential for those areas to be developed is being sterilised in order to provide for the development of the Perth metropolitan area. That makes a lot of sense for those who live in Perth, but it does not make much sense for those who live in Gingin or Chittering or in Murray–Wellington and other areas in the south that have similar types of issues.

That particular instrument is seen by local communities as being a real threat to their development going forward. There was a discussion with members of the shire not long ago. I have heard all this before, but it just refreshed my memory. I think that 19 000 or 20 000 hectares of land has been taken out of the rateable base in the shire and that land will not be available for agriculture. The Shire of Gingin is particularly unique. Over the last 20 years, there has been huge development of the horticulture industry and that has led to a much more diverse base and a much more important economic base through sheer output. The scale of some of those farms is enormous and the output from them in olives, carrots, lettuce and all sorts of other vegetables is enormous. They are big employers in the local area, and in the outskirts of Perth. It is a very important industry.

I am not here to talk about that so much, but I will just say that the whole offset area has caused problems for not only miners that are struggling to get approvals under the dual assessment process, but also other industries and other people who are deemed to be the offset, whether or not they like it. That is affecting at least one significant proposal in terms of the area of the tenement that can be developed. I know that that was known to the proponents at the time; the minister has explained it to me, but it still does not enable the resource to be used, and it will not be used.

The bill will amend the Mining Act 1978 to simplify the activity approvals process for the resources sector. Apparently, it will allow for a quicker approvals process and easier administration of compliance with conditions of approval through the introduction of an eligible mining activity notice for the automated authorisation of eligible mining activities subject to standard conditions—I will talk about that in a moment—and the introduction of a single approvals statement for mining operators. In discussions with the industry, some concern was expressed about the change to the single approvals statement for mining operators. That will be a transition process for existing mines whereby they will move all their approvals across to a single document. People were concerned that that might lead to them losing some of their approvals or the approvals getting lost in the mix. If they already had it, why would they want to change? There might be many different instruments that apply across a mining area, and this will streamline them and make it simpler in the long run. I think it is just a matter of ensuring that as the nuts and bolts are worked through, that happens.

The eligible mining activity notice is a pathway for the authorisation of mechanised ground disturbance. That would otherwise have required an assessment of a program of works or a mining development closure proposal, which was previously the mining proposal and closure plan. It may be submitted for automated authorisation via an eligible mining activity notice when the criteria are met. Those criteria basically provide that it is not on reserve lands areas that might be gazetted by the minister. They are excluded. It would be pretty safe to say that the areas I was talking about that are affected by the strategic assessment of the Perth and Peel area would also be areas that

these EMA notices would not be applicable to. It refers to the approvals statement, which will introduce the concept of a single source document to identify all the approved mining operations and the corresponding conditions for a mine site, and a mining development and closure proposal. The existing requirement for submitting a mining proposal, inclusive of the mine closure plan, will be replaced with a single mining development and closure proposal.

Those things are the nuts and bolts of what is in the bill. We will be able to go through those matters at the consideration in detail stage, so I will not go through them in much detail at the moment.

One other matter that I would like to raise that has been of note recently—I think we might have discussed it with the minister during the estimates hearing—is the announcement of the \$14.6 million Aboriginal empowerment unit. In the discussion during the estimates hearing, I asked the minister whether there would be interaction with this group on, or it would have relevance to, the changes that are happening under the Aboriginal Cultural Heritage Act. The final result of that is still a work in progress. The answer I got from the minister was that this \$14.6 million investment is not really designed to perform any function in that regard. It is more of a way to include decision-makers in future economic development for Aboriginal people and to communicate with Aboriginal people. I think that is a worthwhile proposal. I am not sure whether that will cost \$14.6 million, but we need to ensure that Aboriginal groups not only are included in discussions about cultural heritage matters, but also can benefit from developments and the development of our state. Let us face it; a lot of mining takes place on land that either is acknowledged as or was once the traditional lands of Aboriginal people. Even in areas in the south west and midwest where there has been widespread agreement, there is a view that we would like to ensure that the original inhabitants benefit along with everybody else from development, not just financially, but also in terms of their ability to participate in industry and to be heard by government. I think that is part of what the minister was alluding to.

I am going to wrap up. We will certainly go into consideration in detail. It is an important bill. It is one that the industry recognises and welcomes. As I say, it would like to see some of the matters go further, but it is not opposed to the bill. We will certainly support it and I hope that the bill makes speedy progress through the house. It has been languishing here for quite some time. I might sound a bit rusty, because I did a fair bit of work on it once, but trying to find the notes again was an effort.

DR J. KRISHNAN (Riverton) [3.29 pm]: I rise today in support of the Mining Amendment Bill 2021. It was very pleasing to hear the Deputy Leader of the Opposition support the bill, as it makes the task of passage a bit easier when we have bipartisan support for a bill like this that is very important for Western Australia.

This bill is about making the activity approvals under the Mining Act more efficient, productive, modern and technologically advanced, and making it easier for companies to go through the approval process. The bill will also improve transparency in compliance requirements so that everyone is on the same page to achieve better things for Western Australia, which is a key driver of this reform with the economic recovery underway post COVID. We do not want any delay in the approval process, particularly in such an important industry as mining. The reform will simplify and streamline the approval process to make it more efficient.

This amendment is supported by the mining industry, as evidenced by the media statement released by the Association of Mining and Exploration Companies. It obviously supports this amendment because it is very well aware that the process will be better and more efficient when compared with current process.

A key feature of the bill is new part 4AA, which is very modern and provides ease of reference for miners and also adds in detail the process for lodgement. A lot of time is wasted trying to find the procedure for approvals; this will make the process much better for applicants. The new part also will add in detail when the proposal documents will need to be withdrawn or replaced or when further information is required. This process is currently not available. This amendment will make the process better. By adding clearer conditions of compliance, proposals can be monitored to ensure that they adhere to the approval conditions of the process.

The bill also includes a new approval mechanism. A lot of small-scale and low-impact mining activities happen in Western Australia. The operators often do not have the resources to go through a lengthy application process or the time to put into the process. For the process to be undertaken electronically is an excellent initiative. People will be able to lodge an application electronically through the departmental spatial system. It will apply for the eligible mining activity—EMA—notification framework that is being deployed through the amendment. We can only imagine how efficient it will be to have a system that clearly explains the compliance requirements, and, also, being available online will make it possible to check the progress of the application and speed up the whole application process. The prescribed criteria for the EMA will be further expanded and described in detail after further consultation with the mining industry to make sure it is well balanced.

The Deputy Leader of the Opposition spoke about his concern about forests near a platinum mine and the community's concerns about transport access in and out of that area. Things will be considered further, in consultation with the mining industry, to determine the criteria for eligible mining activity. The amendment bill will allow the department to monitor compliance conditions because it will be very clearly determined what criteria need to be met. The eligible mining activity criteria may not apply in some locations due to the land being reserved or gazetted at the minister's discretion. When that happens, miners will have to lodge an application for a program of work or a mining development

and closure proposal. Those who are submitting the hard copy will continue to do that, but those who are submitting an eligible mining activity criterion will be allowed to apply online only. The automation and use of the EMA framework will enable regulatory efforts to be undertaken by the department to make it easier to monitor compliance.

Another key feature of this amendment bill is the approval statement. When it comes to compliance, following the requirements is one thing, but being aware of the requirements is another. The approval statement in the amendment brings transparency and clear criteria to meet the compliance required so that everybody is on the same page. This makes it easier for a person to be compliant and for the person who is monitoring them to also be very clear about what they are looking for. It is a welcome amendment, as clearly stated by the mining industry as I mentioned earlier.

Activities previously approved within the 10-year transition period will also be given approval statements; it will include people who already have approvals. The approval statement will also list approved activities across multiple tenements when certain activities are conducted within the disturbance footprint of a mine site. The approval statement will reduce the administrative burden. The statutory guidelines will be removed from the act, thereby making approvals required for minor changes more efficient. Noncompliance can make tenement licences liable for forfeiture. The new, simpler lodgement document for mining proposals will bring together two current documents—one for the development plan and the second for the closure plan. When people are developing a mine, they are already aware of the closure plan requirements so there are no surprises down the line. The amendment bill also contains a provision for deferring at the minister's discretion.

All these amendments, in summary, make things clear, transparent and modern. They support the industry, remove red tape and allow people to do more business in a more efficient manner in the very important mining industry. For all the reasons mentioned, I commend the bill to the house, and I thank you for the opportunity, Mr Deputy Speaker.

MS C.M. TONKIN (Churchlands) [3.39 pm]: I rise in support of the Mining Amendment Bill 2021. The recent passing of Hon Arthur Tonkin caused me to reflect on his ancestral roots in Cornwall as well as my own. The Cornish were miners and the various branches of the Tonkin families were among them. I am, I believe, the fourth Tonkin to hold a seat in an Australian state Parliament. Hon John Tonkin and Hon David Tonkin were Premiers of Western Australia and South Australia respectively, and the great Arthur Tonkin was an outstanding member of this place. I follow very humbly in their footsteps. However, what we have in common is that we all come from very tough Cornish mining stock. Cornish immigration to Australia began in earnest in the 1840s, coinciding with the Cornish potato famine and with slumps in the Cornish mining industry. The gold rushes and the copper booms were major draws on Cornish people from not just Cornwall itself, but also other countries where they had previously settled. My Cornish Tonkin ancestors came to Australia in 1853. John Tonkin, my great-great-grandfather, was a mining engineer. He first went to work in the Caribbean. We can see evidence of the Cornish miners in the Caribbean because the Caribbean countries have a form of Cornish pastie, which is a legacy of the Cornish mining influence. John Tonkin came to Australia with a young family, including my great-grandfather Absalom who was two years old at the time. The family settled in the Little Cornwall region of South Australia, encompassing the mining towns of Burra, Moonta and Kadina. Absalom, my great-grandfather, worked as a blacksmith for BHP at Broken Hill for nearly 30 years until his retirement. A certain symmetry in our family story was achieved when my nephew, who was an electrical engineer and Absalom's great-great-grandson, went to work with for BHP in Western Australia. All this is to say that the mining industry is a very important part of my family's history and it is with some pride that I support this very important Mining Amendment Bill.

Many members will know that I am married to a Canadian. One of my husband's old neighbours in Ottawa—Keith Brewer—once commented to me that Australia has some of the very best mining regulatory frameworks in the world. He knew all about our regulatory regime because he had a distinguished career in the field, including consulting on mining regulatory frameworks in developing countries. This Mining Amendment Bill further improves upon what is already regarded as a world-class regulatory regime.

This bill has a number of key features. First, it will consolidate all requirements around mining approvals into one new part 4AA. Second, it will include a new concept of eligible mining activity notifications that will allow for automated assessments for small-scale, low-impact mining activities. A new approvals statement process will not be site specific and will include whole mining project sites across multiple tenements that can be updated over time as the operations develop. It will provide a one-place summary of all the approvals for a particular mining project. A new element will combine the old mining proposal document with the new mining and closure plan document into a single, consolidated mining development and closure proposal.

The purpose of this bill is to make approvals under the Mining Act more efficient and the conditions and compliance obligations of mining operations more transparent and enforceable. Efficiency, transparency and enforceability of conditions and obligations are the hallmarks of effective regulation. Another hallmark of effective regulation is its impact on the people being regulated. These reforms will also simplify and streamline approvals processes for the mining industry. This represents a win for both the regulator and the mining industry and is supported by the industry. I am pleased to hear that it is also supported by the opposition.

Let me go through each of the key features of the amendments. New part 4AA that is introduced by the bill will modernise and consolidate all the provisions related to mining activity approvals under one part. It will also provide

ease of reference for miners. A very important key feature of any good regulation is that it makes it easy for all concerned. The new part will add flexibility to the process for the lodgement and assessment of proposals. For example, if a proposal document needs to be withdrawn or replaced or further information is required during the process, this will be accommodated within the new regime. This cannot be accommodated under the current Mining Act. The bill will also add clearer conditions of compliance into the act. For example, all approved activities must be undertaken in accordance with their approvals. That is a nice and direct way to make sure that those who receive approval will actually comply with the terms and conditions of their approval.

The bill will provide for a new approval mechanism for small-scale, low-impact activities. This will be called the eligible mining activity notification framework. The efficiency measures embedded in this bill are exemplified by this new mechanism. This mechanism will deal with, as I said, small-scale, low-impact mining. Mining activities that meet the criteria will be lodged online and the departmental spatial system will automate the assessment and approval, subject to certain criteria and standard conditions. This will make it easier for small-scale mining activities to be approved. It is intended that the eligible mining activity notifications will be lodged by a system that the department has been operating effectively for several years. This will not be a new mechanism that requires a new online system, but an existing system that will simply be augmented and is something that we know will work. The prescribed criteria for the use of the eligible mining activity notifications will be developed through consultation and implemented through the supporting regulations. There will be further consultation once the bill passes. This will include things like specific activity types that come within the scope of this new mechanism, and the nature and scale of activities that are permitted to seek approval under the eligible mining activity notification system. The regulations to be developed will identify the standard conditions that will apply to undertaking approvals through this mechanism. The activities approved under an eligible mining activity mechanism will continue to be monitored by the department for compliance with conditions. It just takes out the administrative process associated with the approvals for these low-risk mining activities and places more emphasis on the department monitoring compliance with the approval conditions. That is a very important feature.

However, there are locations or areas in the state where the eligible mining activity notification mechanism may not be lodged, such as reserved lands, as per section 23 of the Mining Act, and any other areas gazetted at the minister's discretion. For these areas or locations, any proposed activities must be lodged via a program of work or mining development and closure proposal. Those proponents that wish to continue to submit hard copy applications can lodge a request for approval via a program of work prospecting form. Lodgement of the eligible mining activity notifications must be made online. Those old-time miners who have no desire to get into this online world can still submit their paper-based applications for approval. This mechanism is really a risk-management mechanism, and one that improves the efficiency of the approval process. It will enable regulatory efforts to be shifted within the department to more complex and higher risk assessments when undertaking compliance monitoring work. This is a very good modernising reform.

Another key feature of the amendment bill is that approvals of mining operations will be recorded on an approvals statement that identifies the approved activities, conditions, closure outcomes and other relevant conditions. The approvals statement provides increased flexibility for mining operations. It is envisaged that an approvals statement will include whole mining project sites across multiple tenements and be updated over time as those operations develop so there is a single statement or summary about any mining project. Previously approved activities related to a particular site involving approval conditions, closure outcomes and other relevant information may be issued. The provision of the approvals statement mechanism creates considerable efficiencies for both the administration of the legislation and also for the miners, who must seek the relevant approvals. This reduces the administrative burden of the department, and it will provide guidance to support proponents in preparing their applications.

There are clearer conditions and a capacity for compliance under this mechanism. The approvals statement more clearly identifies the conditions for mining projects in one location rather than being distributed throughout multiple mining proposal documents. Approval statements will be made publicly available and provide greater transparency to the community about activities, conditions and the closure obligations of those operations. That is a very important consideration, particularly as our community is deeply concerned about the impact of mining, particularly on the environment. That kind of transparency is very important for the community. The clarity of approval conditions facilitates the achievement of compliance by industry, and undertaking compliance assessment and assurance by government.

I turn to the fourth feature of this amendment bill. Currently, two documents are required at the proposal stage: the first is a mining proposal; and the second is a mine closure plan. This bill combines these into a single document—a mining development and closure proposal. This approach ensures a holistic risk assessment of the whole-of-mine life, and clear consideration of closure outcomes, is undertaken up-front. That is very important because all over Australia—not necessarily in this state, but certainly in others of which I am aware—mines have closed. The conditions upon which they were to be closed has long since been lost in some filing system somewhere. This makes that process much more transparent.

[Member's time extended.]

Ms C.M. TONKIN: This mechanism targets and clarifies the information required on these matters and enables the ongoing planning and implementation information to be appropriately deferred to the ongoing mine closure plan requirement.

Although the current Mining Act allows for variations to the standard three-year planning cycle for the lodgement of closure plans, the revised drafting ensures that the mine closure plan requirement is targeted to the adequacy of the site's planning and the mine life of each site rather than defaulting to three years. Mine closure plans are more appropriately defined as closure planning documents, with closure outcomes more transparent and held to account by being recorded on the approvals statement. Approval is needed from the beginning to the end, and it is all planned throughout the cycle of the mine's life.

This amendment bill modernises and improves the efficiency of the regulation of mining activity in the state. I commend its passage to the house.

MR C.J. TALLENTIRE (Thornlie) [3.59 pm]: I am very pleased rise to make some remarks in support of the Mining Amendment Bill 2021, noting that time is not going to be my friend right now. I want to assure the house that the member for Thornlie has not flipped on any concerns he may at times express about elements of the mining industry; on the contrary, this legislation will make sure the credibility of our mining sector remains strong—its environmental record and recognition of the need to maintain a good social licence. Our state is so strongly connected to the resources sector and the mining industry in particular has embraced the need to ensure that its social licence is very strong.

Debate adjourned, pursuant to standing orders.

LIVE EXPORT

Motion

MR P.J. RUNDLE (Roe) [4.00 pm]: I move —

That this house condemns the Premier and his Labor state government for failing to “stand up for WA” against direct attacks by the federal government against the state's \$136 million live sheep trade.

I would like to start by saying how underwhelmed I was by the Premier's response today when I asked whether he would stand up for Western Australia and the live sheep export industry. I asked whether he would talk to industry stakeholders and his federal counterparts about this industry continuing in the long term. Basically all I got in response to my question was that the Albanese government was committed to the industry for the current term. That was disappointing. That is really only a commitment through to 2025, when there is every likelihood that the Albanese government may be unelected! Our industry needs surety for the years ahead and the long term. I was disappointed and underwhelmed by the Premier's response.

I would like to see our state government in the weeks, months and years ahead getting behind our farmers and the whole live export sheep industry because it is important. It is worth \$136 million to our state economy and employs up to 3 500 people. We cannot underestimate the importance of this industry to this state. The industry has made massive improvements and deserves the support of the state government for the long term, not just the potential three-year term of the Albanese government through to 2025.

The federal Labor government's live export sheep policy was announced by an animal activist group during the federal election campaign.

A member interjected.

Mr P.J. RUNDLE: It was. It was announced on *Country Hour* by an animal activist group and committed to by a shadow minister who now seems to have disappeared. That was the pre-election scenario. We now have a federal Labor Minister for Agriculture, Fisheries and Forestry who has committed to phasing out the industry without speaking to any of the stakeholders or visiting WA where 90 per cent of the industry is located.

Today I would like to take members in the chamber through some of the history of the industry and those involved, including politicians, farmers and regulators—all those people who are affected by decisions made about the life of our industry, generally by eastern states politicians. I know the member for Mandurah, sitting opposite me, has agricultural connections and will be interested in this debate and put his best foot forward for the industry. The member has longstanding agricultural connections so I look forward to hearing his response.

The new leader of the National Party of Australia, David Littleproud, has been in WA for a couple of days. He is already showing interest in our industry. Of course, he did so over the last few years as the federal agriculture minister. I spent time with the new leader of the federal Nationals yesterday. We met with the Western Australian Farmers Federation and discussed a range of agricultural issues, but certainly top of the list was the live export sheep industry. Mr Littleproud committed his strong support. This morning, we met at Parliament House with several stakeholders in the live export industry, including Gerald Wetherall, the state manager of Westcoast Livestock; John Mitchell from the Livestock and Rural Transport Association of Western Australia; Murray Frangs representing

Rural Export and Trading WA; Holly Ludeman representing the Livestock Collective, who has played a very committed and essential role in animal welfare and improving animal welfare over the last couple of years; and John Hassell, president of the Western Australian Farmers Federation. It was a very interesting meeting. The shadow Minister for Agriculture and Food, Hon Colin de Grussa, and the member for Moore, with his agricultural connections, also attended the meeting.

An interesting article by Josh Zimmerman was published in *The West Australian* after the leader of the federal Nationals' press conference. The federal leader said that he wants the Premier, Mark McGowan, to help him educate east coast politicians on the importance of the live sheep export industry to WA. He called for the WA Premier to stand with him to help improve this industry. Josh Zimmerman wrote —

Mr McGowan has previously said he believed a suite of measures put in place following an explosive 2018 investigation exposing the poor treatment of sheep on board export vessels to the Middle East, including banning shipments in the northern hemisphere summer, were sufficient to mitigate animal welfare concerns.

The Premier said that in the lead-up to the federal election, during the campaign. He said it in response to a couple of questions I asked him in Parliament. He said that he has made his thoughts on this matter well known. The leader of the federal Nationals, David Littleproud, understands that the Premier has committed to it. He also understands that the Premier certainly has made comments on the industry. The article continues —

Mr Littleproud praised Mr McGowan over his stance, insisting opposition to live sheep export was not “predicated on science”.

I think the Premier has seen the improvements in animal welfare and the way the live export industry operates. As I said, David Littleproud put out an invitation to the Premier to meet with him while he was over in Western Australia. Unfortunately, it appears that on this occasion the Premier did not contact him to engage, but I look forward to the Premier in the future reaching out to Mr Littleproud, who has a lot of experience in this area. As Mr Littleproud said, we have to be proud of the fact that we have moved from a mortality method, in terms of our shipments, to an animal welfare method—a method that the world is looking at and learning from. The opposition believes in the live export of both sheep and cattle, and I will talk later about live cattle export and the impact of the closure of that industry in 2011 by former minister Joe Ludwig. It actually devastated the cattle industry throughout Australia. Once again, it was about lack of consultation. A decision was made by a federal minister without consulting the industry, and that had devastating effects.

With a new federal Labor government there is an opportunity for the new federal Minister for Agriculture, Fisheries and Forestry, Murray Watt, to come across to WA and meet with the stakeholders and industry to get an understanding of how this works, and then maybe make decisions from there. We have to work together where there are common interests. David Littleproud this morning thanked the Premier for his maturity in the live sheep export debate. He said that he wants to be a voice for Western Australia and, of course, for the National Party. He actually wants to spend much more time here in Western Australia, getting an understanding of how important this industry is for Western Australian agriculture, farmers and associated industries. As I said, it affects many people—up to 3 500.

I will now provide a bit of background for members about what has happened. The other thing I would like to mention before I move into a bit of a chronology and history of the industry is that we are dealing with not only the federal Labor government, but also our state Labor Minister for Agriculture and Food, Hon Alannah MacTiernan. She has been quoted as saying that we should not be flogging a dead horse. I think that was an unfortunate turn of phrase by the minister in relation to this industry, and I suspect that she may want to withdraw it. Hopefully, the minister now has a better understanding of how things work and how things have improved. When she was asked a question in the Legislative Council yesterday about whether the live export ban had been promised to be delivered within five years, and whether she accepted that contingency plans needed to be developed, she stated, according to the uncorrected *Hansard* —

I point out that the content of the third part of the member's question is incorrect. There has been no promise that there be a ban within five years. Indeed, the federal government has made it clear that it will not be proceeding with a phase-out of live sheep exports in its first term of government. I certainly will be working to ensure that we get the very best outcome for WA sheep farmers.

I guess my question is: What does that actually mean? Does it mean that she supports industry? Does it mean that she sees it going on for many years ahead? Does it mean it will only survive the Albanese government for three years, hopefully, and then flow on after that under a federal coalition? What does that response actually mean?

I guess those are the things that we are contending with. We have a federal Labor government now, we have a state Labor government, and we have a Premier who, it appears, has been very supportive of the way in which animal welfare methods have improved and increased.

Mr D.A. Templeman interjected.

Mr P.J. RUNDLE: I guess it is about standing up for WA. My question today was an example of giving the Premier an opportunity. I asked him whether he would stand up and whether he had met with the stakeholders. He

stood up and said that the Albanese government had committed to it for three years. On occasions, I have had three or four-word answers to questions I have asked of the Premier. The Premier has said that he has made his position clear, but then he does not go on to elaborate his position to the Parliament. That is what I am condemning; I am condemning his commitment to the industry. I would love to see him come out and talk about how he has contacted the industry and what he is doing to talk to the federal agricultural minister. I look forward to that in times to come.

I would like to go on now to some history. The Moss review from 2018 summed it up pretty well; it provided an independent review of the live animal export industry. Philip Moss, AM, stated in the background summary of the report —

The live animal export industry is important to the Australian economy, especially to producers and rural communities.

Live export in WA alone contributes more than \$136 million to the economy. Western Australia supplies the majority of Australia's sheep due to the proximity of markets to our ports. As an industry, for the whole of Australia, including cattle, it has been valued at more than \$2.035 billion for 2020–21, and it supports the livelihoods of many people in rural and regional Australia.

We knew at the time that there were serious issues with some of the animal welfare practices being highlighted in the media. Putting aside the suspect role of animal activists in gaining footage, perception is the key, and the public was horrified by what it saw, and rightly so. The sector has accepted this, and has pivoted into new, improved and beneficial practices. This was on the understanding that the industry would be maintained and would remain an option for sheep producers in the long term. I guess what growers and industry stakeholders did not expect was that the live export industry would be chipped away ever so slowly by subsequent governments and used as a political football.

There have been some throwaway lines from people in media and government who have no idea what the industry means to individual businesses, and what the consequences are when decisions are made by people who have no skin in the game. Growers have the right to feel abandoned, as do people who work in the industry, whose livelihoods are at risk from these decisions. They have the right to feel deserted by the governments of the day, and that goes for all governments. We saw the mental health situation. That actually became a real issue in the days of the Gillard government, with the disastrous handling of the blanket closure of the live cattle trade in the Top End. That was a real issue. Farmers involved in that industry were left high and dry, and it took the best part of 10 years to sort that out. I will refer to that a little bit later on, but that actually cost the Australian taxpayer and people in the industry up to \$2 billion. That was a disaster, and it was a demonstration of what happens when governments do not consult properly with the industry.

What is not in dispute at the moment is the constant threat to the industry. Labor governments, both state and federal, cannot agree on the future of the industry. Farmers have a lot of time to think during seasonal jobs. They will be listening to the constant media reports from politicians giving different messages, and the lack of surety will cause them to lose faith in the industry and consider other options to shore up their bottom line.

I have a very interesting article here by Andrew Whitelaw from Thomas Elder Markets about what barley and the live sheep trade have in common; he wrote —

- When a supplier is removed from the market, demand doesn't drop.
- New suppliers fill the void.

Regarding when we lost the Chinese barley market, he commented —

- In barley, Argentina, Canada, France and Ukraine filled the void left behind by Australia.
- The same has occurred in sheep live export.
- Kuwait, as an example, did not stop importing live sheep/goats. They increased.
- Australian market share fell, and others gained.

That is a demonstration of what happens in the market. Unfortunately, last weekend, a live export vessel in Sudan sank, and nearly 16 000 sheep were lost, which demonstrates that a lot of these countries have lower maritime and animal welfare regulations than we do. It also demonstrates why, with the improvements in animal welfare in WA's and Australia's live export trade, it is important that we re-establish our place in the market. Those markets get filled by the likes of South Africa, Georgia, Somalia, Sudan and up to 100 other exporters. They put sheep on the boats and do not worry too much about what happens on the way; they just worry about what is counted off at the other end. That is where Australia has really taken steps to improve. By comparing it with the Chinese barley market, I make the point that when a market is lost, it does not mean that the country stops using the product; it just means that the country goes to other markets. It is really important that our governments making these decisions understand this point.

The consequences of this do not seem to keep the animal activists awake at night. All they feel is that if they can stop Australia from exporting, they have done their job. They do not think about the fact that this has opened the gate

for another group of exporters to increase their volumes, and those exporting countries generally have much worse animal welfare results than ours. That is the issue for me: people do not think about the next phase; they do not understand what will happen and what market forces will apply.

I move on. I mentioned that this morning we met with a group of industry people. Holly Ludeman has been doing some fantastic work with the Livestock Collective. This group was formed when the 2018 incident took place to improve livestock welfare outcomes, and it was to be proactive about demonstrating to the Western Australian public and all involved in the industry, including politicians and the like, the steps that were being taken to improve the scenario and the regulatory framework. It has certainly undergone a significant change since 2018. Some of those changes have included —

- Moratorium on sheep exported during the northern hemisphere summer which is now part of regulation
- Increased space available for each animal as outlined in the updated Australian Standards for the Export of Livestock
- Improved ventilation requirements and independent auditing of ventilation systems
- Automated environmental monitoring on decks to record deck temperatures
- Independent government observers provide additional assurances and reports are made public
- System called LIVEXCollect implemented to ensure there is consistent comparable data being collected
- Moving away from measuring success on mortality rates alone. Research is looking at measuring voyage outcomes with animal welfare indicators in addition to the mortality and health data already collected.
- Mortality rates at all time lows

David Littleproud spoke to me yesterday. He said that the independent regulator spoke to him the other week, and the regulator said he would be very happy to wear a body camera right throughout a voyage because of his confidence in the way things have changed. I found that very interesting.

I want to compliment Holly Ludeman for the good work she has done for the industry. To be honest, I think it was well needed, as we all know. The footage we saw several years ago certainly was not up to scratch. That has been a real turning point. I reiterate what I said a few moments ago about those other countries. A well-known sheep grower from Esperance, Dave Vandenberghe, was recently quoted as saying that 100 countries export live sheep, and we are the only country with a welfare policy on it; think about what a ban on our live exports will have on global animal welfare. That is certainly the concern from my perspective.

In 2017–18, 1.6 million sheep were exported live from WA, which is just over 82 per cent of the total exports of live sheep from Australia. In 2019, WA contributed 97 per cent of the live sheep exported from Australia. The sector supports many businesses other than growers, including trucking companies, shipping companies, vets, shearers, contractors, livestock animal husbandry businesses and livestock services. Many of those businesses are unable to pivot from their individual business models. It is not just farmers who are affected by some of the scaremongering tactics and threats to phase out the industry. For example, the livestock shipping industry underpins the employment of approximately 13 000 people throughout Australia. As we know, the cost of shipping anywhere in the world is skyrocketing, freight companies are doing it hard with shortages of labour and increased costs, and changing policies are making them nervous. The cost of building a new ship for sheep or cattle export is enormous. In these uncertain times, freight companies would have to look and ask where they go. At this stage, we have the threat of the Albanese government committing for only a three-year period before phasing it out. This creates underlying uncertainty. We know that farmers are able to pivot.

We have about 13 million sheep in Western Australia. We had around 14 million sheep or so, but then the drought broke in the eastern states, and we lost well over one million sheep to restock the eastern states. We now have managed to stabilise our sheep flock to around 13 million sheep in WA; we are in a good situation. We know that the price of meat is right up there, and we know the value of protein. According to the Department of Primary Industries and Regional Development's website, Western Australia has more than 4 000 sheep producers. People who kept sheep over the last 30 years are amongst the most optimistic believers in the state. I certainly still have sheep. We have had a roller-coaster ride of emotions over the last 30 years. No-one who has lived through that time could forget when it cost more to transport a load of, say, 300 sheep to the saleyards than they were worth. Those days are something we would all rather forget. It is amazing how it has changed. Sheep at that time were worth anything from zero dollars to \$1 and now we are talking anywhere between \$100 and \$300 or \$350 for a good breeding ewe. It is incredible how things have changed from 1990 to 2022. Those sheep producers and stud breeders who kept a small number of breeding stock waited for the cycle to turn. It is great to see how things have rebounded over the last probably 10 or 15 years especially, but even in the last five years the value of sheep has risen. We have been able to re-establish our flock to the point at which the markets have confidence in our ability to supply the orders. That has been really important and quite heartening, to be honest. As a sheep producer, it is quite heartening to see the way that things have gone.

It is important to understand that the live sheep trade provides the underlying base for the sheep market. When lambs are born, the ewe lambs are always kept for breeding purposes for the next year, but the wether lambs provide farmers with a more flexible option. These days, merino wethers and crossbred wethers can be fed and some can go to the abattoir or to the live sheep trade, which provides good flexibility. If farmers are running into strife due to the lack of rain or feed or whatever, especially around the March, April and May period, it provides flexibility and a good return to take those wethers off the farm and send them to a feedlot. They are bought on farm and sent to a feedlot for 21 days. They are in excellent condition when they go onto a ship, and they stay in excellent condition on the ship because they have plenty of space, plenty of food and a consistent quality of feed from the feedlot right throughout the trip. That is an important element.

Another thing that a lot of people do not understand is that some of the markets for live export do not want boxed or chilled meat. It is a very simplistic argument to say that we have the abattoirs, so we will just send the customers chilled meat and that will be that. The problem with that is that a lot of countries do not have refrigeration and the ability to accept the meat in that form. As we know, the facilities are improving as time goes on. David Littleproud spoke to me about this yesterday. He referred to an abattoir that he had been to in Kuwait that has a glass enclosure from one end of the abattoir to the other that takes up probably two football fields. People can see the process. The sheep are killed in the halal way and then the process goes right through in the same way that we would see in an Australian abattoir. That is improving all the time. As I said, it is not as easy as saying that we just need to have everything boxed, chilled and killed in Australia, because that does not work.

I know about the labour shortages that WAMMCO, my local abattoir in Katanning, is having. We were told at a meeting this morning that Western Australia could need anywhere up to another 300 or 400 workers for our abattoirs. We are running into strife now because we do not have the ability to deal with the excess sheep in Western Australia, and that is an issue. To absorb the number of sheep for live export, we would need another two totally new abattoirs of a similar size to WAMMCO in Katanning. These are the types of things that a lot of people do not understand. We just cannot pivot that quickly. We cannot build an abattoir overnight, let alone two abattoirs. At the moment, we cannot provide labour for the abattoirs in Western Australia. Those abattoirs are working on much smaller numbers because they cannot get the labour. This is a real issue and it is just another element that people need to understand.

From my perspective, we have good quality abattoirs in WA. We have Fletcher International Exports in Narrikup, WAMMCO in Katanning and V&V Walsh over on the west coast, but they are all facing the same issues. They are just some of the issues we are looking for answers to when asked simplistic questions by people on the outside who do not understand how the industry works. It is very important to understand the number of people and different industries involved in farming, such as sheep classing, tailing contractors, shearing contractors, shearers and roustabouts. I am sure that the member for Cottesloe did a bit of roustabouting on his farm in Cranbrook in his youth.

Dr D.J. Honey: I sure did.

Mr P.J. RUNDLE: I have not seen him back there lately. Occasionally he goes back to the Shire of Cranbrook, but he is there in spirit.

We have sheep husbandry services, livestock buyers, truck drivers and truck owners, saleyard staff, truck mechanical services, wharfies, port administration staff, live export shipping staff, farming staff who handle the sheep, livestock feed businesses, agronomists, silo and engineering businesses, abattoir and processing businesses, feedlots, exporter agencies, supply chain consultants and agricultural consultants.

To give members an example, we have a new pellet production facility in Cuballing in the member for Central Wheatbelt's electorate. It was in my electorate but that changed at the last election. That company has just invested \$30 million and the facility will employ up to 20 people when it is in full production. That facility relies, and will continue to rely, very strongly on the live export trade for its sustainability. They are the sorts of issues that a lot of people do not quite understand.

I guess I was a little disappointed when on his trip back to Western Australia the Prime Minister, Mr Albanese, thanked the people of Perth for the election result, but we did not actually hear him thank the people of regional Western Australia. I know that many people in regional Western Australia voted for Mr Albanese. I would like to think that he would look after the whole of Western Australia, not just the people of Perth. As I said, I very much look forward to the new Minister for Agriculture, Fisheries and Forestry, Murray Watt, making the effort to come across to WA, like David Littleproud has done over the last couple of days, and talk to the WA Farmers Federation, the Pastoralists and Graziers Association of WA and all those people involved in the industry.

I would like to close with the fact that I felt it was an underwhelming response today from the Premier, with him just saying that Mr Albanese said that live exports will be here for the next three years of his term. What is the Premier going to do to stand up? When will he talk to those involved in our live sheep export industry? Will he consult widely over the next several months to get an understanding of how people's lives will be affected? We saw the massive blow that the federal live export ban caused in 2011. We saw that it cost the Australian taxpayer \$2 billion, and it cost lives; it affected growers' mental health and caused ongoing frustration. Many of them actually went under, and, yes,

those who survived got their compensation 10 years down the track, but a lot of our cattle growers were ruined over that time. I certainly do not want to see that situation arise again. I would love to see support from the Premier and the state Labor government for the sector. I think we have an opportunity here. Animal welfare practices have vastly improved. The industry has done a very good job in that respect, and it is improving all the time.

As I said, do not forget that if the federal Labor government bans the live sheep export industry, there will be 100 other countries with worse animal welfare results coming out of the woodwork and supplying the industry, when we have the opportunity to send good-quality sheep with good-quality animal welfare practices. I look forward to the ongoing support of the Premier and the state Labor government in the months and years ahead.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [4.42 pm]: I would like to make a brief contribution on this motion brought to the house for discussion today by the member for Roe and compliment him on his excellent work in representing the interests of the many sheep farmers who live in his electorate. I am pretty sure that his electorate is the largest sheep-producing electorate in the state. Of course, the abattoirs in Katanning are central to that, and there are abattoirs in other parts of his electorate as well. The sheep industry in his electorate is a big one. It is big in my electorate, but it is fair to say that over the years, many people in the northern areas have taken the option to move more into cropping, and we have seen a decline in sheep numbers in some of the areas I represent. But there is still a stable sheep industry now, especially around some of the more centrally based areas of the electorate.

It is an important issue. The government has had the Premier in this place saying that he supports the industry. He said it in the press, apparently. He has not outlined that here to any great extent; he has just referred us to press releases and reports in *The West Australian*. The member for Roe has consistently asked for the Premier's position and he gets some very offhand, dismissive answers instead of any answer that outlines what the Premier would do to outline the case for the protection of this industry to the new federal government going forward. That is essentially what we are calling for here: we want the government of Western Australia to stand up for the farmers of Western Australia and the people who rely on those farmers for their incomes, including, as the member for Roe outlined, all the workers in the industry, the suppliers of milled feed et cetera, and everybody who works on the wharfs and in the transport industry. All those people depend on this industry for a living.

We have seen other cases in which this government has disregarded traditional regional industries. We saw it earlier this year with the announcement of the closure of the native forestry industry, which will happen in a short while; we will see the impact of that. We are not completely sure of the impact on Collie from the announcements yesterday, and that will be forensically examined in the coming months and years to see whether the promise in yesterday's announcement to that other regional community is upheld.

As the member for Roe has outlined, there is a massive gap in animal welfare standards between the industry that exports from Australia and the industry that exports from other parts of the world, such as Sudan, Kenya and other places where sheep can be sourced. That animal welfare consideration does not relate only to the animals in the boats leaving from Australia; we ensure that the processing facilities of the countries that the animals are going to are at a standard that meets the animal welfare requirements of a First World nation. The member for Roe talked about the time when the trade was shut down 10 years ago. That was after some shocking incidents in Indonesia and elsewhere were outlined, and the government had an instant reaction and shut down the industry instead of working through the issues and making sure that those animal welfare situations were resolved. That is what is required. In those same countries, there is now a much higher standard of animal welfare in the abattoirs; otherwise, they cannot do business with us. It has a flow-on effect. If we are not in the market in those countries, nobody will be pushing the case for increased animal welfare in not only the supply chain getting to the country, but also the supply chain within the country to ensure that the abattoirs, the feedlots, the handling facilities and the transport facilities are all up to scratch and to a standard that we would accept.

As the member for Roe has outlined, the federal Labor government has announced that it will see the eventual closure of the live export industry. It has said that it will not do it in this term of government, which is three years—it is not that long—but then there will be a staged transition out of the industry. The Premier was asked about this, according to a report on the ABC news website on 3 June. The article states that when he was asked whether he supported the federal plan, he said that he was not across the latest iteration. We have not heard much since. We have not heard him say that this is not a good idea and that he thinks we can do better for the industry than give it a death of a thousand cuts and put a date over its head that hangs there like the sword of Damocles that will eventually cut its head off. That is not a situation that we want for this industry.

At the moment, we have an interesting announcement from the government that there will be a potential relocation from the Fremantle port. I know from talking to transporters and others that the facilities at Fremantle port are in a shocking mess. It is fitting that the member for Fremantle is here to listen to this part of my speech as we talk about transport.

Ms S.F. McGurk interjected.

Mr R.S. LOVE: I know it is, but it is near the member's area; the member can see it across the river. The relocation of livestock shipping from the Fremantle port has at the moment got a \$2 million price tag attached to it, which will be spent on investigating the feasibility of relocating it. I would have thought that the Department of Transport

and others would already have good knowledge of the options. It is not as though it has not been occupying the brains of people in the industry and the transport sector for quite some time. It should not be a surprise, and I would have thought that there would be a nascent plan already to use an existing facility or a facility that could be used in the short term. If we are facing a situation in which the industry has a very finite existence open to it, I do not really see that the government will want to spend money to relocate to a different port. In fact, it would be a very good outcome for the people of Fremantle if there were a cogent plan for the continuation of the industry—to move to a port facility that is fit for purpose and suits the people of Fremantle and surrounds and the industry. That will not happen if we do not have certainty. No-one will invest if we do not have certainty. I am not sure what we will spend the \$2 million on, but it does not seem to me to be a very likely outcome that there will be a new facility if the government accepts the position of the federal government that there will be a transition out of the industry commencing in the next term, if there is one, of the Labor government in Canberra.

When I say that where we could relocate to should not be rocket science, I have a media release here from 1995 titled “Report shows potential for cost-savings by relocating live sheep export trade”. It states —

A new report released today has identified the potential for significant cost savings by relocating the live sheep export trade from Fremantle to Kwinana and regional ports such as Albany and Geraldton.

This is something that has been mooted for years. Surely there are plans that are half afoot. There must already be an understanding of what is a practical outcome. Perhaps the \$2 million might be better spent in actually doing the shift rather than simply planning the shift. I asked the Minister for Transport about this matter in the recent estimates. She said —

The two bodies of work include the relocation of the roll on, roll off vehicle berth, and we are looking primarily at maybe North Quay in the interim ... Then there is the live sheep trade. We are looking at the potential for relocating the live sheep trade.

I asked her who was undertaking the work on the live sheep trade, and she said that it was Westport. As far as I am aware, Westport is involved with the development of the Kwinana port, which indicates that there is only one location that the government is looking at—not many others. If that is the case, I would have thought that the planning would be something more than putting a few pieces of paper together in some glossy brochures, and that we would actually end up moving to a facility or, as outlined in the report of nearly 30 years ago, moving to Albany, Geraldton or Kwinana. Any of those three places could take that position.

I also asked —

Does the minister anticipate that live sheep could end up somewhere between North Quay and Kwinana?

She replied —

No, that is cars. We will look at the live sheep trade and every option will be examined in relation to where it can go, but business cases will be developed as best concept. As I said, it may be existing ports or new ports, but there will be an analysis of all possible locations.

That is good, but I have great concerns that the industry will not see a new home while this uncertainty hangs over its head and while we have a government that is not 100 per cent behind the industry. The government says it backs the industry when asked by the member for Roe, but, when talking to the people in Canberra, it just accepts that it will have to do what the federal government says. That is not the response that the government has put forward to Canberra on other occasions. The government prides itself on pushing against Canberra and working with Canberra. I have listened to the Minister for Transport tell me many times how well she worked with the previous government in Canberra. I do not know whether that is true because I am not in Canberra, but I would like to think that perhaps members opposite could work with their own side to try to get some sensible outcomes for the industry, and the most sensible outcome is the continuation of the trade —

Mr W.J. Johnston: They loved us!

Mr R.S. LOVE: They are not there now. Continuation of the trade will mean that we can get on and do the investment that is required to ensure that there is certainty going forward. I implore the minister representing the Minister for Agriculture and Food. I suppose the minister does represent the Minister for Regional Development; Agriculture and Food. He usually does, so I assume that that is his position at the moment as well as being the Leader of the House. No doubt he will have lots of information for us about everything the government is doing to shore up the live sheep trade and to ensure that it has a continuing future, including the lobbying that the minister will be doing in Canberra and the work he will be doing with his federal counterparts to undo the damage that they have done to the confidence in the industry and to ensure that they are on the same path as the minister if he is, indeed, as he says, supportive of the industry. Perhaps he is a little bit more supportive than some elements of his government.

It is very well known that the Minister for Agriculture and Food does not support the industry. That is unfortunate. It is time for the Premier to step up and show that he supports the industry and to directly negotiate with Canberra to get an outcome for the Western Australian sheep industry so that this important part of the market—it is not the whole market—can continue into the future.

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [4.56 pm]: I am very, very happy to respond to the motion that has today been moved by the member for Roe and supported by the member for Moore. This is such a disappointing motion moved by the opposition. It demonstrates a complete lack of effort, research and, indeed, understanding. It demonstrates that members opposite continue to not listen to the responses from the Premier and words that are said in this place and in the public realm, public media et cetera. It is quite disappointing. The member for Roe himself highlighted a number of comments made by the Premier, yet he uses a motion such as this to condemn. The words say —

That this house condemns the Premier ... for failing to “stand up for WA” ...

I have to remind this place, particularly members opposite, about the Premier’s track record of standing up for Western Australia. Goodness gracious, if you have not learnt by now, you are dumb! I am sorry but you are dumb, members on the other side. This Premier has a —

Ms R. Saffioti: Reputation!

Mr D.A. TEMPLEMAN: — reputation of stoically standing up for Western Australia, in stark contrast to those members in opposition. I will go through a couple of examples.

Let us talk about standing up for Western Australia. Let us go to the previous term of this government when a certain gentleman, Clive Palmer, decided to attack the state and to come out and seek to labour the people of Western Australia with massive costs through legal challenges. What did that side of politics do in that case? Did they stand up for Western Australia as the Premier did?

An opposition member: Yes, we did!

Mr D.A. TEMPLEMAN: No, you did not, mate! You did not! You and your side stood side by side with the former federal Attorney-General, Christian Porter. You lined up with him. There you were, lined up with Christian Porter to support Clive Palmer, of all people, in the High Court challenge. Who stood up for Western Australia? It was Mark McGowan, the Premier of Western Australia. Who stood up on behalf of the people of Western Australia when they were under attack by a Queenslander? Who was it? It was the Premier of Western Australia and the Labor government of Western Australia. Who supported the then Attorney-General, Christian Porter, in the High Court? The Liberal Party and the National Party lined up behind him to support an action against Western Australia. So there is the first example of the Premier of Western Australia, Labor Premier Mark McGowan, standing up for this state.

Here is the second. Let us remember very clearly the GST debate. During the eight and a half years of the Barnett Liberal–National coalition, which two members opposite were part of, nothing was done to seek an outcome to improve GST amounts for Western Australia. The pitiful amount that we were getting under the Barnett Liberal–National government was as low as 32¢ in the dollar. That was even at a time when we had the so-called dream team of federal Liberal members there—Senator Cash, Mathias Cormann, Christian Porter and other senators and members of the House of Representatives. Did they stand up for Western Australia?

Dr D.J. Honey interjected.

Mr D.A. TEMPLEMAN: You didn’t achieve anything, mate! You didn’t achieve anything, son! You did nothing! So what happened? When we came to power in 2017, the Premier of Western Australia, Mark McGowan, decided to have a conversation with the then federal government to say: “This is not fair. This should not be happening. We want a better deal.” He stood up for Western Australia, and we got the deal that ensures that Western Australia now gets a much fairer share of the GST. That is case number two for the Premier standing up for Western Australia. That is more than you will do in your lifetime, son, because you are a pitiful example —

The ACTING SPEAKER: Leader of the House, please direct your comments through the chair.

Mr D.A. TEMPLEMAN: But you are too nice, Acting Speaker, so I want to direct my comments through the members.

The ACTING SPEAKER: Are you accepting interjections?

Mr D.A. TEMPLEMAN: No, of course not—because they are pitiful.

That is case number two of the Premier standing up for Western Australia. The Liberals and Nationals hate the fact that it was a Labor government that got the better deal on GST. They hate that! They had the so-called dream team federally in the Senate and the House of Representatives that did nothing to stand up for Western Australia. They did not go to Canberra arguing for a better deal with GST. They did nothing at all. This small rump of Liberals and Nationals that we have now in this Parliament hate the fact that it was a Labor government that achieved a better outcome.

Dr D.J. Honey interjected.

Mr D.A. TEMPLEMAN: Cottesloe, you are so far down the batting order that you are in the dressing room, son, as twelfth man. You are so far down the batting order. What is your response to whether or not Justin Langer should

take over from you? What is your response? You are backing away. You are down there at number nine, waiting for the big bouncer to come and cart you out of there. I can see it happening now. They all are lining up over there in Peppermint Grove saying, “We’re going to get him.”

The ACTING SPEAKER: Leader of the House, I think it would be good if you could come back to the motion, please.

Mr D.A. TEMPLEMAN: I am; we are standing up for Western Australia. Very good point, Madam Acting Speaker. I am articulating why this is a pitiful piece of written motion by the opposition. To attack, accuse and condemn the Premier for not standing up for WA is a pitiful effort by this opposition.

Let me go to case number three. During the most challenging times of COVID over the last two and a half years, over and over again in this place, in question time, in notices of motion and in public statements to the media from former Leaders of the Opposition, including the former member for Scarborough, and from former members of this Parliament, the Premier consistently answered questions from an opposition that was seeking to undermine the safety of Western Australians. They were seeking to undermine the health and wellbeing of businesses in Western Australia in constantly attacking and constantly undermining.

It is absolute fact that Western Australia is recognised around the world as the state and the parliamentary democracy that has best responded to the COVID crisis. That is evidenced by the number of infections and the number of deaths—and all those terrible statistics. It is recognised that we were decisive in making decisions early, and that we maintained that effort and reliance on the health advice.

I remember the early days of our emergency management, along with the Minister for Transport and the Minister for Police. I cannot divulge the conversations, but I can tell members that when the statistics were showing that this country and, indeed, the world were facing peril from a disease that we knew was going to cause massive disruption to populations around the world, the absolute focus of this Premier of Western Australia was on two things. The first was that our economy was cushioned as much as possible so that important industries would continue to function and people would continue to be employed with as little impact as possible on businesses. The second—more importantly—was that the people of Western Australia would be in the safest environment possible.

Hard decisions were made by this Premier, supported by the cabinet and this government. Those decisions were made because we understood the seriousness of the situation, yet the member opposite comes in here and condemns the Premier for not standing up for the state. What a ridiculous and pathetic effort. It demonstrates again—I hark back to the words of the Minister for Transport on a number of occasions—that the member for Cottesloe does no research; he is lazy. He writes glib motions and pathetic questions. I do not think he writes them; someone else does, but whoever is writing them should be sacked, for goodness sake, because they are not doing their job! It is an appalling example of the laziness and pathetic efforts by the member opposite.

Dr D.J. Honey interjected.

Mr D.A. TEMPLEMAN: Do not write a ridiculously stupid motion, member for Cottesloe, that is wrong and laughable. That is why you find yourself in the precarious position you are in now. You are on a tightrope. I tell you what: you are wavering, son. That umbrella of yours is not helping you.

Point of Order

Mr R.S. LOVE: It has been roughly 15 minutes and I do not think the minister has once addressed the substance of this motion, which is the live sheep trade. I ask you to bring him back to the subject of the motion, which is the failure of this government to stand up for Western Australian farmers and save the live sheep trade in the face of attack from Canberra.

The ACTING SPEAKER (Ms C.M. Collins): There is no point of order. Minister, I ask you to speak to the motion.

Debate Resumed

Mr D.A. TEMPLEMAN: When part of the opposition’s motion reads that this house condemns the Premier and his Labor state government for failing to stand up for WA, I am sorry but I will defend our Premier. We have a history of examples of this Premier standing up for the people of Western Australia. The evidence is clear. We have the best economy in the nation. Why? It is because of the efforts of this Treasurer and Premier and this government. Businesses here have survived when businesses in other states and territories have crumbled under the catastrophic impact. Go to Melbourne. Go to Sydney. Talk to people whose businesses were devastated and wiped out. This was because their governments were not like ours. We acted decisively, we acted early and we were consistent. I will defend the Premier. If the opposition comes into this chamber with another motion that condemns the Premier for not standing up for Western Australia, I will also defend him. I will tell you what: most members of this chamber—because most members of this chamber are Labor government members—will do the same. I am giving you a lesson. I am telling you: do not be so stupid as to write a motion like this. It is dumb, it is thick and it is pathetic.

Opposition members say they do not know where the Premier stands. Today in question time, the member for Roe asked a question about the live sheep trade. The Premier answered that question very clearly. The Premier has made his stand and his views very clear.

Let us talk about shakiness when it comes to views on the live export trade. I remind the member for Cottesloe that the now deputy leader of the federal Liberal Party and federal opposition has said that she supports a ban on live exports. That is her status. In 2018, she sponsored a bill —

Dr D.J. Honey interjected.

Mr D.A. Templeman: It is Sussan Ley, the member for Cottesloe's good friend—or does she not know who the member for Cottesloe is? I suspect she does not know who the member for Cottesloe is!

A government member interjected.

Mr D.A. Templeman: I have not seen him ducking out to go to any meetings!

In 2018, she took a motion to the federal Parliament to ban live exports. The member for Cottesloe might want to ask her, as she was asked in June 2022, whether her position has changed. Sussan Ley said, “Of course I stand on what I presented in Parliament.” I can tell opposition members—the National Party members, and the Leader of the Liberal Party, that temporary leader—that they had better get on the phone and ask Sussan Ley where she stands. The wheels are falling off the old cart! She is riding the horse—I can tell opposition members now—out the front, so they had better go and do that.

Let us look at their own side. Opposition members quoted Hon David Littleproud. What did he say just on 15 June? What is the date today? It is the fifteenth. It is today! I think opposition members even referenced this. He said on ABC Pilbara, with regard to the discussions and debate around live export —

“I've got to say to the Premier, thank you for your maturity in this debate.

He understands where the Premier stands; and, not only does he understand, he thanks the Premier for his maturity in the debate. The problem with the opposition members in this state is that there is no maturity. They try to fling around as much mud or as much stuff as they can find, and there is no pattern. There is no strategy. That is why they are shooting themselves in the foot consistently.

The Premier has talked on numerous occasions, and only as recently as a couple of weeks ago, about the current arrangements that were implemented as a result of the horrific stuff that we saw occur in the Persian Gulf a little while back. Those were shocking outcomes. I think that shocked lots and lots of people, as it should. The measures that were implemented included the northern summer live export ban—that is, that sheep should not be exported at the hottest time of the year in that part of the world. The Premier said also that he supported additional measures, including vet checks and monitoring. In the Premier's words, these measures have worked well and are appropriate at this time. Therefore, for opposition members to say that the Premier has not had and does not continue to have good dialogue with new Prime Minister Albanese is just farcical. The new Prime Minister of Australia made the point of coming to Western Australia only days after he had been elected as the Prime Minister of this country. That in itself demonstrates how important he regards Western Australia in the context of the national debate and the national economy, and in terms of the national approach to the new Albanese government. He came here.

The member for Cottesloe is obviously not happy with what I have said because he has vacated the chamber for the moment. His leader is here, apparently.

A government member interjected.

Mr D.A. Templeman: He has probably got the call! His federal leader was here, I understand, supposedly trying to repair things.

I will tell members what: if the federal Liberal Party had stood up for Western Australia, maybe it would not have had as serious and severe an outcome as we saw in the federal election only two weeks ago. The fact of the matter is that the people of Western Australia are not thick—members opposite are, but they are not. They saw very clearly what was being offered at the last federal election. I think opposition members will see that in their little analysis. Yesterday, the Minister for Transport gave us an insight into that secret meeting at the Italian Club. She knows these things. I do not know what the conversations were, but it is very clear that the people of Western Australia saw through the opposition. They recognise very strongly that Christian Porter and his cavalcade of supporters back in the time were not standing up for Western Australia. They paid the price for that. That is why we now have the magnificent new member in Tangney, the magnificent new member in Pearce, the magnificent new member in Swan and the magnificent new member in Hasluck. I am enjoying this!

Point of Order

Mr P.J. Rundle: Madam Acting Speaker, the minister has not actually mentioned sheep once.

Mr D.A. Templeman: Yes, I have.

The ACTING SPEAKER (Ms C.M. Collins): He has mentioned sheep.

Mr P.J. Rundle: Maybe once, but I tell you what —

Several members interjected.

The ACTING SPEAKER: There is no point of order.

Debate Resumed

Mr D.A. TEMPLEMAN: I talked about the northern summer.

Several members interjected.

Mr D.A. TEMPLEMAN: The Premier has made it very clear. He did that because you are so thick! You do not like the answers you hear, so you keep trying to make up all sorts of things.

Several members interjected.

The ACTING SPEAKER: Minister, please direct your remarks to the chair.

Mr D.A. TEMPLEMAN: Yes, I will. I apologise for not doing that.

Opposition members quoted Mr Hassell from WAFarmers. What was his comment on 1 June? I will not go through all of it. One of his key lines was, “My position really is the same as the Premier’s.” The Premier has made it very clear to the Prime Minister that he supports the current measures, including the northern summer live export ban, and the measures that were introduced to address the concerns about what happened in the Persian Gulf some time ago.

Opposition members keep asking about whether the Premier is talking to the Prime Minister. I can tell members that of all the state and territory leaders in Australia, I reckon the Premier would be pretty high up in terms of whom the Prime Minister would consult with. I think the Premier would be pretty high up in terms of communication.

In addressing this motion, I have to say that the problem with what members of the opposition have now become is that they do not want to make constructive contributions; they want to make destructive contributions. They frame their motions destructively. That undermines the lots of good things that are happening in our government. The other thing is that they love to try to drive a wedge between people who live in the metropolitan area and people who live in country and regional areas. If we look around this chamber, we see a number of members who represent and live in regional Western Australia. They very much understand their communities and they very much value farmers and growers. I live in Mandurah. Not much growing is done in Mandurah now; there is no pasture. But I have to tell members that a lot of people who are ex-farmers would always come to Mandurah, first as their holiday destination and then as the place in which they chose to live later on.

A member interjected.

Mr D.A. TEMPLEMAN: Has the member seen my prescription?

The reality is that that is what members opposite are trying to do. They have to be careful, particularly Nationals WA members, because they should be representing all Western Australians, including the nearly two million who live in the Perth metropolitan area, and understand the issues and aspirations of all Western Australians. They should not continue to try to drive a wedge between those who live in regional Western Australia and those who live in the metropolitan area because it will not work. People will see through them.

I have to remind those members of the 2021 state election result in their own heartland and in places such as the wheatbelt and my old home town of Northam. In all those regional communities, a huge number of people saw the strength of the Premier and recognised that he always has and always will stand up for Western Australia, and they voted accordingly.

Mr D.R. Michael: It would be interesting to know how they went with first preference votes in the federal election. Just a little bit of a difference. For context, the Labor Party across the Senate and the House of Representatives got 1.069 million first preference votes, and still counting. The National Party for the whole of Western Australia in the Senate and House of Representatives got 9 166 votes.

Mr D.A. TEMPLEMAN: The “Antony Green” of the chamber has just given us a report. Thank you for that insight.

The Premier’s view is very clear, and he reiterated it again in question time. He has made his position very clear in public, in the press and in media outlets, and indeed when he was asked about it, but members opposite simply choose not to listen. They then bring into this place motions that seek to condemn him for his failure to stand up for Western Australia. Members should not do that again. It does not make their cause any stronger and it actually means that genuine and real debate is belittled by their framing of the motion.

If they had used the words “called upon” or “sought” in the motion, that would have been a sensible thing to do—reword it. But, no, they have to go straight for the old, “Let’s go and condemn him.” Of all the people to condemn for not standing up for Western Australia, they choose to condemn the Premier of Western Australia. What a ridiculous motion. We do not support it. The Premier has made his views very clear and they have been articulated very clearly to the Prime Minister of Australia. This government continues to support our growers, our farmers and those who put food on our tables and export their magnificent quality products to other parts of world and other states and will continue to do so. Therefore, the motion is certainly not supported.

Debate adjourned, on motion by **Mr D.R. Michael**.

ELECTRICITY SUPPLY — REGIONS*Motion***DR D.J. HONEY (Cottesloe — Leader of the Liberal Party)** [5.24 pm]: I move —

That this house condemns the Labor state government for failing to deliver reliable and affordable energy to regional WA customers, leaving households, businesses and entire communities in the dark.

In the very early days, it used to be that the government saw the provision of food, water and shelter as a necessity of life, but of course, in our modern world, the reality is that electricity is a critical necessity for our entire community and for households. For most of us, we could not do what we do every day without electricity. Managing a reliable and stable electricity supply is now a key deliverable for any government in the world, in particular in a dispersed state such as Western Australia that has an added degree of difficulty in doing that. Good management of an electricity network comes down to two key things: the first is reliability of supply and the second is price. In turn, those fundamentals of reliability of supply of electricity at a reasonable price requires the government to make a proper investment into it and a proper effort to maintain and improve the infrastructure that delivers that power to households. That is why, on this side of the house, I took on the dual shadow portfolio roles of energy and state development, because there is an intrinsic link between the reliability of electricity supply and continuing to develop and improve supply of electricity around this state. It would behove the other side to do the same because it is readily apparent that the Minister for State Development, Jobs and Trade, who is heading off for two weeks during a parliamentary sitting week, is not taking on that important role, particularly for the midwest of this state.

It is worthwhile going over history—members on the other side like to go over history from time to time—and looking at Labor's track record on delivering reliable and, in particular, cheap, energy to the state of Western Australia. There have been a couple of failures in that regard. As I said, we currently do not have reliable or cheap electricity in this state that is critical for this state's future economic development.

After five years of this government being in office, we have heard constantly from the Minister for Energy—in fact, we have not heard constantly from the Minister for Energy. We had major power outages over Christmas. A few weeks ago, we had major power outages in Kalgoorlie, again a repeat of the major outages over Christmas. We had two outages over four days and the community did not hear a peep from the minister. In fact, an official from Western Power—not the minister, who was absent—was sent to the Kalgoorlie community to present the reasons for what had happened. We have had no clarity from the government whatsoever on what it is doing to improve the reliability of the electricity system. The minister has made the point that we cannot have an electricity system that is 100 per cent reliable; we know that. If we had a system that was 100 per cent reliable, it would cost an infinite amount of money. It means that some compromises will always have to be made, but there is no doubt whatsoever that our system could be more reliable than it is now. I will go through this in a little detail during the debate tonight, but there is no doubt that the government has the reports and the measurements at hand that demonstrate that. But what is being done about it? My great concern is that we will have a bow wave of maintenance activity that will exacerbate this situation and make it worse rather than improve it.

We know that bushfires and storms can cause major disruptions, but I will not accept in this debate this spin from the other side to say, “The reason we have an unreliable electricity network is because of climate change.” The argument that the minister used, that one of the factors making our electricity system more unreliable is climate change, is nonsense. We know we have hot days and cold days. Our electricity system is designed and should be designed to withstand the full range of temperatures. To say that if we had 10 hot days, the system would have been reliable, but because we had 12 hot days the system is unreliable is a nonsense argument. The system has to be fit for purpose. Our system has to sustain electricity supplies across the range of temperature and other environmental conditions that occur. It cannot be that every time we have a hot day or it rains heavily that we should expect major power outages across the state.

Unfortunately, the experiences of our communities, particularly in the regions—we just heard a discussion about the divide, and there is a divide on power reliability in the state of Western Australia—is that our regional communities are disproportionately adversely impacted by power outages. That is evidence of a failure to deal with the issues that they face. Again, I heard the Minister for Energy talk about this. He said, “As the powerlines get longer, we are likely to experience more faults.” That is true. The probability of any fault related to a powerline twice as long is twice. That is a fair enough contention. That is why we have appropriate countermeasures in place at those distant locations so that when we have those inevitable faults, there is a countermeasure that deals with it. When I worked in industry for 20 years, no industry ever accepted the excuse that it is a more complex industry or it is harder to get something there, therefore we will put up with the fact that it will be less reliable. As a manager, in the role I had, my duty was to make sure that we put in countermeasures and other things to counter that shortcoming. We understand that if we are at the end of a very long powerline, such as the city of Kalgoorlie getting power from Collie, there is the greater potential for disruption. That means we should have a proper countermeasure in Kalgoorlie that can come up to speed rapidly and restore power to that important community. That is true for other communities as well.

When we were debating some specific outages a little while ago, I heard the member for Swan Hills comment that the government is doing some other things around remote power. Yes, it is, and are those sufficient and being done in a timely manner? In the past 12 months we have seen a dramatic increase in the number of power outages. We have seen a dramatic increase in power outages since this government came to power. It may be that other things are being done, and I am aware of those other things, but they are not having the effect of providing more reliable power for those communities.

We hear these comments, which I will refer to a little later in the debate, to the effect of “Shucks; if you’re out in the bush, you should have to put up with it.” We do not think that is appropriate. Certainly, there should be a very clear plan for improving reliability. We are not talking about a first-term government. We are not talking about it being in power for a couple of years to change something as big as the electrical network, when it could say that the other side did not do the right thing and it is dealing with the consequences of its inaction. The government is now five years and three months into government. It has to own the problem and it has to have a clear idea. I have said in this place before that Minister Johnston is a hardworking minister who studies hard and reads his notes and so on. Where is the plan? Surely he has had time to formulate that and deliver it to the community, and we should be starting to see some significant improvement in that network. As I said, to be frank, I think the minister’s comments to the people of Kalgoorlie and areas of the midwest have been dismissive. Just to say, “It’s because it was an extra bit of hot weather” or “It’s because of a protocol in terms of repair and so on and that’s why it happened; we’ll see what we can do about it” is not good enough. I know from my old hometown, and this is true for most regional communities across Western Australia, we see that most people are buying their own generators because the state-delivered power supply is so unreliable. That is true, particularly for people on farms, but it is also true that a very large number of people in large regional towns now have generators. Over Christmas it was those people with generators who saved their Christmas and Boxing Day lunches and they could have their friends over. That should not be happening in a state such as Western Australia.

I have previously spoken about the residents of Horrocks. They kept a record of power supply outages, and recorded 117 hours of outages in just two months over December. Eventually, and only because of the enormous disquiet in the community, Western Power delivered generators at the end of January, meanwhile, they endured 117 hours of outages. The trouble with these outages—I apologise for my post-COVID cough—is that it is not just one outage. We might say that they could live with that, but there are one-hour and two-hour outages that are not even recorded as being significant outages because they do not hit the threshold, which I will talk about a little later. What happens once they have one, two or three outages, especially with modern refrigerators and electronic equipment, is it actually destroys the microprocessors in these things, so they do not work at all. That happens especially for larger equipment in food venues and the like. Over that Christmas period a lot of communities that were not recorded as having had significant outages had their equipment destroyed because of the multiple short outages over that period.

We heard about the people in Roleystone enduring four days without power beginning on Christmas Day. That came in the wake of numerous disruptions during late November and early December. Roleystone is Perth. We are not talking about somewhere at the end of hundreds of kilometres of powerlines. As I pointed out previously, 12 months earlier people had to endure the same sorts of outages. They should not have to put up with that. I attended a community meeting there and they pointed out to me that when it had those outages two years ago, there was a massive bushfire down on the coastal plain, near Kwinana. The wind was blowing from the west and heading towards the hills. All their phone towers went out. Many people these days rely on mobile phones. There is probably an age demographic here, even in my family. Many households have only mobile phones. They do not have landlines. Those people had no phone contact. They were really disturbed. It was a very serious bushfire at the time threatening to come up the hills. I am sure members are aware of Roleystone; that area is heavily wooded. The hill slope coming up to that area is heavily wooded and they were really concerned. They had no way of getting emergency messages. Might I say, in a great number of regional townships and even in the extended parts of metropolitan Perth, when the power goes off, people lose even landline communication, because the landlines go back to towers. Typically, for many of them, they only have around four hours of electricity. When they have an extended outage of nine hours or so, they lose the communication altogether. They do not even have a landline. Typically, mobile phone towers are the ones that disappear first.

The midwest has especially suffered from power outages. Last summer, 17 midwest locations endured 2 502 hours of blackouts. The worst affected was Dongara, with 381 hours of outages. I have communicated with business owners in Dongara who incurred enormous costs due to regular power outages over recent years. This is a problem. People might say that there is one event and a big outage that affects a lot of people, which adds up to a lot of hours, but it is evident that these communities have constantly endured outages over the past few years. That comes back to what this government is doing. One business owner spoke of the costs involved in buying solar panels and a backup generator because they simply could not rely on government-supplied power for their particular business. Over that Christmas period in particular, when COVID vaccinations were still a very live topic and obviously getting that third dose out was critically important, a lot of pharmacies and medical practices had to throw out all their COVID medication because it was unrefrigerated for a number of hours and therefore they could not safely use it.

Just to reinforce this, these outages are having real impacts on people's lives. A letter to *The West Australian* on 2 June from Mr Jim Waddell in Port Denison stated —

Premier Mark McGowan should come and live in Port Denison/Dongara if he thinks Western Power reliability is acceptable. The real sufferers are those who cannot afford generators which is probably half the community has because the power supply is so unreliable.

There was another letter from Andre Nel of Karakin. Andre referred to the Jim Waddell letter, writing —

Jim Waddell ... is quite correct about Western Power reliability.

I reside between Ledge Point and Lancelin, which is less than 100km from central Perth. We lose power so regularly that I have a hotline to Western Power. I have complained about this to numerous politicians but to no avail.

Most people have generators, but this defeats the object.

Maintenance is non-existent which is the main problem.

Third world countries have more reliable power supply.

I am not quite sure whether that latter assertion is correct but I do know that he is experiencing unacceptable power outages, well beyond what is reasonable, given all the other excuses that are given. People are being forced to buy their own generators because of that failure.

In Walkaway, residents tell us that they had six outages from Christmas to February that lasted a total of 76 hours. Residents in Port Gregory experienced more than 160 hours of outages in that period. They did not get any backup power generators from Western Power during that period. Residents of Springfield cannot even access water when the power is out. That is because they rely on groundwater for their water supply and they cannot get it. That matter was raised in Parliament. The minister brushed it off by saying that it is related to climate change and this and that—the normal excuses that get rolled out every time. We all know that the climate is changing. As I pointed out earlier, whether climate is changing or not does not alter the requirement for the government to supply reliable power. Equally, none of the temperatures that we have seen have been unusual. The duration of high temperatures may have been a bit longer than usual—it will be interesting to see that detail—but the reality is that none of those temperatures are unusual. They are not extreme and they are not temperatures that have never been seen before. It is the job of Western Power to supply that power. There are many places in the world where the temperature is far more extreme than the temperatures in the southern part of Western Australia, yet adequate power is supplied to those areas. The minister can give us a lecture about climate change—he is not going to get an argument on this side of the house about that—but the real question to be asked is: why can our power network not cope with normal temperatures that we experience during summer?

These outages are not just occurring in the midwest; they also occur in the south west. I have spoken before about Kalgoorlie. I feel especially sorry for the people in Kalgoorlie who endured those problems over summer when the minister said it was extremely hot and there were bushfires. A few weeks ago there were no storms, no high winds and no high temperatures, yet over four years there were two major outages in that city and around 20 000 houses were affected on both occasions. Those outages occurred in a major regional centre that is critical to the economic wellbeing of this state. It demonstrates a lack of maintenance and now capital investment. The frustrating thing about Kalgoorlie is that it has two large backup generators—two large diesel-fired gas turbine generators. I am told that they can handle all the load for Kalgoorlie and nearby areas. In both of those extended outages—it was true during summertime as well—despite the fact that the government is paying a large sum of money to have that capacity in Kalgoorlie to back up the power supply network, those generators did not come on. Outages lasted up to nine hours, yet those turbines did not come back on.

This matter was discussed during estimates. We heard that the generators are slightly older and they take a little longer to start up so Western Power does not make the decision to start them up straightaway. I will dwell on this point a little. The problem is that the decision is made by some bureaucrats in Perth. Someone on the phone is saying, "What do you reckon?" The truth is that it goes on for hours and hours. They are not started. When people try to start them, suddenly they discover they have faults. They are privately owned generators but Western Power and the state government have a direct obligation to make sure that those generators can be started. The minister gave us the excuse during estimates that Western Power should be able to invest more money so these generators are able to start up quicker. It would cost a few million dollars. The Economic Regulation Authority came back and said, "No, that is gold plating or whatever and you cannot do it." The minister stopped there. But, in fact, the minister has absolute control over this matter. The ERA simply says that if that extra money is spent, that money cannot be recovered from customers.

That means that when the government is justifying the next price increase to the ERA, given that Synergy effectively is a monopoly power supplier to houses, that money cannot be charged back to the customers. Western Power is paying hundreds of millions of dollars in dividends to the government, or in fact it is retaining it. The minister can

simply write to Western Power and say, “You will spend that money.” It just means that Western Power cannot recover that expenditure from customers. However, that money could come from the dividend—the government could put that money in from consolidated revenue. It would be a waste of time to go around that big circle.

Mr R.S. Love: Stuff a billion dollars into the Liberal coffers.

Dr D.J. HONEY: As the member for Moore pointed out, when the government gave a direction to replace wooden poles, so that money could not be recovered from customers, the government said, “As a matter of public policy, we will invest taxpayers’ money to improve the reliability of that system.” Minister Johnston or the previous minister could have given a direction when the ERA came back and said, “Fair enough. You are not going to win a fight with the ERA.” But the government could have made the policy decision to invest the money by paying extra money to those providers so that those machines could start up and come on more rapidly in Kalgoorlie. It is not right for the minister to hide behind the ERA or climate change or some other thing and say that is why Kalgoorlie does not have reliable power. Kalgoorlie does not have the state-of-the-art, if you like, backup power generation capacity. It has a system that is slower to start because the government chose not to invest the money in it. It had that choice but the minister said, “Well, because I can’t recover it from customers, I won’t do it at all.”

We know there is public policy on regional areas. Governments make investments in regional areas because people expect they will have the same services and access to reliable power and clean water as people in the metropolitan area. It is relatively easier and cheaper per person to deliver those services in Perth so governments from both sides over time have accepted that sometimes they will make an investment in the regions because they want people to have health services and other things even though they cost more. The government could have done it but chose not to. That problem could have been solved. It has been a problem for some time and the minister has been aware of it for some time so it comes back onto the minister. At the end of the day, the minister is in charge. There are some experienced ministers in this house and I am absolutely certain and know for a fact that at times they have had to say, “Yes, I know that’s what you are saying but I’m directing you to do this and I will give you a written direction if I need to.” That matter is with the government; we do not have to wait until the end of an existing contract or whatever to resolve the matter.

An Economic Regulation Authority 2021 report into electricity distributors shows that the reliability of our network is deteriorating. It states on page 4 that the number of customers affected by extended interruptions—that is, power outages of more than 12 hours—rose from 45 000 hours in 2016–17, which was the final year of the last Liberal–National government, to over 98 000 hours in 2019–20. It was some 70 000 hours last year, which is a 55 per cent increase. That is what I mean when I say the network is getting worse. Those extended outages are increasing quite significantly. We have not heard commentary from the minister that explains why that is or what he is doing about it.

The other side to look at is that it is 12 hours. That is a disaster. It means a person would lose everything in their freezer and many would lose medications and the like. Think about it. That is 70 000 residents having power outages for over 12 hours. That is an enormous number. As I say, it is a massive increase on the number of outages before this government took power. It is certainly concerning. The ERA report states —

Western Power attributed the cause of the extended interruptions to severe storms ... including cyclone Seroja ...

Cyclone Seroja was two years ago. We have storms every year. We know storms will come through so we need a network that is not only resilient, but also has backup capacity in remote areas so it can deal with having a powerline out. The powerline from Three Springs to Geraldton was badly affected by cyclone Seroja and that is why that town needs backup power. Fortunately, a gas facility was available. It was going to be shut down but fortunately it was kept open despite where the government wanted to go at the time.

The same ERA report states that Western Power blames storms for the high number of outages but there was a drop in the number of customers experiencing more than 16 interruptions, which the report states were due to fewer major storm events during the year. I am a little intrigued by that statement in the report. The report does not seem to be consistent. The real point is that we need a power network that is resilient to usual weather conditions; we get storms every winter and hot weather every summer.

In regional areas, the standard is 16 interruptions per annum. In the Perth CBD good performance is nine interruptions per annum. It seems that we are quite prepared to accept the fact that people who live in regional areas have just got to put up with things that people in Perth would not put up with or think are reasonable. The average duration of interruption in the CBD is around 80 minutes but even that is double what Western Power says is the acceptable standard. The average is 80 minutes; the standard is 30 minutes. Where is the government’s plan to close that gap? The average duration of interruption in the suburbs is over 300 minutes, which is more than twice the acceptable standard. The average duration of outage in rural areas is around 290 minutes, or nearly five hours. Last year there were 1 700 minutes—that is, nearly 29 hours. That is six times longer than the accepted standard. Members can see the measure of it and what I am trying to paint a picture of. In regional areas there is a lower standard and the government is accepting that lower standard.

Even before cyclone Seroja, the recorded rural average was nearly 1 400 minutes, which is more than four times the standard. Cyclone Seroja, as a one-off event had an impact, but even in the absence of Seroja, the average being measured was four times the accepted standard.

The ERA report mentioned performance in the suburbs. It stated —

Western Power has not met the ... standard of 160 minutes for urban areas in any of the six years reported.

I am sure that the keen ears of members opposite are pricking up and they are thinking that that period also includes the last year of the Liberal government. This new government was very critical of the previous government in this area. It has been in power for five years, but as I have pointed out, in relation to the metrics, its performance is getting worse and worse.

I want to go through the *State of the infrastructure report: 2020/21*. I made the comment earlier that the government has the information to hand that shows what is going on. Great information is available and that is a wonderful thing, but the whole point of having information is to do something about it. The age profile in the state of infrastructure report gives a clue as to the reliability of the ageing assets. I will go through that report for the education of members. I have heard comments from the government that things are getting better because the number of assets that exceed the maximum age that is tolerated for equipment has been reduced. I will go through the categories. There is a graph showing the age profile of distribution poles. The figures are for the years 2018–19, 2019–20 and 2020–21. There were about 145 000 poles in the zero-to-five-year category in 2018–19. That has dropped to about 9 000. Unfortunately, the keen eyes of members opposite probably cannot see this graph, but the number of poles in every other age profile is, essentially, going up. That is a dramatic reduction that means that new poles are not coming into the system to replace those old poles.

If we look at the serviceability profile by age and distribution of wood poles, there is a metric for those aged 41-plus years. That is an old pole by any measure. The graphic shows that almost two-thirds of those poles are listed as “treatment required”—almost two-thirds! Again, we see this increase. If we look at the profile distribution, since 2018–19, the 41-plus category—that is the oldest category—has gone from about 12 600 poles to around 14 300. That is a substantial increase of 1 700 older poles. I think it is worth going through this. We can look at the age profile of distribution cross-arms. It is the same trend—a dramatic reduction in the zero to five years category and an increase in every other category. I know that there has been work done and a focus on this, but if we look at the figures for leakage currents resulting in unassisted pole-top fires, it was 0.04 per cent in 2016–17 and 0.04 per cent in 2020–21, so there has been no reduction in pole-top fires as a percentage of the total number of poles. If we look at the age profile of overhead conductors, which are critical for a reliable power supply, there again has been a reduction in the zero to five years category. Over the period that I discussed before, the 51-plus category—51 years is supposed to be the limit; that is the maximum age for pole conductors—has gone from around 12 300 to 15 300. That is an increase of 3 000 in the 51-plus age group of those conductors. Old conductors are more likely to short out. If a conductor shorts out, it will trip the power, which will cascade a lot of issues with restarting the network. If we look at transmission overhead conductors, we again see that trend.

Underground cables are interesting. The report states that at the end of the reporting period, 52 kilometres of energised cable that make up the underground transmission network include 9.3 kilometres of fluid-filled cables, 82 per cent of which have exceeded their mean replacement life. We wonder why we are seeing problems with the underground power network, but 82 per cent of the fluid-filled cables have exceeded their mean life! Overall, 38.5 per cent of the transmission underground cable network is beyond the mean replacement life—over a third of the underground cables are beyond their replacement life! I am not making this up; this is the government’s own report on the state of the infrastructure.

We can look at distribution transformers, which also have an increasing age. It is the same trend for ring main units. Some members might be fascinated by pole-top switch disconnectors. There is an increasing trend in the maximum age of the 31-plus years reclosers, which is another exciting part of the electrical network for people who are fascinated by them, as they are critical for the ability to get a network back into gear. We are seeing an increasing age in those. Members may be less familiar with sectionalisers, which again have an increasing age profile and a significant reduction in the zero to five years category. Drop-out fuses are critically important. Again, there is a significant increase in the age of those. The report states that the life of major power transformers is 40 years, but the second-largest category of those transformers is the 51-plus category—those transformers are more than 11 years past their useful life. We are again seeing an increase in the number of ageing assets. It is true for switchboards, circuit-breakers, instrument transformers and the like.

I wanted to dwell on that because we hear that this network is being properly maintained and improved. The data in this report shows that the age profile of all that critical equipment in our electricity network is getting older. That means that there has been underinvestment. I will note one positive for the government so as not to be entirely doom and gloom about it. Members will be pleased to know that there has been a substantial reduction in the number of metal poles that have collapsed—it has gone from 52 to seven. That is a good achievement, but it does not do much for the reliability of the power network in regional areas. I think that reinforces the point. It is disappointing that when money is available, it is not being spent to upgrade, invest in or improve our system. The independent

review conducted by the Economic Regulation Authority that I mentioned before said that Western Power had invested \$368 million less than it had planned and was approved to spend. It had approval from the ERA to invest in upgrading and modernising the system by making a capital investment, but it spent almost \$400 million less than was planned. Some might say that the government is being frugal, but the statistics that I mentioned before demonstrate that this is at the cost of the asset life of that equipment.

There was an independent review into the Christmas power outages and a number of recommendations were made. It is a pity that the minister obviously has other commitments, because I am interested to hear how that has progressed. We have heard very little about any progress against those recommendations that would lead to a reduction in major power outages like we had over Christmas. We need to hear from the minister. The minister spends a lot of time being highly critical of members on this side, so I think it is time for him to explain in detail what he is doing.

It is clear that the problems are getting worse. Western Power derives an enormous amount of money from its customers in Western Australia. Its revenue last year was \$1.8 billion. The capital works budget was \$800 million, so there was a gap of \$1 billion above that. Western Power spent \$746 million on capital investments last year—that was outside the period covered by the ERA report. There was another \$145 million underspend last year. In round terms, it is getting up to a \$550 million underspend on the network. Western Power has enormous financial capacity. Western Power has not paid dividends for a couple of years. There is a combined capacity of some \$450 million that Western Power can spend on upgrading regional and rural systems. It can seek direction from the minister when the ERA does not justify it recovering costs from customers, but there is more than adequate money in Western Power and in this government to deal with that. As I said, we have seen nothing from the minister to direct Western Power on this matter or make sure that we see an improvement in reliability of the power supply.

I turn now to costs, because affordability is one topic of this debate. I will go back a little in history, because I think it is important. Back in 2005, under the Gallop government, I think a lie was sold to the people of Western Australia. In 2005, the Labor government sold its reform agenda on the basis that electricity prices would be eight per cent lower. That is when we saw the disaggregation of the network between distribution and suppliers and sellers. What did we see once that legislation came through? As soon as that legislation was pretty well promulgated, the public was told by that Labor government that they would not see an eight per cent decrease; they would see a 100 per cent increase. The cost of the disaggregation that was put forward by the Labor government at the time was 10 per cent per annum increases over 10 years. That is what we were told. Again, members on that side make a great point of saying, “Oh, well, the Liberal Party supported that.” That was because the Liberal Party at the time accepted the assertions of the minister. Today, in answer to a Dorothy Dixer, we heard the Minister for Energy say, “We are very clever because we have all these Western Power advisers. We have all these people who give us all this clever advice, and you on the other side are all dumb because you do not understand the detail that I have to hand because of all the great advisers I have.” Lest we on this side be wary —

A member interjected.

Dr D.J. HONEY: I am feeling a bit weary; I will tell you that, member, for free.

Several members interjected.

Dr D.J. HONEY: They are out working hard for their electorates, I hope! They are doing the job.

Lest we on this side be wary of the minister’s statements today, speaking of the great wisdom that he has at hand, we were reassured back in 2005 by the Gallop government, so we did not oppose that legislation at the time. Lo and behold, what do we see now? We see that 100 per cent increase that was proposed by Premier Gallop. When the Liberal government came into power, the decision it made—again, this was mentioned by members on the other side—was that it was ridiculous to have a continuous cut, so it instead made a couple of larger increases in power prices. This was referred to again by the Minister for Energy when he came into this place and said, “You lot are useless. Look at the increases you made!” Those increases were the total product of the so-called Gallop government’s performance, in which it locked in the 10 per cent increases over 10 years. That was the increase that came out of those reforms. We wore the odium of that, but that was the complete consequence of those reforms and that is why I am going through that history because I think it is important that we in this place hear the whole story and not part of the story as given by the Minister for Energy.

Since this government came to power in 2017 —

Several members interjected.

Dr D.J. HONEY: I have limited time, members, and I want to get through a little bit of material. In 2017, electricity cost 26.5¢ a kilowatt hour or thereabouts. That was a 13.5 per cent increase. We know that inflation has increased, at least for part of this year. We have seen an inflation spike because of what is happening in Ukraine and some other energy issues. But that spike is substantially above the inflation rate since this government came to power. We had years of a one per cent inflation rate. Now, it is continuing to increase. We hear government members talk a lot about the \$400 rebate that the government will give customers and the \$600 rebate that was given last time, but the fact is that the underlying charges are going up and up. The government will rapidly recover that gap. Yes, it is a one-off sugar hit, and I might say that in both cases—no surprise—they were timed immediately before an election.

We saw one sugar hit immediately before the state election and we saw the other sugar hit immediately before the federal election. Given the Premier was very present in that campaign, it was little wonder that the government used the same trick it used in the state election to buy favour with the electorate.

Again, some of these underlying charges have gone up. There was the massive hike on daily supply charges of 95 per cent in 2017 when the Labor government came in. The government has increased this charge from 48.6¢ to 107.8¢ a day. That is a massive increase, and it is a charge that no-one can escape as it hits household budgets over time. It is very, very clear that there is no plan by this government to lower prices. What we are seeing forecast is price increase after price increase. As I say, despite these sugar hits, the underlying charges have increased, and we are not seeing any option to lower them.

We see the Labor government giving up energy capacity to bring other players into the system, which, again, substantially increases the price of electricity. In fact, one of the things that has led to the shutdown of the Collie power stations was the preferential taking of power from third parties—non-government sources—which has made those power stations unviable. Therefore, we will now see those public assets mothballed at, I would say, a significantly written-down value. I will well and truly stand corrected on this, but I think there is something like \$600 million still on the books for those assets. As I say, I am happy for members to correct me on that matter of detail. Nevertheless, a very substantial asset value will be written off.

We had sensible regulation during the Court years from 1993. Between 1993 and 2001, there was one price rise of 3.7 per cent. Why was that? It was because the government sensibly allowed third parties to bid for power requirements above the generation capacity of the state-owned asset.

A government member interjected.

Dr D.J. HONEY: Is the member talking about Varanus Island? I think the member might be doing a little bit of verballing there—at least, misleading—to the house.

That was good management of that particular plan. As I say, the Labor plan led directly to the doubling of prices. A failed reformation process contributed to the enormous cost of living for households in Western Australia today, led to other massive costs and is something that we should be worried about now.

I want to spend a few moments dwelling on the Collie plan. It was really interesting to hear from the minister today about this. There was a lot of spin. The minister was very critical of our plan during the previous state election, but the plan that the government is bringing in is, in large part, the plan that we had suggested. Also, I might say, just on some other notes, the hydrogen highway was a direct copy of our plan from the state election, as was the electric charging highway and infrastructure. But we will let that pass!

A major challenge is facing us. For those members who are interested in electricity, the Australian Energy Market Operator has put out an excellent report. AEMO is an excellent organisation—an independent organisation, which is interesting—that can give people independent comment. AEMO outlines in its *Electricity statement of opportunities* the challenges going forward. We heard assertions from the minister today about this and about the discussions he had had with AEMO about the capacity required. Up until the announcement the government made yesterday, Muja 7 and 8 and the Bluewaters power station were expected to continue into the future, and that is reflected in AEMO's *Electricity statement of opportunities* report. The Australian Energy Market Operator looks at all the generation and the increase in rooftop solar. It is saying that by 2030–31, that will increase to about four gigawatts, or 4 000 megawatts. That is a massive increase in that capacity. It looks at the planned shutdowns and all the generation that is available. There are about 3.5 gigawatts of non-coal, non-renewable generation capacity from most of the gas turbines and diesel generators that are available in the system. It looks at peak demand in the system and it makes assumptions. Of course, it has to make an assumption at some stage. For example, obviously, at night-time there is no sun, but there are times when there is no wind, and there is no wind over extensive areas of the state, not just in one little isolated part of the state. There are times when no renewable power is available and nearly all the power has to be supplied by backup generation.

The Australian Energy Market Operator is saying that in 2030–31, there will be only 171 megawatts above that forecast peak demand. Muja 7 and 8 have a combined capacity of 422 megawatts. That is what the AEMO site lists it as. That is the reserve capacity. The AEMO site indicates that the Bluewaters 1 and 2 stations have 434 megawatts of capacity available. That is a combined total of 856 megawatts. If we subtract the 171 megawatts, which is the available peak, it leaves a gap of close to 685 megawatts of generation capacity. That is substantial.

Today I asked the minister what his plan is, and the minister had great delight in pointing out my many failings and telling me that he had published his plan. I got my staff to search extensively, because I had not seen a plan. As far as I can see, the plan is the press release that was put out yesterday. The press release outlines that the government is going to spend various amounts of money on things and it is going to invest an estimated \$3.8 billion in new green power infrastructure. If there is one message I would like the other side of the house to get, it is that promised money is not a plan. It is just money. We hear this in health. I am fascinated when we hear the Premier say that the government spends more money per person on hospital beds in Western Australia, but Western Australia has

the lowest number of hospital beds per person in the country. All it means is that our hospital beds are massively more expensive than those in any other state. If I were the Minister for Health or the Premier, I would be looking at more efficiently managing the cost of hospital beds in this state, because clearly that is the problem. The minister saying that he is going to spend an amount of money is not solving the problem. I hear this in housing: “We promise to spend this much money.” It does not solve the problem. The minister saying that he is going to allocate a certain amount of money is not a plan. A plan is saying that this much battery backup is going to be installed, that it is estimated that there will be this much hydrogen capacity in the system or that this is going to be built in Collie or Greenough. That is a plan. I asked the minister for a plan. But instead the minister said that I was a fool because I do not understand that he has a plan and he has told me the plan. This press release is not a plan. It is a statement of general intent. The minister says that he is going to invest a certain amount of money and he is going to do something about it.

We have had a debate in this place before about power reliability. If the government is going to bring green energy from the midwest into the south west interconnected system, it will have to upgrade the current lower voltage powerline from Three Springs to Geraldton. It will have to have a plan to upgrade the 330-kilovolt line from Three Springs to Geraldton. I was really disappointed in the minister on this. I had a meeting with AEMO representatives on 2 June and I asked them whether they had ever said that to bring that power down to the SWIS, there would need to be three powerlines. Do members know what they told me? No. They have never said that there has to be triplication of that line. They said that they would be perfectly satisfied with upgrading that line to 330 kilovolts to match the standard of the line that goes to Three Springs. Furthermore, they said that they had never given that advice. I am extremely disappointed that the minister would mislead the public of Western Australia and this place on that matter, because they were very clear to me on that matter.

MS E.J. KELSBIE (Warren–Blackwood) [6.25 pm]: I rise to speak in opposition to the ridiculous motion raised by the member for Cottesloe. Under his plan, he wanted to shut Collie down in 2025—something that is unachievable, irresponsible and reasonably ridiculous. He has unrealistic time frames and no plans. His federal Liberal colleague Andrew Hastie, the member for Canning, said that the WA Liberal Party’s green energy policy was a lemon. Opposition members are all over the place—not literally, as there are so few of them left standing! The party has no consistency. Talk about nonsense arguments, member for Cottesloe. This government is actually doing things that are evidence based and innovative and are not based on ideology, privatisation and profit. I thank the member for Cottesloe for moving the motion, which provides me with the opportunity to share with the chamber the amazing work that the McGowan Labor government is doing to deliver reliable and affordable energy to regional WA customers like me, ensuring that households, businesses and entire communities keep the lights on, unlike what would happen if the opposition were in power.

This week I had the opportunity to meet with a group in Denmark at the Totally Renewable Denmark stakeholder forum. It was a great example of how this government is engaging with the community and different stakeholders. Representatives from Western Power and Synergy were there. Louise Duxbury, who started Green Skills back in the day, was the facilitator. She is a local leader and she founded Green Skills, which is a not-for-profit organisation working for a sustainable future in our communities. We sat around and we looked at the lines across the great southern and we talked about opportunities and challenges. Representatives from the Great Southern Development Commission, the South Coast Alliance and the councils were in attendance and at the table working to support our communities and come up with innovative and opportune moments. These guys are part of a stakeholder forum that have got together to seek to increase renewable energy production and reduce greenhouse gas emissions across the Shire of Denmark. Their visions align with the McGowan Labor government’s approach to modernising WA’s energy sector and our commitment to a low-carbon future.

In March 2019, the McGowan government launched Western Australia’s energy transformation strategy, setting out its response to the unprecedented changes happening in the energy sector. One in three WA households has rooftop solar, and that number is expected to rise by 50 per cent by 2030. The annual installation rate of rooftop solar has hit record heights, with one megawatt added every day by WA households, schools and small businesses in 2021. As the shadow Minister for Energy, the member for Cottesloe should no doubt be aware that the rapid uptake of solar has created challenges, as well as opportunities, for the way that our power system produces, manages and consumes electricity. The energy transformation strategy responds to these challenges and has three main areas of action. The first area of action is the development of a whole-of-system plan for the south west interconnected system to guide investment in infrastructure. This is the first time a cohesive generation and transition plan has been completed—cohesive and a plan. Secondly, it sets out changes to modernise the regulatory frameworks for the connection of generators to Western Power’s network and the operation of the wholesale electricity market, including changes to essential system security services and the removal of barriers to connect new technologies such as utility scale batteries. Finally, it outlines the distributed energy resources road map to integrate growing levels of DER, maximising customer benefits and reducing system stability risks.

Judging from question time today, the member for Cottesloe seems to be unable to get his head around the changes that are coming. System dynamics are changing. We have developed a whole-of-system plan that provides different

scenarios for how Western Australia's main electricity grid might look in the next 20 years. We have also redesigned the wholesale electricity market to improve power system security and efficiency, and to improve network access for new largely renewable generators. We have made exceptional progress in how we plan and manage power systems, allowing us to embrace renewable energy and storage technologies.

What does that look like on the ground? More than 20 trials of new technologies are being undertaken across hundreds of sites throughout metropolitan and, importantly, regional Western Australia. These include standalone power systems; community power banks; distributed energy resources; and virtual power plant trials, modular grids and microgrids. I had the pleasure of telling the Totally Renewable Denmark stakeholder forum about how nearly 50 per cent of the total electricity demand in Esperance will now be met by renewable sources through the new integrated power system. That comprises a four-megawatt solar farm, two 4.5-megawatt wind turbines, a four-megawatt battery energy storage system, and a 22-megawatt high-efficiency gas power station.

We have also funded projects across the state. They include the Narrogin renewable diesel project; my electorate's very own Pumped-up Walpole; the Castelli Moora microgrid project; the midwest geothermal project; the AmbriSolar battery energy storage system project in Merredin; and the Port Hedland big battery project. These projects are being delivered with the support of more than \$11 million from our government's clean energy future fund. The CEFF supports innovative clean energy projects and technologies with the potential to support reductions in greenhouse gas emissions.

Pumped-up Walpole in my patch will be Western Australia's first pumped hydro microgrid. We had a community meeting back in April at which the Minister for Energy spoke to the community of Walpole, which at times does have an issue with power supply. Walpole's pumped-up hydro microgrid will be WA's first ever hydroelectric microgrid solution, working between the Town of Walpole and Western Power, and partnering with Western Australian engineering firm Power Research and Development to bring a mini hydro facility to Walpole and connect it to the south west interconnected system. The renewable microgrid solution will significantly improve power reliability for Walpole homes and businesses. Walpole is at the end of a long feeder line, so this has been very much appreciated. The Western Power and Power Research and Development joint program will significantly improve power reliability for the people of Walpole.

The 1.5-megawatt pumped hydro facility will use two dams at Joe Burton's farm—one at the top of the hill and one at the bottom of the hill—to store 30 megawatt hours of energy. It will work by pumping water uphill from one dam to the other when renewables are abundant and energy is cheap. During periods of high demand, the water will be released downhill to a generator to produce electricity. In the event of an outage, the facility will also supply power to the town. That will be done seamlessly. If the power goes out, Pumped-up Walpole will hop into action and the town will be re-powered. As I have said, Walpole is at the end of a 125-kilometre long feeder line. That line is exposed to destructive elements such as plants, animals, storms, lightning and bushfires. The pumped hydro solution aims to reduce the number of outages in the Walpole community at no additional cost to businesses or the community. It is innovation in practice. The facility will also support the increasing rise of renewables by assisting in the balance of demand and supply. It is expected to be fully operational in the second half of 2023. It was great to have Colin Stonehouse from the project at the meeting in Denmark. Our government is very committed to supporting innovative energy projects to help us respond to climate change, while also improving power reliability. Our record reflects this.

The second part of this motion deals with affordability. Affordability is something that this government does, and we do it well. Western Power and Horizon Power are 100 per cent owned by the people of Western Australia. That allows us to maintain the best interests of Western Australians. The Liberal Party has a long history of privatising government assets and of returning to its idea of privatising Western Power. In the metropolitan area, the average connection costs between \$10 000 and \$20 000 to provide service over a 50-year period, whereas in the outer metropolitan and regional areas of the SWIS, the cost is more than \$240 000 per customer. The government's uniform tariff policy ensures that all households and small businesses pay the same electricity tariffs no matter where they are located in the state. The annual subsidy is more than \$160 million. The Liberal Party privatisation stance is a risk to all consumers, but mostly it is a risk to regional consumers. The Liberal Party wants electricity prices in the metropolitan area to be cheaper than they are in country areas. That is unfair. It is also irresponsible.

Members of this chamber would be well aware of what the McGowan Labor government is doing to reduce the cost of living off the back of our recent budget surplus and strong economic position. We are supporting Western Australians with the cost of living by using our strong surplus to deliver a \$400 electricity credit to every Western Australian household, metro and regional. We are able to do this as the McGowan government has reduced net debt for a third consecutive year. It is now almost \$14 billion lower.

Outages do happen. This state has more than 100 000 kilometres of powerlines, more than 800 000 power poles and billions of individual components. There are 8 760 hours in a year. If we had 99.5 per cent supply reliability, each year we would have 43.8 hours without electricity. On average, across the network, we have much higher reliability than that. When people lose power for an extended period, the extended outage payment comes into play. The member for Cottesloe, the shadow Minister for Energy, and ironically also for Innovation and ICT, does

not seem to get it. However, his motion today provides a great opportunity for us to highlight the great work that is being done all over Western Australia to deliver reliable, affordable and green energy solutions. I also believe that my predecessor Terry Redman praised our work when we passed legislation to enable more innovative approaches like standalone power systems and microgrids. He said —

This is a massive opportunity to find a balance between the revenue that our utilities have to maintain to look after their asset base, and bringing innovation to the table in some of those market areas.

He went on to say —

That will take a lot of discussion and a lot of good work from some very smart people behind the scenes ...

It seems that the member for Cottesloe has been left in the dark—the Dark Ages, unfortunately. This is a ridiculous motion and most definitely is not supported by me.

MR K.J.J. MICHEL (Pilbara) [6.38 pm]: I rise to make a contribution on behalf of our government to the motion put forward by the member for Cottesloe, Dr David Honey, about the supply of energy for regional customers. I thank the member for Warren–Blackwood for her wonderful contribution. I also thank all the other members from our side who will come behind me to oppose this ridiculous motion that has been brought forward today.

The Pilbara region covers an area of 502 000 square kilometres in the north of Western Australia. Horizon Power is the Pilbara's regional and remote energy provider. Horizon Power is responsible for the largest geographical catchment of any Australian provider and has the lowest connection density in the world, with fewer than one customer per 50 square kilometres. Horizon Power operates 8 356 kilometres of overhead and underground transmission and distribution lines, 38 microgrids, eight micro power stations, the north west interconnected system and a number of standalone power systems. These systems are exposed to diverse climatic conditions characterised by intense heat and cyclonic conditions in the Pilbara. In a year there are 8 760 hours. If we had a system that was 99.5 per cent reliable, in a year we would go without electricity for 43.8 hours. On average, we have much higher reliability than anyone else. Regional areas face more challenges. It is important to recognise that every network will be vulnerable regardless of its form or state, and this includes power networks. It is important to recognise that extended outages are often more prevalent in regional and remote areas of the state, especially in areas such as the Pilbara that can experience volatile natural weather conditions. However, I am proud to say that the Pilbara region's power reliability and affordability has significantly improved. Horizon Power is funded by the state government through subsidies collected from the south west interconnected system's customers as it is not possible to sustain supplies using its own revenue due to the government's uniform tariff policy. For example, the cost to supply electricity to Nullagine in the Pilbara is \$2.32 per kilowatt hour, but customers are charged at regular tariffs aligned with those in the south west interconnected system. Power prices over the last decade have increased by 90 per cent. The approach of previous governments was to limit engagement with and support for Western Australians. This government is absolutely committed to everybody in Western Australia paying the same price for electricity. Under the Liberal Party's policy for privatisation, there are no circumstances in which those people could get cheaper electricity. To abandon the uniform tariff policy would mean that people in country Western Australia would pay more for electricity than people in Perth. The government's uniform tariff policy ensures that all households and small businesses, no matter where they are located in the state, pay the same electricity tariffs. The annual subsidy is worth more than \$160 million. The Liberal Party's stance has always been for privatisation, which is a huge risk for all customers but particularly regional customers. The Liberal Party wants cheaper electricity prices in the metropolitan areas than in the country areas.

Over the past two years, Horizon Power has invested \$10 million per annum on network renewals to mitigate potential fires and other network hazards. Horizon Power is prioritising the safety of the community. As faults due to weather conditions can often occur in clusters, crews may first need to attend and address many hazards before commencing on the restoration of power supply, especially in regional areas where crews may need to travel significant distances. Despite the financial challenge, Horizon Power is delivering incredible things. Thanks to Horizon Power, Western Australia is the world leader in microgrids and standalone power systems. Horizon Power was the first utility in Australia to demonstrate the commercial viability of SPSs as an alternative to replacing ageing poles and wires. In February 2021, Boundary Power was launched, which is a joint venture between Horizon Power and Ampcontrol to continue to develop and deploy units. As part of the Western Australian Labor government's WA jobs plan, the government has made a \$280 million commitment to create the manufacturing jobs of the future, including the building of standalone power systems in WA. This includes a specific commitment to deliver to Western Power and Horizon Power approximately 1 000 standalone power systems over five years. As many regional outages occur due to faults on long transmission lines, these units will significantly reduce the frequency and duration of outages. The Onslow microgrid has demonstrated the ability to run on 100 per cent renewable energy. It is the first time that a system of its size has done this. Its microgrids serve some of the world's most isolated communities. Kalumburu is the furthestmost permanent settlement along the remote Kimberley coast of Western Australia and is, at times, inaccessible by road. The community's only power source to date has been from diesel generation, but earlier this year Horizon Power delivered a solar farm and battery energy storage solution. It will also reinvest the cost savings from the project into the community through its new community energy fund, a first for the state

government-owned utility. This means that Horizon Power can give back \$15 000 per year over 10 years or a \$150 000 up-front payment for the community to invest in its own renewable energy projects. The Kalumburu Aboriginal Corporation is working with the community and Horizon Power to determine how the funding can be invested into further clean, green energy initiatives. The 929-kilowatt solar farm and 1.78-megawatt battery will meet up to 64 per cent of Kalumburu's electricity needs, significantly reducing the community's reliance on diesel power generation. This will reduce carbon emission by up to 825 tonnes per year and annual diesel consumption at the Kalumburu power station by an estimated 312 500 litres per year. This is the equivalent of taking approximately 180 cars off the road. The new solution will not only improve the reliability of supply for the 400 residents, but also reduce the cost to the state government of providing electricity to the community. This has in part been made possible by the modular design of the solar farm's ground mount system, which requires minimal civil and structural works to install. This has allowed lead contractor and solar system specialist West Australian Alternative Energy to employ locals to assist with the construction of the solar farm. The project will be the first to be delivered as part of Horizon Power's remote communities centralised solar program, which aims to deliver similar renewable energy solutions to remote Western Australian Aboriginal communities. I look forward to such measures being implemented in Aboriginal communities throughout the Pilbara.

Earlier this year, I was also pleased to hear that Pilbara ISOCO, the independent system operator of the Pilbara's north west interconnected system, has entered into an agreement with Horizon Power to perform real-time coordination functions for the Pilbara region's electricity network. This agreement marks an important first operational step in implementing the McGowan government's Pilbara electricity reforms. This agreement will improve the efficiency and effectiveness of electricity services in the region as well as support regional economic growth and development. I would like to thank Alinta Energy, Horizon Power and Rio Tinto on their collaboration and constructive approach to implementing these important reforms. Establishing a future integrated electricity grid in the Pilbara is fundamental to the region remaining an engine room for the state and national economies.

I do not agree with the opposition's motion. Thank you.

MS J.L. HANNS (Collie–Preston) [6.49 pm]: I rise to speak against this ridiculous motion. I speak in opposition to it on behalf of my community. I would like to start by talking about the member for Cottesloe's contributions today. I would like to put on record that my community does not agree with his comment during the debate on this motion this evening that the support package that was released for Collie is just a media release and numbers. I am going to call out the member for Cottesloe because this is deeply personal, and it is deeply embedded in the Labor government's very positive plan to help my community transition. Part of that is to establish our future, our future of Western Australia and our future of the energy system, and my community is a key part of that plan.

I want to think about what the Liberal Party plan is for energy because I know that Hon Dr Steve Thomas is on record as having said it is the stupidest policy that the Liberal Party has ever come up with. I took the advice of the leader of the Australian Greens party, Adam Bandt, and I googled it; and I found that there has been no update to the policy that was rejected resoundingly at the last election. Labor has a whole-of-system plan, as the member for Warren–Blackwood referred to today. That document, just so I can let the member know, is 128 pages of modelling and a plan for the next 20 years of our energy system. I referred to the fact that during question time the member for Cottesloe criticised our plan; our plan is extensive and Collie is absolutely central to it. Before I move on, I remind the member for Cottesloe that his own plan was to shut the gates in Collie by 2025—lock the gates, throw \$100 million at my community and walk away.

Yesterday, there was a significant announcement by the McGowan Labor government, and that was a tough day in my community. There is no doubt about that. I travelled to Collie with the Premier and the Minister for Energy and walked into a couple of rooms of workers to deliver the news around the plan for the transition away from the coal industry. Those rooms were filled with my friends and mothers and fathers of kids with whom my kids go to school. My husband was there. The transition and the commitment that this government is showing the community of Collie is absolutely to be applauded and stands in stark contrast to both the Liberal plan and the contributions from the opposition today.

My community, the town of Collie, has a proud industrial history, and part of what we are doing as the McGowan Labor government is setting up our future so that we have a strong industrial manufacturing future going forward. We have an opportunity to shape this future by taking into account staged and carefully planned closures. I note that if we look at the dates around the closures, we will see that instead of everything being closed by 2025, Collie power station will still operate until October 2027 and Muja 7 and 8 until October 2029, with the associated decommissioning work to continue after that. While that buys us a significant amount of time, it also buys us the opportunity to attract significant investment into Collie, and that may well be in the renewable energy sector. It will potentially also take in advanced manufacturing, battery manufacturing, wind-turbine manufacturing, hydrogen, green cement and minerals processing. The opportunities here for my community to create our future are endless.

A lot of the people whom the Premier, the minister and I spoke with after the announcement yesterday were very interested in an aspect of our package that we released for Collie, and that was the Collie Futures small grants program. We have topped that up by \$2 million. We have had that program since 2017. That has allowed people in

Collie to look at operating or opening or expanding small businesses within the community. Some people have come up to me and said, “I’ve had a business idea and I’m really interested in those Collie Futures grants. How do I go about it?” I have been able to assist them with that information. There are a number of people considering their options, and this significant package will allow those people to plan for their future. It will allow them to think about what this means for their individual circumstances and their families. It will allow them to take the opportunity to retrain and re-skill into the jobs of the future.

I am not sure how the opposition can actually say that we have no plan, because although yesterday was very tough for my community, we can be absolutely certain that this government has our back and has the best interests of our workers and our community at heart. That was very clear yesterday in the way that the Premier, the minister and I went down to deliver the information to my community and to commit to working very closely with it over the next decade.

This package is \$500 million, on top of the \$115 million already invested in the Collie community to assist us to transition our energy system within Western Australia. That is six times the package that was offered by the Liberal Party, and that is the reason it was resoundingly rejected at the last election in 2021. It was interesting to note the minister saying today that, despite Angus Taylor and Rick Wilson coming to Collie and trying to sell the idea that they would back coal, the numbers in the federal election were well and truly in Labor’s favour. That is because we have been on a journey with our community since 2017. We have undertaken a series of community meetings and there is now a Just Transition working group stepping through what our future is going to look like. We are five years into that plan, and we have nearly a decade in front of us to really crystallise opportunities for our workers and our community.

I absolutely speak against this ridiculous motion by the member for Cottesloe. I think he needs to be very mindful of underestimating my community’s contribution to the energy plan of Western Australia.

MR D.A.E. SCAIFE (Cockburn) [6.57 pm]: I guess we are saving the best for last! I thank the member for Collie–Preston. I, too, rise to speak against this motion. In my brief contribution, I want to take issue with comments made earlier in the debate by the member for Cottesloe about the recent outages in Kalgoorlie. One of the things the member Cottesloe said was that the Minister for Energy had not provided an explanation to Kalgoorlie for those outages. He implied that the minister was somehow ducking the issue with the local community about the supply of power into Kalgoorlie over those weeks in May and, more recently, earlier this month, and it is not true; it is not the case. The member for Cottesloe knows that, because he asked questions about some of those outages during the estimates hearings, and he got very detailed answers, from not only the minister but also senior managers at Western Power.

In the case of the outage in Kalgoorlie on 22 May, the answers given revealed just how complex the south west interconnected system actually is. That outage was caused by a transmission line being tripped; it could have been something like a lightning strike. That tripped-off transmission line was dealt with extremely quickly, but after it had been fixed, there was another fault at the West Kalgoorlie substation, and Western Power had to send technicians out to that substation to deal with it. There was a cascade of issues in that case and, as a result of that, Western Power actually devoted significant resources to inspecting that section of the transmission line. It provided helicopters and foot patrols, and it identified a number of other issues that needed to be addressed. They had been planned to be addressed for the following weekend, but, unfortunately, one of them developed into a fault before it could be remedied, so that produced a further fault, which in turn created a further outage.

That is what happens when there is a complex and large electricity network such as the one we have. It is particularly an issue for communities that are on the edge of the grid. The point has been made by the Minister for Energy time and again that when there are long transmission lines and communities on the edge of the grid, there can sometimes be a cascading series of faults that lead to power outages.

Debate adjourned, pursuant to standing orders.

BILLS

Returned

1. Criminal Appeals Amendment Bill 2021.
2. Soil and Land Conservation Amendment Bill 2021.

Bills returned from the Council without amendment.

House adjourned at 7.00 pm
