



# **Parliamentary Debates**

**(HANSARD)**

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2024

LEGISLATIVE ASSEMBLY

Tuesday, 12 March 2024

# Legislative Assembly

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**THE SPEAKER (Mrs M.H. Roberts)** took the chair at 1.00 pm, acknowledged country and read prayers.

## ACTING SPEAKER

*Appointment — Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [1.01 pm]: I advise members that the member for Cockburn is released from the office of Acting Speaker and that I have appointed the member for Rockingham as an Acting Speaker for the remainder of the present session. I thank the member for Cockburn for his service to the house and I welcome the member for Rockingham to the panel of Acting Speakers.

## ROADS — INDIAN OCEAN DRIVE — SPEED LIMIT

*Petition*

**MR R.S. LOVE (Moore — Leader of the Opposition)** [1.02 pm]: I have a petition that has been certified by the clerks of the Parliament as conforming to the standing orders. It contains 252 signatures and is couched in the following terms —

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

We, the undersigned seek immediate action to reduce the speed limit on Indian Ocean Drive within the townsite of Leeman from 80km/hr to 60km/hr. With no sliplanes in place on Indian Ocean Drive, the current 80km/hr speed limit poses a road safety risk for motorists exiting, entering or crossing over Indian Ocean Drive in Leeman. Some 1 500 vehicles travel on Indian Ocean Drive at this site daily. We propose the reduced speed remain in place until appropriate slip lanes are installed on Indian Ocean Drive to allow the safe exit and entry of traffic from Leeman townsite.

Now we ask the Legislative Assembly to recommend support for both the reduced speed limit and the installation of slip lanes on Indian Ocean Drive within the Leeman townsite.

And your petitioners as duty bound, will ever pray.

[See petition [51](#).]

## BILLS

*Appropriations*

Messages from the Governor received and read recommending appropriations for the purposes of the following bills —

1. Firearms Bill 2024.
2. Short-Term Rental Accommodation Bill 2024.
3. Petroleum Legislation Amendment Bill 2023.

## BILLS

*Assent*

Message from the Governor received and read notifying assent to the following bills —

1. Electricity Industry Amendment (Distributed Energy Resources) Bill 2023.
2. Perth Parking Management Bill 2023.
3. Perth Parking Management Amendment Bill 2023.

## BILLS

*Returned*

1. Electricity Industry Amendment (Distributed Energy Resources) Bill 2023.
2. Perth Parking Management Bill 2023.
3. Perth Parking Management Amendment Bill 2023.

Bills returned from the Council without amendment.

## PAPERS TABLED

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

**CRIME AND ANTISOCIAL BEHAVIOUR***Notice of Motion*

**Mr R.S. Love (Leader of the Opposition)** gave notice that at the next sitting of the house he would move —

That this house condemns the Cook Labor government for overseeing a crime and community violence crisis that continues to spiral out of control, with violent crime at record highs and Western Australians at their wits' end, exhausted by the escalating cycle of crime in their communities.

**CRIME***Removal of Order — Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [1.09 pm]: I advise members that private members' business order of the day 1, "Crime and Crucial Services", has not been debated for more than 12 calendar months and has been removed from the notice paper.

**ANDRE STEYL — TRIBUTE***Statement by Minister for Culture and the Arts*

**MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts)** [1.09 pm]: I wish to inform the house that the Denmark community and arts sector recently lost a remarkable man in Andre Steyl. Despite being mostly paralysed from his shoulders to fingertips, having survived childhood polio, Andre Steyl's life was always going to be different, and he became an artist. He made his home in the great southern region in 1978, having left South Africa because of the political environment at the time. He reported that prior to arriving, he looked up Denmark in an encyclopedia and it said it was cold and bleak but had the tallest trees and widest range of wildflowers in Australia, possibly the world, and he thought, "Okay, I'll go there."

He was among the first wave of "bloody hippies" to move to the district. At the time, Denmark was centred on the timber industry, which was at odds with the "greenie" lifestyle that he had been hoping to lead, so he and his family mostly kept to themselves out in the bush and came into town only once a fortnight to get supplies. As Andre said, the locals thought he was weird, but he embraced it and became "peculiar" even. His family soon moved into town, and he used his passion for the arts to become a part of the community.

Andre helped form the Denmark Arts Council, a peak body to support the burgeoning arts and crafts groups in the community. One of his first initiatives in the early 1980s was the International Clown Convention, which urged people to embrace their inner clown and transformed Denmark into a "clown town". As Andre put it, it gave people the liberty to be a clown, to try something new and to laugh at themselves. He was also an integral part of the establishment of the Denmark Arts Markets. Modelled on Fremantle Markets, it brought the local community and small businesses together and cemented Denmark as an inspired community for the creative arts.

According to my notes, Andre said, "I couldn't find a box to fit into, so I created my own; it became the Denmark Arts Council, which still exists. Forty years later, my box has become my town." Denmark Arts has since thrived, creating the annual Brave New Works and Festival of Voice—two impressive regional arts events that are a testament to the community that Andre helped to build.

Andre encouraged a generation of regional artists and arts workers to believe in themselves and the power of the arts. He was a big personality and was persistent in using the arts to radically change Denmark for the better. He was a painter, a film lover and a visionary. He was a "bloody hippie" and a "bloody treasure", and he will be sorely missed.

**WESTERN AUSTRALIAN INSTITUTE OF SPORT ANNUAL AWARDS OF EXCELLENCE —  
SPORTWEST AWARDS**

*Statement by Minister for Sport and Recreation*

**MR D.A. TEMPLEMAN (Mandurah — Minister for Sport and Recreation)** [1.12 pm]: It gives me great pleasure to advise the house of the remarkable Western Australians who have been recognised in this year's Western Australian Institute of Sport Annual Awards of Excellence and the 2023 SportWest Awards. The Cook government supports SportWest and WAIS as vital industry bodies for sport in WA. It was a privilege to celebrate and recognise our highest sporting achievers and those who have played a pivotal role in all aspects of sports administration, volunteering and development.

I ask everyone to congratulate our Western Australian sports stars for 2023, including pole vaulter Nina Kennedy, who was named WAIS Athlete of the Year. A highlight of her outstanding year was clinching the gold medal at the 2023 World Athletics Championships held in Budapest, sharing the top spot with Katie Moon from the United States. Rower Jacqui Swick was named Young Athlete of the Year. As part of the Australian women's eight rowing team, her success at the world championships solidified the power of the women's eight and helped secure them a qualification spot for the Paris Olympics. Paul Burgess, head coach of the pole vault program, was named Coach Athlete of the Year; the experiences and knowledge he brings to the role from a distinguished athletics career

have been integral to the program's success. Rowing took out the Program of the Year Award for 2023, following a phenomenal all-round year. There were also special presentations for two more exceptional athletes: para triathlete David Bryant was named the recipient of the Wally Foreman Scholarship for 2023, and para powerlifter Ben Wright was presented with his bronze medal from the 2022 Commonwealth Games following a doping violation by one of his competitors.

At the SportWest awards, Matildas superstar Samantha Kerr took out the title of 2023 WA Sports Star, and the following Western Australians were the overall SportWest winners in their respective categories. Swimmer Iona Anderson was the Rebel Junior Sports Star. The WA men's cricket team was the Team of the Year. Cricket coach Adam Voges, whom I taught in primary school, was the coach of the year. Lacrosse official Tim Kennedy was the ActiveXchange Official of the Year. Troy Kirkham of the West Australian Football Commission was the Department of Local Government, Sport and Cultural Industries Sports Administrator of the Year. Jan Cooper in Australian Rules Football, Tony Ball in swimming and David Neesham in water polo received the May Campbell Medal for service to sport. The Swan Districts Football Club received the John Gilmour Medal for being the RevolutioniseSPORT Community Club of the Year. The Kwinana Tigers Hockey Club received the Healthway Healthy Club Award. Connor Clarke in Kendo Renmei was the RSM Australia Community Sport Volunteer of the Year. The SunSmart Busselton Festival of Triathlon was the Community Sporting Event of the Year. Team Connect in cricket was the Sport Initiative of the Year. WA Cricket was announced as Organisation of the Year.

Congratulations to all recipients and nominees; I hope they continue to enrich Western Australian sport through their dedication to sporting excellence and inspire generations to come.

### **VIOLENCE RESTRAINING ORDERS**

*Statement by Attorney General*

**MR J.R. QUIGLEY (Butler — Attorney General)** [1.15 pm]: In 2017, our government committed to making it easier and less traumatic for victims to obtain violence restraining orders. We delivered this through the Family Violence Legislation Reform Bill 2019 introducing shuttle conferencing—that is, a court registrar-facilitated family violence restraining order conferencing process to replace, for some matters, appropriate mention and final order hearings before a magistrate. Shuttle conferencing provides an important alternative option for parties wishing to resolve disputed FVRO matters with the assistance of legal representation and without the need to proceed to a trial. Parties may attend in separate rooms of the court, with a registrar shuttling between the two parties to determine the appropriate orders. Importantly, the provision of legal support ensures that parties understand the orders being imposed and can meaningfully participate in proceedings.

Shuttle conferencing commenced in 2021 at the Perth, Joondalup and Fremantle Magistrates Courts, followed by the newly opened Armadale Courthouse in November 2023. The Bunbury Courthouse became the first regional shuttle conferencing location opened in January following an upgrade of those court facilities. Broome will become the second regional location; however, this will be tied to the construction of dedicated facilities at the new Broome Family Violence Court.

Over the last two years, 1 947 shuttle conferences have taken place and 65 per cent of these matters were finalised on the day of hearing, with the majority of these by way of conduct agreement orders. These represent significant time reductions in the resolution of matters for parties and the courts respectively, taking approximately four to six weeks from the date of objection, rather than 12 to 16 weeks via the normal process at final order hearing. Applicant feedback has been overwhelmingly positive from a safety and satisfaction perspective. There has also been a significant comparative reduction in the rate of breach offences associated with conferenced matters over those finalised by final order hearing.

As members can see, this government continues to work hard to stem the scourge of family and domestic violence.

### **VETERANS' TRANSITION CENTRE — JARRAHDAL**

*Statement by Minister for Veterans Issues*

**MR P. PAPALIA (Warnbro — Minister for Veterans Issues)** [1.18 pm]: I had the pleasure last week of visiting the Veterans' Transition Centre in Jarrahdale to observe the hard work performed by section 95 prisoners from Karnet Prison Farm. The Veterans' Transition Centre is a not-for-profit charity that assists former Defence Force personnel transition to civilian life. Among the services that it provides are short-term accommodation, counselling services and employment assistance. Section 95 prisoners are permitted day leave under the supervision of officers to engage in works that benefit the community and provide valuable skills and experience for the prisoners. This increases the likelihood of prisoners gaining meaningful employment post release.

Karnet prisoners have been working at the centre since February 2019. In 2023 alone, 5 616 hours of community work was completed by prisoners at the centre to a value of \$122 000. Work undertaken at the centre has allowed prisoners to utilise and further develop valuable skills. Section 95 prisoners have assisted in upgrades to 20 cabins and four duplexes, the conversion of an old house into a wellness centre, general repairs, fire mitigation and upgrades to the communal kitchen. This has involved removing existing flooring and installing new flooring, dismantling

old kitchens and installing new kitchens, tiling kitchen splashbacks and wet areas, painting the interiors, and removing a large quantity of trees and trimming branches around buildings to prevent fires. The work undertaken at the centre provides prisoners with a sense of purpose and pride. It allows them to give back to the community and prepares them for a successful reintegration into society.

In addition to the valuable skills and experience gained from working at the centre, prisoners have benefited from the employment assistance service. The centre has generously facilitated employment opportunities for prisoners through its network of partners and sponsors.

I take this opportunity to thank the hardworking team at the centre for all the work they do for the veteran community and for the development of this partnership with Karnet Prison Farm. I particularly thank Greg Green and Alan Somers for providing a tour of the centre and an insight into the services provided. I also congratulate the section 95 prisoners for their hard work at the centre. I appreciate the dedication of the team at Karnet Prison Farm under the leadership of Superintendent Vose. I look forward to seeing this valuable partnership continue for the benefit of prisoners and the community.

## SCHOOLS — CAPITAL WORKS

*Statement by Minister for Education*

**DR A.D. BUTI (Armadale — Minister for Education)** [1.20 pm]: The Cook Labor government is systematically investing in public school infrastructure, with \$1.5 billion allocated in the last budget alone. This investment is primarily to meet the enrolment demands of a growing and shifting population; however, importantly, it will also deliver state-of-the-art facilities in all our public schools to meet the needs of an evolving curriculum. A classroom with a desk at the front is no longer always enough to give the best environment for our teachers to teach or our students to learn in.

On day one of the 2024 school year, we welcomed the very first cohort of students into two brand new primary schools—Henley Brook Primary School for the fast-growing lower Swan Valley community and Jilbup Primary School in the evolving southern corridor. High school students at Alkimos College also accessed their brand new stage 2 facilities for the first time. We opened a new offsite early childhood education centre for Brabham Primary School and delivered major additions to Karratha Senior High School, Lesmurdie Primary School, Scarborough Primary School, Shenton College and Willetton Senior High School.

To provide young Western Australians the best possible opportunity to start developing their skills in science and technology, the Cook Labor government has delivered brand new or refurbished science classrooms for the start of 2024 to no fewer than 29 primary schools across Western Australia. We also opened brand new or redeveloped secondary STEM laboratories at Beverley District High School, Kalamunda Senior High School, Kalumburu Remote Community School, Esperance Senior High School and Mindarie Senior College. There is more to come. In fact, the Cook Labor government currently has active infrastructure projects to add or upgrade educational facilities at 187 of our 830 public schools. Those members who paid attention in maths will know that that means more than one school out of every five across Western Australia has an active, fully funded infrastructure project currently in the design and forward works process or already under construction. I am immensely proud of this program of works and the very real educational, social and economic benefits it will bring to not only our public school students, but our whole state.

To all the students walking into brand new schools and new or upgraded facilities this year, I say congratulations and I wish you all the best for the year ahead.

I table a list of school upgrades.

[See paper [2696](#).]

## HOUSING — AVAILABILITY — R-CODES REVISION

*Statement by Minister for Planning*

**MR J.N. CAREY (Perth — Minister for Planning)** [1.23 pm]: I rise today to update the house on the Cook government's commitment to boosting housing supply and choice in Western Australia. Our government has recently published the revised *Residential design codes volume 1*, which will facilitate increased housing supply and choice, while also improving design standards across the state. The revised R-codes strike a balance between keeping the cost of delivering affordable housing down, facilitating greater housing choice and lifting design standards. Effective from 10 April, the revised R-codes will usher in a new era for housing development in WA.

One notable aspect of these changes is the incorporation of the 2023 draft medium-density code provisions, which will apply to single houses coded R50 and above, grouped dwellings coded R30 and above, and multiple dwellings coded R30 to 60, with minor modifications to certain provisions. The revised R-codes support delivery of greater housing diversity through a new deemed-to-comply pathway for terrace-style homes and site area concessions to incentivise small dwellings; ageing in place, by incentivising the development of gold-level accessible homes and removing occupancy restrictions; improved design standards, with new requirements around private open

space, minimum garden sizes and the orientation of new homes to deliver improved energy efficiency and natural light; and improved tree canopy and greening across suburbs, with incentives for the retention of existing trees and a requirement for new trees, deep soil areas and minimum soft landscaping for all new medium-density developments.

Our commitment to housing supply and diversity is further demonstrated by the delivery of more granny flat exemptions. Amendments to granny flat provisions include the removal of the previous minimum 350 square metre lot size provision, reduced car parking requirements for most granny flats, removal of the requirement for the granny flat to be compatible with the design of an existing dwelling and extension of the existing exemptions to grouped dwelling sites. By providing additional exemptions, we are making it easier for more Western Australians to build a granny flat.

The revised R-codes will take effect from 10 April 2024, with a 24-month transition period in place to support the implementation of some of the new provisions in areas subject to existing planning instruments, such as structure plans. Consequential amendments to the existing *Residential design codes: Volume 2 — apartments* have also been made to maintain consistency with the revised R-codes volume 1. Detailed guidance on the new policy provisions and transitional arrangements is available online.

WA planning reforms continue to lead the nation, and our revised R-codes are another example of our commitment to the national planning reform blueprint agreed to by national cabinet.

### **ROAD SAFETY — STREETS ALIVE INITIATIVE**

*Statement by Minister for Road Safety*

**MR D.R. MICHAEL (Balcatta — Minister for Road Safety)** [1.26 pm]: This morning, I was pleased to be part of a colourful, lively announcement for the Streets Alive initiative, which not only makes our public spaces more livable, but also creates a safer environment for all road users. It was great to join our excellent member for Maylands to witness members of the Inglewood on Beaufort Town Team painting the pavement and creating planter boxes, transforming it into a safer, more active space.

At this morning's event, the Cook government announced \$5 million of funding over five years to the Town Team Movement. The Town Team Movement is a citizen-led, not-for-profit initiative that works collaboratively with local communities and governments with a focus on creating connected and resilient communities and better places. Through town teams, \$1 million a year has been allocated to enable local governments and community groups all over Western Australia to bring their streets alive. This can be done simply and often creatively by redesigning local roads to calm traffic and make the streets more pedestrian friendly. Through this initiative, funds will go directly towards local traffic calming initiatives on roads across the state via a grants program. The grants will include categories such as road transformation, safer streets and town projects. Funding will also be spent on building support and understanding of the program across the state. This includes road safety education in targeted regional and metropolitan areas and working directly with councils and communities to support on-ground projects and grant applications.

Evidence demonstrates that slower speed means fewer and less serious crashes on our roads. By delivering traffic-calming initiatives to reduce speeds on local government roads, road safety will be improved for vulnerable road users such as pedestrians and cyclists of all ages and abilities and people using other forms of transport like mobility scooters. Oversight of the program will be undertaken by a committee with representatives from Main Roads, the Department of Transport, the Road Safety Commission and the Western Australian Local Government Association. The funding I announced this morning demonstrates the state government's commitment to supporting local community initiatives for safe and active streets.

The Town Team Movement works to empower these communities to get involved. I congratulate Jimmy Murphy and his team on their continued work and advocacy. We are proud to support this grassroots movement and I look forward to seeing more neighbourhoods become safer and more connected and vibrant over the next five years.

### **PETROLEUM LEGISLATION AMENDMENT BILL 2023**

### **PETROLEUM AND GEOTHERMAL ENERGY SAFETY LEVIES AMENDMENT BILL 2023**

*Second Reading — Cognate Debate*

Resumed from 22 February.

**MS M.J. DAVIES (Central Wheatbelt)** [1.30 pm]: I rise to speak on the Petroleum Legislation Amendment Bill 2023 and Petroleum and Geothermal Energy Safety Levies Amendment Bill 2023 as the lead speaker for the Liberal-National opposition. I thank the minister and the manager of government business for accommodating the switching of timing for the last session so that I could attend something that was quite important in my electorate. I very much appreciate it.

**Mr D.A. Templeman:** Always happy to help.

**Ms M.J. DAVIES:** Thank you.

**Mr D.R. Michael:** Thank you for accommodating the few amendments as well.

**Ms M.J. DAVIES:** Okay. We will get to that, minister.

Having a little bit more time allows me the opportunity to go over the second reading contributions of both the members for Swan Hills and South Perth. Although we are on opposite sides and are not prone to paying each other profuse compliments, there is no doubt that both of those members have a keen interest in and understanding of the energy sector. It was quite interesting to be able to go through their contributions and look at it from their perspective.

Members may be interested to know that one of the first roles I had when I was working for the former Leader of the Nationals WA Hon Max Trenorden was in the capacity of a research officer. He was the shadow Minister for Energy prior to the 2005 state election. I was in a research role when the then Labor government was pursuing the disaggregation of Western Power. Western Power was formed back in 1995. There was a monopoly of electricity and gas under the State Energy Commission of WA, which was disaggregated into separate suppliers. We saw Alinta Energy and WPC—or the Western Power Corporation—come into being.

In 2006, when I was working for Max, we also had a further round of disaggregation for Western Power, Synergy, Horizon Power and Verve Energy. It was an interesting time to be involved in energy policy. There were many debates in Parliament at the time. A year later, I was working for the Chamber of Minerals and Energy as its Pilbara executive officer. This was at the time when Chevron Corporation had been awarded environmental approvals for a 10 million tonne per annum LNG plant and domestic gas plant on Barrow Island. This was prior to the project even commencing. It was later expanded. In 2009, it got its final approvals and construction commenced. It was also a very interesting time.

I spent some time with Chevron. It talked about an enormous project that obviously had some challenges regarding where it would be located and future energy supply, but it did not have the project at the time as it was going through the whole process of getting approvals. We then had another discussion 10 years later, in 2019, when the project was actually up and running and Chevron began the operation of its carbon dioxide injection system at the Gorgon natural gas field on Barrow Island.

At the time, it stated —

... the carbon dioxide injection facility will reduce Gorgon's greenhouse gas emissions by about 40 percent, or more than 100 million tonnes over the life of the injection project.

It has been intriguing to watch that project develop—both the gas and the accompanying carbon capture and storage component. There is no argument between the Labor government and the National Party—I suspect the Liberal Party as well—that gas has to be, and will remain, a part of our energy mix for the foreseeable future. That is something that I think we all agree with. There are those in the community who say that we need to turn the tap off immediately, but I think that is an unrealistic proposition. As such, we work in an environment in which we seek to abate some of the impacts of these projects so that we can keep the lights on and continue to support the industries that create jobs for our state and play a part in the energy transition for some of our global partners. We have a responsibility, given that we have built such a significant industry here. Our state, national and international trading partners all rely on this product to, as I said, keep the lights on, underpin industry and drive our economy. That is why so many people watch that project by Chevron and its partners and the others that are underway at the moment.

For those interested in the process itself, in the case of the Gorgon project, the gas extracted contains around 14 per cent carbon dioxide, which is too high to meet the requirements of the regional gas market. A large part of that has to be stripped out from the gas. It sounds like I know what I am talking about. If I were tested on this later, I would hazard a guess that some of it would have left my head. The gas in the carbon dioxide has to be separated, and the carbon dioxide then needs to be pressurised and cooled to a point at which it has properties between a gas and a liquid. It then has to be transported or piped to where it can be injected underground. Essentially, we are talking about creating a regulatory framework for that model for others to pursue.

The geological structure into which the carbon dioxide is injected contained water and other substances—which has been part of the problem with that particular project—that need to be pumped out first and injected somewhere else. The process is complex. I have just overly simplified a system that I know many engineers, scientists and experts have been working on for some time. It has been well covered, particularly for that project that is being watched closely by people here in Western Australia.

I note that back in July 2023, Peter Milne made the following observations in an article. I will quote from it. He stated —

Carbon storage at Gorgon is of international interest as it is the largest attempt in the world to bury CO<sub>2</sub> to reduce carbon pollution.

Its disappointing record to date is tarnishing the credibility of a technology that some tout as essential to slowing climate change and others damn as an excuse to produce more fossil fuels.

The predicted poor performance in 2023 that will result in more carbon pollution released to the atmosphere was detailed in an annual report to the WA government obtained with a freedom of information request from WAtoday.

As carbon dioxide is injected underground, wells several kilometres away should pump water out of the same formation to ensure the pressure does not become excessive. The water is then injected into a different geological formation under Barrow Island.

However, according to the report, the presence of solids, gas and oil in the water pumped to the surface has made the water difficult to dispose of.

Chevron, which has already spent \$3.2 billion on CO<sub>2</sub> injection at Gorgon, plans a “significant additional investment” to modify the water wells and do other work to allow 4.6 million tonnes of water a year to be moved to make way for storing carbon dioxide.

I, like many of my parliamentary colleagues, and I suspect the minister, have been briefed on a number of occasions by the Chevron team and they all recognise the importance of getting this right. There is keen interest from not only an emissions perspective, but also a technological perspective, in the proof of concept and capability in that part of the world and in making sure that Chevron gets it right with the national and international gaze on the project.

Carbon capture and storage is a critical component of the emissions reduction strategies of the state and federal government and other jurisdictions. It is true to say that without it, it is very conceivable that our net zero targets will not be met. Of course, there are differing views on how much this will play a part in the role of reducing emissions. It is viewed by some in the environmental lobby that it will enable or permit some of those companies that have significant emissions to continue to emit, and they oppose it point blank and say that it is window-dressing. However, I think those arguments ignore the peril that our energy system, and our responsibility in a global context, would be put in without accessing this technology. We are essentially all hands on deck. We use every opportunity and tool in the toolbox to try to address these challenges.

The CSIRO published a paper in September last year. It stated —

The global pipeline of CCS projects currently stands at 30 projects in operation, 11 under construction and 153 in development ...

I will not name all of those, but the same paper notes that the Global Carbon Capture and Storage Institute has observed that there has been a 44 per cent jump in the development of CCS facilities over the last 12 months. There has been an escalation in the number of organisations, businesses and science institutes pursuing and seeking to get this absolutely right. The Global Carbon Capture and Storage Institute posits that there are significant opportunities for Australia. I know that the state government has spoken about that and having the appropriate regulatory framework in place. We have large quantities of geologically stable land. In addition to storing our own carbon dioxide, there is the potential for us to store carbon dioxide from countries that are less able to rapidly reduce their own emissions. The Global CCS Institute points to that potential opportunity with one of our oldest trading partners—think of places like Japan. Given that we supply more than 40 per cent of Japan’s liquefied natural gas, there is an obvious opportunity because Japan has limited storage potential but generates carbon dioxide when it burns our gas to generate electricity.

Carbon capture storage is not a silver bullet to achieve our ambition of becoming net zero, but, as I said earlier, it is an important tool in the toolbox. Presently, there is no regulatory framework guiding its development or monitoring in Western Australia, hence we are having a conversation about this bill. My understanding is that Chevron’s project operates under a state agreement but that other projects would likely not have that same type of framework under which to progress. There is a sense of urgency from all industry stakeholders. That was clearly articulated during the consultation on the bill early last year. It has taken just over 12 months since that consultation occurred to get this legislation to the house. I seek the minister’s advice, or perhaps he would like to comment, on the urgency that was expressed by industry during that consultation period about why this legislation had not been brought forward earlier. Further down the track, I will ask the minister about the regulatory framework, the regulations and all the enabling work that needs to be done to allow industry to work on this with some immediacy. Earlier, I think with his tongue firmly in his cheek, the minister welcomed the opposition’s support for the amendments that the government will make to its own legislation.

**Mr D.R. Michael:** I think I said you would understand.

**Ms M.J. DAVIES:** We acknowledge that the government is once again making amendments to its own legislation. Unfortunately, it has become pretty common for this government to bring legislation to the house that is then amended. I will leave it to the minister to provide an explanation about why that is required. As I understand it, the amendments were not requested by industry, although I may have misunderstood at the briefing. I think they are all administrative amendments as a result of some oversights during the drafting process. We all know that the departments and the people involved in drafting this legislation take great pride in putting together accurate legislation that does not require an amendment unless we have had a debate around the policy of the legislation. To have 10 or so pages of amendments is probably disappointing from their perspective. I wonder what the conversation was between the current minister and the previous energy minister, who is not fronting the opposition, about having to move 10 pages of amendments to his own legislation.



I would like the minister to perhaps address the fact that we saw an iteration of this legislation under the previous government. We are talking some time ago now—in 2013. That was a standalone piece of legislation, from memory, and this legislation before us is an amendment bill. I have to confess that it was slightly complex to follow all the pieces of legislation. I am not sure how the member for Cottesloe found it, but when I was trawling through the various acts that it will amend, I understood the general concepts. The amendments were helpfully grouped at the briefing but then when we went through the bill clause by clause, it was not the simplest legislation to follow. Ideally, given that this act is what the government would like industry to understand and use to minimise the risk, there is something to be said for having legislation that is as straightforward as possible to follow from their perspective. I am not sure whether that has been achieved. I think I have used the word “Frankenstein” previously in the house to describe this legislation. It is a little untidy. In my view, it is quite challenging to go through and it requires a fair amount of technical expertise as well.

We are debating the bill before us. According to a report in the Australian Petroleum Production and Exploration Association journal titled *Carbon capture and storage role within Australia’s energy transition: necessary, safe and reliable*—I will provide the reference for Hansard —

There will soon be a significant number of large (multi-Mt) CCS projects under active development within Australia, both offshore and onshore. Most of these projects will be ‘new builds’, wherein the project proponents will be undertaking a whole-of-life-cycle project process, starting with the assessment of new greenhouse gas (GHG) assessment permits or simply applying for the release of GHG storage acreage. These projects will then extend to the CO<sub>2</sub> injection phase over a multi-year or decadal timeframe. These projects will be complemented by a progressively increasing number of small to medium-sized projects, many of which will probably involve repurposing existing but depleted oil and gas facilities and attendant reservoirs as GHG storage hubs.

In addition to the number of potential private sector projects, I also understand that the state government completed a project known as the South West Hub project, which was led by the Department of Energy, Mines, Industry Regulation and Safety. That was completed in 2019. There was a long-running investigation into the feasibility of storing carbon dioxide underground as an alternative to releasing it into the atmosphere. DMIRS led the investigation in the Shires of Harvey and Waroona. That was undertaken from 2007. The previous Minister for Mines and Petroleum advised the house in February 2019 —

The models —

That have been released —

have been peer reviewed by representatives of the private sector, universities, CSIRO and international experts, and have been determined to be robust. Multiple scenarios were considered in the reviews, including “stress” cases that attempted to break the storage concept. The results have bolstered the confidence that the South West Hub project area could meet its specified success criteria of injecting at least 800 000 tonnes of CO<sub>2</sub> per annum over 30 years.

I understand that further work has been undertaken that resulted in the release of the carbon capture underground storage hub study that was completed by the CSIRO and Global CCS Institute in November last year. That study was accompanied by a \$4.3 million commitment by the state government to establish, in the Premier’s own words, a “world-class” CCSU industry in Western Australia. I suspect that \$4.3 million is the very bare minimum that is required to realise the ambitions of the Premier and this government. There is no doubt that this is an opportunity for Western Australia to grasp with both hands. I am very interested to hear the minister’s comments about the progress that has been made since that announcement. What resources will be allocated? What will the department look like in progressing the state’s ambition to establish a world-class CCSU? What role does the government believe it has in doing that? Obviously, there has been long-term investment by the government in the industry for the South West Hub, and other industry-led projects will be established as a result of us allowing the regulatory framework to be put in place.

I wonder what the government sees its role as being beyond making the announcement in terms of any future investigations of that nature, which occurred over a significant period. We debated that when we were last in government—I am sure that the minister has looked at *Hansard*—and it was pretty contentious from our own side. The debate occurred when there was a heightened debate in the community around fracking when I was the Minister for Water and was dealing with significant concerns in the community about the impact of fracking on the watertable. There were discussions about injecting carbon dioxide into the Eneabba–Lesueur aquifer and the South West Hub. A number of members of Parliament were concerned about the science and about the impact of pipelines and access to private property, and the inequality between the well-heeled mining companies negotiating with individual property owners to access land for exploration and infrastructure.

To a degree, I think that whilst the science is being done, there will still be challenges in terms of land access and negotiations and, I guess, an increase in competition for the available land that we have, particularly in the south-west corner of the state. It is fine when we are talking about big areas in the north of the state that are potentially

offshore; however, the south-west corner of the state is slightly more challenging. Will the minister provide detail about what will come after this is put in place, because I think there will be hurdles? I think his colleagues in Canberra are intent on making life pretty difficult by adding another layer of environmental regulation to what I would say is already a fairly robust regulatory environment, which is challenging for many in the gas and mining industry here in Western Australia. It gets pretty tricky when another layer of red and green tape is added to an already bogged down approvals pathway.

Setting aside those regulatory challenges, I am sure there are conversations—well we hope there are—being held with federal Labor about how to minimise and streamline those challenges. There may be a requirement for fiscal incentives and investment in infrastructure. What role does the government see itself playing in terms of any infrastructure development, or is this purely for the private sector to take up?

If the document is to be believed, with the launch of the report and the ambition that the government has laid out, then we need to move posthaste. Design, planning and approvals need to be in train now. The document outlines that if there is to be only one hub, particularly if we are talking about a hub up in the Pilbara by 2029, we need to start the process today, which means we need the regulations and framework to be available as soon as possible. Indeed, if members read the consultation paper that was circulated at the beginning of last year, they will see that the feedback from industry was to bring this legislation on as soon as possible. I have said that we have responsibility for this. Legislation that was brought on by our government did not progress. I think the sentiment that was around in 2013, which caused some of the pushback, has moved on; however, I think the government would be wise to consider the impact on private property rights and the practicalities of delivering on promises when the rubber hits the road. The Labor government has made action on climate change one of its key planks, and to make good on those promises it has to do more than release plans and bring legislation to Parliament. We need to understand what the next pieces of work will look like.

Let me touch briefly on what the bill proposes to do. There are environmental amendments with the introduction of a polluter-pays principle. In the event of an escape of petroleum, the registered owners will be responsible for eliminating, controlling and cleaning up any escaped petroleum. Remediating and monitoring the environment, care and maintenance, decommissioning and rehabilitation will be recognised as petroleum operations by including specific references in the definitions of key terms. We will go through a number of others during consideration in detail. There is an element that introduces the calculation of royalties, which is an amendment to the Petroleum Act 1967. That will allow meters to be installed on infrastructure for the assessment of royalties on third-party assets. Of course, a framework will be introduced to allow for the underground storage of petroleum and it will revise the way that approvals for underground storage of petroleum are administered, introducing a standardised criteria and requirements for applications to establish a petroleum storage management plan. It will be done in a similar manner to well management plans and field management plans. It will allow for the exploration and production of naturally occurring hydrogen. There are amendments that will enable the existing suite of petroleum titles to explore for and produce naturally occurring hydrogen through a new concept of regulated substances. Naturally occurring hydrogen activities will be permitted on an opt-in basis. Titleholders will be able to apply to the responsible minister for additional rights for a prescribed regulated substance. Existing titleholders will be impacted only if they elect to opt in and pursue a prescribed regulated substance.

There are elements around the storage and transport of greenhouse gases. The bill will develop property rights for greenhouse gas storage formations. If we look back at the debate by the former minister when he was in opposition, we will see that what a formation is and how it is defined was talked about at length. We might have a conversation about that during consideration in detail. The bill will also allow for direct access for existing petroleum geothermal lessees and licensees for suitable storage sites under specific circumstances. It also talks about acreage releases. We will seek an understanding of how often that will be done and what the process will look like. It will allow for tenure to be provided through greenhouse gas exploration permits, retention leases and injection licences.

The bill discusses the transport, injection and permanent storage of greenhouse gases and, very importantly, site closure, which includes the transfer of liability from the licensee to the state government. We are talking about something that will hopefully be encapsulated for hundreds or thousands of years—I do not know how many—but that will not always be the responsibility of businesses or those companies that are doing it. How will we make sure that we are looking after the environment and making sure that the liability sticks with the business that is responsible, before transferring that across to the state government and taxpayers? The long-term liability requirements will be aligned with the commonwealth's approach and the requirements already in place by the Gorgon project. There will be a minimum time of 15 years post issue of a site closure certificate. I am interested to hear from the minister about why 15 years was chosen instead of 20 or 10. Some people say that is excessive and some say it is not long enough.

A consultation draft of the bill was made available, as I spoke about earlier, that ran from 20 January last year until 14 April. I understand that 16 submissions were received and published in the government's response, along with the concerns that were raised. In brief, the Chamber of Minerals and Energy simply said that it urged the WA government to prioritise the passage of the legislation and fast-track the development of regulations and supporting policy frameworks underpinning the bill.

The Australian Petroleum Production and Exploration Association stated —

Reaching net zero by 2050 will be “virtually impossible” without carbon capture utilisation and storage ...

CCUS needs to be deployed across the Australian economy as a matter of urgency, as emphasised in the ongoing reform of the safeguard mechanism.

It went on to say —

To achieve the IEA Net Zero Emissions (NZE) scenario, it will require “*more than ten new CCUS equipped facilities to be commissioned each month between [November 2022] and 2030*”.

I will repeat that —

To achieve the IEA Net Zero Emissions (NZE) scenario, it will require “*more than ten new CCUS equipped facilities to be commissioned each month between [November 2022] and 2030*”.

The APPEA’s view is —

**The timelines for developing and implementing the Draft Bill and associated regulations as well as the time required to permit CCUS operations will have a direct impact on the emissions reduction trajectory of numerous Western Australian industrial and energy facilities.**

Woodside encouraged the state to consider measures to expedite time lines. Similar to APPEA and the Chamber of Minerals and Energy, Chevron stated that deploying CCS at scale in WA will support state and federal emission reduction targets. Submissions were made by the Environmental Defenders Office recommending that the bill proceed from a science-based position that petroleum activities should be phased out and no new petroleum fields should be developed, and the legislation should not promote or encourage the use of CCS to sustain the fossil fuel industry. I spoke about that position at the beginning of my contribution. I do not agree with it. The Conservation Council of Western Australia made a submission along a similar line that essentially these amendments allow for what they term “big polluters”—those that have a heavy emissions target—to be given a carbon pollution reduction strategy when it is not.

Debate interrupted, pursuant to standing orders.

[Continued on page 667.]

## QUESTIONS WITHOUT NOTICE

### NATURE POSITIVE — COMMONWEALTH REFORM

#### 106. Mr R.S. LOVE to the Premier:

Has the Premier or any member of his government been briefed by the commonwealth regarding proposals in the Albanese Labor government’s nature positive plan that appear to be shrouded in secrecy and raise grave concerns amongst industry sources about their potential impact on the Western Australian economy?

#### Mr R.H. COOK replied:

I thank the member for the question. As the member knows, our government has been forthright in its reform of environmental approvals, in particular green energy approvals. We are engaging with the commonwealth on an ongoing basis to understand the potential impact of any planned legislation on Western Australia, and members would expect us to do that. We always work closely with the commonwealth, something that the opposition never did in government. As a result, we have been able to highlight the need for thorough consultation on the detail of the legislation and the implementation of associated regulations, guidelines and policies. As I said, my government is working hard to streamline our own approval processes and we continue to emphasise the importance of reduced duplication and a streamlined interface between commonwealth and state processes. My government will maintain its advocacy that the needs and interests of WA industry need to be appropriately considered as part of these commonwealth reforms.

As we know, the commonwealth government is pursuing this mandate thoroughly. As a result, I am sure that when it seeks to put in place the legislation, it will be done on the basis of a firm understanding of the needs of the community, the environment and industry.

### NATURE POSITIVE — COMMONWEALTH REFORM

#### 107. Mr R.S. LOVE to the Premier:

I have a supplementary question. Can the Premier assure the house that he will commit to lobbying his colleagues in Canberra to ensure that any overhaul of this federal legislation will not threaten Western Australian jobs and industry?

#### Mr R.H. COOK replied:

We always engage deeply with the commonwealth and work closely with the Albanese government on any issue that impacts Western Australia. That is why we have been in the fortunate position to have such great outcomes.

Of course, the Minister for Housing has highlighted that just three weeks ago, we announced with the Albanese government the construction of 219 units as part of our important work in the housing sector. We continue to work with the Albanese government around the national housing reform program. We continue to work with the Albanese government around reforms across all sectors of the economy to make sure we do the right thing by the people of Western Australia. We will always do what is right for WA. As a result, we are working closely with the Albanese government to produce great outcomes, something members opposite never did in government.

#### PUBLIC TRANSPORT

**108. Ms K.E. GIDDENS to the Premier:**

I refer to the Cook Labor government's significant expansion of affordable public transport services across the state.

- (1) Can the Premier update the house on the delivery of key Metronet projects, including the Morley–Ellenbrook train line?
- (2) Can the Premier inform the house what planning this government is undertaking for future expansion of our public transport system?

**Mr R.H. COOK replied:**

- (1)–(2) I thank the member for the question. Let me pose one to all members assembled: Do members recall the Liberal Party promising to build the Ellenbrook rail line in 2008? Do they remember that? I think we do. For eight and a half years they came up with every excuse. They included, “It was never a core promise”, “We did not mean to promise it”, “The rail line is not needed until 2035”, and “We will provide a bus instead.” Of course, we all remember the Metro Area Express.

**Mr W.J. Johnston** interjected.

**Mr R.H. COOK:** Thank you, member for Cannington.

Several members interjected.

**The SPEAKER:** Order, members!

**Mr R.H. COOK:** For those who do not recall, here is a bit of MAX merchandise—a USB stick—that they produced at the time. As we all know, the Liberal government lied to the people of Ellenbrook, not only once but again in 2013. When the WA Labor government was elected in 2017, we started from scratch to right the wrong. The ghosts of broken Liberal Party promises have haunted the Minister for Transport for many years, as she works tirelessly to make up for all the bad things that members opposite did to those people. As the transport minister and local member, she has driven the Morley–Ellenbrook line project with an all-consuming passion.

A week ago, I drove to Ellenbrook and saw the great new Ellenbrook train station. Before my eyes, Metronet came to life. When the people of Ellenbrook are eventually connected through the Metronet system, they will have a 30-minute commute into the city—a similar commute to mine from the Wellard train station. It is a sign that Metronet is steaming ahead towards completion and the work is starting to come to fruition. In the south east, we also have the Byford rail extension that continues to make huge progress, and the Armadale line level crossing removals and viaduct construction is going ahead at a pace. The Thornlie–Cockburn Link will soon form Perth's first east–west cross line connection, and the new Bayswater station is now open and becoming a worldclass junction of the Midland, airport and Morley–Ellenbrook Metronet lines.

This is not remarkable; we are simply doing what we said we would do. We did not, like the Liberal Party, lie to the people of Western Australia. As Metronet steams along, we are now looking to apply its success in other parts of the network. We are seeing an incredible activation of the Swan River. We have seen successful ferry systems in other states and we have watched the growing popularity of our existing route between Perth and South Perth. In fact, January was our busiest ever month for the ferry service, with nearly 110 000 boardings compared with just 49 000 in January 2022, but we have never fully cracked the code for expanding beyond that one ferry route in Perth. As our city continues to grow and improve, we are now giving a rethink to an expanded system for not only commuters, but also tourists and locals as another way to enjoy the city. We have already heard that people are getting excited about the prospect of a shortcut between Applecross and Matilda Bay, then a short walk to the University of Western Australia or Queen Elizabeth II Medical Centre, or a leisurely ride connecting the Raffles Hotel to Optus Stadium. There are a lot of options to consider and we will be finalising the business case for the proposal very soon.

The government remains focused on its long-term vision of transforming public transport in Western Australia. It is not about us and it is not about media stunts; it is about doing what is right for WA. We are on the cusp of an enormous economic and social transformation of our state and city, and we will have more choice than ever. There will be more choice in housing, more choice in transport, more choice of jobs, more choice of entertainment and so much more, and we will have the schools and hospitals necessary to match this growth. Under my government, we will continue to be the powerhouse of the national economy.

## NATURE POSITIVE PLAN — COMMONWEALTH REFORM

**109. Ms L. METTAM to the Premier**

I refer to the Albanese government's proposed nature positive plan which industry has warned will drastically reduce investment and impact other sectors. Given that 70 per cent of Australia's major resources and energy projects are in Western Australia, has the Premier's government requested and seen the full exposure draft so that the potential impact on our state's economy can be appropriately assessed?

**Mr R.H. COOK replied:**

I thank the member for the question. It is remarkably similar to the question from the Leader of the Opposition. I wonder whether they talked about this. Do they still talk at all?

**Mr J.N. Carey:** No. They send emails—lots of emails.

**Mr R.H. COOK:** Do they sit down at all and say, "I think I might ask this today"? Does the other say, "Great idea! I'll ask the very same question"? What would that question be about? It would be about the federal government. They say, "Should we ask questions of the government about their performance? No. Let's not do that. Let's just continue to ask questions about the federal government." Once again, we see them in this place asking questions about the Albanese government, running up some sort of national media story from the east coast that they might have read.

We continue to engage deeply with the Albanese government in relation to all aspects—not just the nature positive laws, but all aspects—of the work the federal government is doing to reform our economy to make sure that Western Australia can continue to be the engine room of the national economy.

## NATURE POSITIVE PLAN — COMMONWEALTH REFORM

**110. Ms L. METTAM to the Premier:**

I have a supplementary question. How many Western Australians will suffer job losses due to the nature positive plan?

**Mr R.H. COOK replied:**

Madam Speaker, I am not sure whether that is an invitation for an opinion or a question seeking information from our government.

Several members interjected.

**The SPEAKER:** Order, please!

**Mr R.H. COOK:** Of course, it is a completely ridiculous question. How many jobs would have been lost in Western Australia if the previous government was still in government? Let us have a think about that for a moment. First of all, it would not have secured our fair share of the GST and it would not have been able to actually get anywhere in terms of developing —

Several members interjected.

**The SPEAKER:** Order, members!

**Mr R.H. COOK:** It would not have been able to afford or get behind any of the industry development that we have invested in. It would not have developed Metronet and the people of Ellenbrook would still be sitting out there wondering when the train line was going to come to them. It would not have created the tens of thousands of jobs that we have created through Metronet. It would not be diversifying our economy, like we are. The Western Australian economy would have been left in the doldrums if it had been left to the previous government. Thankfully, because the Albanese government understands that Western Australia is the engine room of the national economy, it is working with us to continue to grow jobs and prosperity in Western Australia, and is getting behind our campaign and strategy to diversify our economy to continue to make Western Australia the best state in this country.

## PUBLIC TRANSPORT — COST-OF-LIVING RELIEF

**111. Mrs L.A. MUNDAY to the Minister for Transport:**

I refer to the Cook Labor government's efforts to support Western Australians facing cost-of-living pressures.

- (1) Can the minister update the house on the outcomes of this government's summer of free public transport?
- (2) Can the minister also advise the house whether she is aware of anyone who is opposed to important cost-of-living initiatives, such as cheaper public transport?

Several members interjected.

**The SPEAKER:** Order please, members!

**Ms R. SAFFIOTI replied:**

- (1)–(2) I thank the member for Dawesville for that question. Of course, the residents of the member for Dawesville's electorate are already benefiting significantly from the two-zone fare cap. Remember, it is one of those areas that benefited most from that initiative, with —

**Mr D.A. Templeman:** That's right. We love it!

**Ms R. SAFFIOTI:** The member for Mandurah is very excited by it, too! Residents there are saving thousands of dollars each year in commute costs because of the two-zone fare cap. I think one-way travel went down from \$11 to less than \$5. As we can see, those residents are already benefiting from a range of initiatives. Of course, we also had the summer of free public transport, and some numbers have come through that demonstrate just how successful that was. There were 10.51 million total boardings on Transperth trains, buses and ferries in January. Those are the best numbers for over a decade, members. It was a record January for our buses, with 5.9 million boardings. As the Premier just outlined, there was an overall record for ferries—108 000 boardings in January, eclipsing the previous record set. Our train network was also very, very strong, hitting numbers of 4.5 million; that is a record since pre-COVID. Of course, the Armadale line shutdown affected those numbers, but we can see how strong the numbers still are. It was also the best January on record for the Mandurah line, member for Mandurah, with 1.7 million boardings, and the best January since pre-COVID for the Joondalup line, with 1.2 million boardings. The numbers go on.

This is all about making it more affordable for people to travel across the state. In regional WA there were also many initiatives rolled out in areas that have public transport services. We have increased the allowance in regional Western Australia for those who take their children to school. We have a two-zone fare cap for regional residents who fly, again saving regional residents hundreds of dollars at a time. We also distributed free SmartRiders to members of Parliament. We initially gave them 15 each, but they were so successful that we made sure a further 50 were sent out to all local members, including those in the opposition. I have not heard any thanks for that from the opposition, but do members know who opposed the initiative of giving free SmartRiders to the community?

**Mr R.H. Cook:** Who'd do that?

**Ms R. SAFFIOTI:** It was the Leader of the Liberal Party, members.

Several members interjected.

**Ms R. SAFFIOTI:** It was the Leader of the Liberal Party who opposed it, saying —

... I question the Cook Labor Government's agenda with this particular scheme, ...

She opposed us giving free SmartRiders to the public to help them catch trains, buses and ferries for free on Sundays, for example, and during the summer. This is why the opposition, and the Liberal Party in particular, have never got public transport. It never gets public transport.

**Mr R.H. Cook:** They certainly never deliver it.

**Ms R. SAFFIOTI:** It sees public transport as some sort of evil to the community. It does not understand that it is about connecting people to jobs, connecting people to training opportunities and medical facilities, and letting people move around the suburbs at an affordable rate. We talk about the cost of living; having initiatives to support public transport, whether through capped fares or free public transport over summer, on Sundays or for students, is all about supporting people with the cost of living. Every time the opposition knocks public transport, it is knocking the government helping people with the cost of living. It does not matter how many years go by or how many times we demonstrate how our record compares with that of the opposition, the opposition's disregard and hatred for public transport continues to cut through. Its hatred for public transport is in its DNA. We are very proud of what we are delivering—affordable public transport that connects people and families, and gives Western Australians opportunities that they would never receive under a Liberal–National government.

#### LIVE EXPORT — TRANSITION PACKAGE

**112. Mr P.J. RUNDLE to the Premier:**

The Premier has said that the federal Labor government's live sheep export ban will be an unnecessary burden —

Several members interjected.

**The SPEAKER:** Sorry, member, just pause for a moment. I will just ask people to not make farmyard noises! Thank you.

**Mr P.J. RUNDLE:** The Premier has said that the federal Labor government's live sheep export ban will be an unnecessary burden and that the Prime Minister should reconsider that ban, which will cost the state about 400 jobs and \$132 million. It has now been revealed that the Premier's own Minister for Agriculture and Food has been in secret talks with Canberra to work out a transition package. Why has the Premier's government capitulated to Canberra and failed to stand up for Western Australian farmers?

Several members interjected.

**The SPEAKER:** The Premier—and only the Premier. Thank you.

**Mr R.H. COOK replied:**

The first two questions were about our not talking to the federal government enough, and now we are talking to it too much! We have been clear from the start that the new animal welfare measures that are now in place, including the northern summer live export ban, are working and are appropriate. We will continue to advocate for the best possible deal for WA farmers to make sure that our important agricultural industries remain strong into the future. We understand the important role that live sheep exports play in terms of the overall agricultural industry, and our submission to the commonwealth government made it quite clear that if a phase-out is going to go ahead, then significant support for our farmers in the transition is absolutely necessary and a reasonable time frame needs to be set.

If the federal government is going to go ahead with that, I want my Minister for Agriculture and Food in there, getting the best possible deal for WA farmers.

**Mr P.J. Rundle:** What about standing up for them in the first place?

**Mr R.H. COOK:** The member does not want that. He just wants to sit there and continue to harp on about a decision that he disagrees with. He continues to basically bang on about a decision that he does not like: “We don’t like the decision.” We are getting the best possible deal for WA farmers. That is the expectation of WA farmers, and that is my expectation of one of my ministers.

**Dr A.D. Buti** interjected.

**The SPEAKER:** Minister for Education, please desist.

#### LIVE EXPORT — TRANSITION PACKAGE

**113. Mr P.J. RUNDLE to the Premier:**

I have a supplementary question. Given the revelation of Minister Jarvis’s secret meetings with Canberra, will the Premier sack his minister and find someone else who will stand up for Western Australian farmers?

Several members interjected.

**The SPEAKER:** Order, please, members!

Several members interjected.

**The SPEAKER:** Order! Just waiting.

**Mr R.H. COOK replied:**

Madam Speaker, that is the most pathetic supplementary question I have ever had. They are not secret meetings. The Minister for Agriculture and Food of Western Australian has a strong relationship with the federal Minister for Agriculture, Fisheries and Forestry, which is the reason that we are constantly talking to him about these issues. If the member does not think we should be talking to the federal government about these important issues for Western Australian farmers, he should just say so. Just say that we should stick our head in the sand. Just say that we should simply ignore what the federal government is doing and sit back and wait for the impact on Western Australian farmers. We want to be there. We want to be in front of the federal government, making sure we get the best possible deal. Of course we disagree with the phase-out of live sheep exports, but if it is going to happen—that is a decision for the federal government, not our government—we want to make sure that we are there to get the best possible deal for WA farmers. If the member thinks we should ignore that, he should go and face those farmers himself and say that we should just let rip and do nothing at all! That is his position.

Several members interjected.

**The SPEAKER:** Order, please!

**Mr R.H. COOK:** The member’s position is to just sit back and do nothing! We will not. We will do what is right for Western Australia. We will always stand up for WA farmers, and that is what the agriculture minister is doing!

#### RESPIRATORY SYNCYTIAL VIRUS IMMUNISATION PROGRAM

**114. Mr T.J. HEALY to the Minister for Health:**

I refer to the Cook Labor government’s record of putting the health of Western Australians first.

- (1) Can the minister outline to the house how this government’s delivery of an Australian-first free respiratory syncytial virus—RSV—immunisation program will protect our youngest, most vulnerable Western Australians this winter?
- (2) Can the minister advise the house how this program will relieve pressure on our hospitals?

**Ms A. SANDERSON replied:**

- (1) I thank the member for the question. The Premier and I, as many would have seen, last week joined both Katherine and her gorgeous daughter, Hazel, at the Rheola Street Central Immunisation Clinic. At only

two months old, Hazel spent eight days in an induced coma at Perth Children's Hospital suffering from RSV. Instead of enjoying those first early, precious months, the time was wracked with worry, concern and stress about whether her daughter was going to survive. Katherine said —

This was the first time I'd heard of RSV and remember thinking: Why didn't someone tell me about this before?

I now know it's a common virus. Many kids have a mild case, but for Hazel, RSV meant an induced coma, collapsed lung, blood transfusion, medication withdrawals and countless, invasive blood tests.

That is why the Western Australian Cook Labor government made the decision to fund for the Western Australian community free access to RSV vaccinations for the most vulnerable members of our community—babies. This is a nation first; we are the first state to do this. It has had fantastic success in the northern hemisphere in the winter period by significantly reducing visits to GPs, emergency departments and hospitals. Respiratory syncytial virus—RSV—is highly infectious. It affects more than 65 per cent of babies in their first year of life, and four out of five babies and children with RSV who require hospitalisation have zero underlying conditions; they are completely healthy children. It can literally affect anyone.

- (2) This will have a significant impact on our system over this winter. With flu, COVID and RSV vaccinations, we expect and hope to see fewer hospitalisations of children with RSV in Perth Children's Hospital. It is literally full of babies with RSV in winter. It is very complex. It creates enormous strain on staff, the emergency department and other people seeking access to care. From April, babies under eight months old will be eligible for RSV vaccinations from general practitioner practices, community health clinics and Aboriginal services. From May, we will be rolling out the vaccinations at birthing hospitals so the immunisation will be available as soon as babies are born to give those babies careful protection. We know that many people do not take their babies out, particularly if they are born in the winter months, before their important eight-week vaccinations. This will give them an extra layer of confidence. Babies between eight and 19 months who are at increased risk of severe RSV will also be eligible. When people are taking their kids to their GP for their older flu vaccination, they should also ask about the RSV vaccine for babies.

The Australian Medical Association in Queensland is lobbying the Queensland government to implement a similar program. We believe, under the current evidence we have, that we can prevent 700 RSV-related hospitalisations this year alone. We can also prevent 2 000 emergency department presentations and over 4 000 GP appointments can be saved if people use this immunisation. I am very proud that we are the first government in Australia to be able to provide this for the community and an added layer of assurance, protection and care for the most vulnerable people in our community.

#### ALCOA — KWINANA REFINERY — CLOSURE

#### 115. Dr D.J. HONEY to the Minister for State and Industry Development, Jobs and Trade:

My question is to the Premier as the Minister for State and Industry Development, Jobs and Trade. I refer the Premier to the announced closure of the Kwinana refinery.

- (1) Did the government meet with company and union representatives to develop options for keeping the refinery operating, as governments and unions did in Spain to protect the Alcoa refinery jobs there; and, if not, why not?
- (2) Can the Premier explain the contrast between the government's blasé attitude to the Alcoa Kwinana refinery closure compared with its meetings with industry and the commonwealth government over problems afflicting the nickel sector?

#### Mr R.H. COOK replied:

- (1)–(2) I thank the member for the question. It is curious coming from him. As the member very, very well knows, it has some of the oldest and most outdated technology, and, from that point of view, is the least commercial of all the Alcoa refineries. Member, Alcoa has been signalling this to me as the member for Kwinana for many years. In fact, some years ago, I think, the head of Alcoa at the Kwinana refinery actually made that observation to me. So I am not quite sure why the member is asking this question. It is a little uncomfortable. Obviously, we talked to Alcoa extensively before it ultimately made the decision around the Alcoa refinery. As the vice-president of the Western Australian operation has said, both privately to me and publicly in the media, its decision around the closure of the Kwinana refinery had nothing to do with the inaction or because of the actions of the Western Australian government. It was simply part of making sure it had the most commercial operation in Western Australia. In particular, it wants to focus on the Pinjarra and Worsley plants because they utilise much more modern technology, which makes them much more commercial and profitable refineries. Obviously, it will continue to utilise the refinery in Alcoa Kwinana as a port landing or a port operation. We are all very sad for Alcoa to have made that decision, but we respect that decision. We worked with the company very carefully and over a period on that decision. Of course, we talked with the unions in that regard.



I have no idea what the member is referencing in relation to Spain. As I reflected earlier in my answer, the member knows very well the issues involved in that refinery.

#### ALCOA — KWINANA REFINERY — CLOSURE

##### 116. **Dr D.J. HONEY to the Minister for State and Industry Development, Jobs and Trade:**

I have a supplementary question. Why did the Premier simply accept the closure and not fight for those refinery jobs, as the regional and national governments did in Spain?

Several members interjected.

**Dr D.J. Honey:** You sat there and accepted it!

**The SPEAKER:** Order, please.

**Mr R.H. COOK replied:**

Once again, I have no idea what happened in Spain. So far today, we have had, what is it, four questions, Madam Speaker?

**Dr D.J. Honey** interjected.

**The SPEAKER:** Sorry, pause for a moment, please. Member for Cottesloe, you have asked a supplementary question. It is being answered. Please do not continue to interject.

**Mr D.A. Templeman:** Have you been using up your imprest?

**The SPEAKER:** Leader of the House, you know I always rely on you to set an example.

**Mr R.H. COOK:** We have had four questions from the opposition today. The first three were about the federal government; at least that is in Australia. The fourth question was about the Spanish government. I have already said to the member that I do not know what happened in Spain on that issue. I know that we worked very closely with Alcoa around assisting it to access the appropriate ore bodies, to assist it to manage issues associated with the commercial challenges it has at the Kwinana refinery and continue to work with the union on the decisions that ultimately were the decisions of Alcoa. This is what we do. We work closely with industry, which is the reason that they continue to have confidence in Western Australia and why they continue to ensure that they invest in WA.

#### HOUSING — PLANNING REFORM

##### 117. **Mrs R.M.J. CLARKE to the Minister for Planning:**

I refer to the Cook Labor government's major planning reforms, which came into effect this month.

- (1) Can the minister outline to the house how these significant reforms will help boost housing delivery and supply?
- (2) Can the minister advise the house if he is aware of anyone who does not support this government's actions to deliver more housing options?

**Mr J.N. CAREY replied:**

- (1)–(2) I want to thank the member for her question. As we know, every state in the country is facing the same scenario with housing supply and construction markets. As part of that, there is a national approach to tackle the red tape around housing supply. The National Planning Reform Blueprint, agreed to by national cabinet, is about cutting unnecessary red tape to get out the critical housing that we need.

Of course, we brought in our significant reforms, which were passed last year and were successfully introduced, as promised, on 1 March this year. It creates a number of different reforms, including consolidating the development assessment panel system with greater transparency, a new significant development pathway for major housing projects worth over \$20 million in the metropolitan area and \$5 million in the regions. There has been a raft of other changes that are about bringing information online.

I note that our reforms are now considered nation leading. They are considered the best in the country. I note Michael McGowan, the credible leader of the Housing Industry Association, said about our reforms —

... provide clarity to major projects, group and multi-dwellings and single dwellings, that they can go through that process in a speedy time frame, reducing holding costs for builders and, ultimately, helping affordability and housing supply for Western Australia.

The sector is saying our reforms are critical for housing affordability and supply. The messages from across there are very mixed. I note that the Leader of the Liberal Party claimed credit. She said we have —

... a long history of support for consultation at the beginning of the planning process. We need to ensure there is independence at the development level of decision-making, and that is why the Liberal–National government introduced the development assessment panels. We need to ensure developers can deliver an affordable product and have efficient systems to work within.

There we go. We have a ringing endorsement from the leader of the Liberals. She forgot to tell the person right next door. This is really about the Liberal leader's leadership. She is the leader, she is in control, she has "The Clan" at bay, even though every Clan member has been preselected currently, and the person sitting next to her is out and about opposing the planning reforms.

**Dr D.J. Honey:** We know who controls you. We saw it.

**Mr J.N. CAREY:** Actually, this is really interesting. Who replaced the member for Cottesloe? It is the head of the Property Council, who endorsed the planning reforms. And we are the ones in bed! The Liberal Party has picked the leader of the Property Council and is replacing the member. The member for Cottesloe said —

The DAPs and the Western Australian Planning Commission have consistently shown that they totally disregard them.

We have the leader of the Liberals endorsing it and the person next door opposing it. But worse still, he gets basic facts wrong. He went to the *Subiaco Post* and said that all planning authority for a local council is delegated to the CEO. He said in Parliament —

I said to some colleagues recently that the CEO of the Shire of Peppermint Grove could approve a 20-storey tower on Bindaring Parade or The Esplanade.

It is wrong. It is false information. Wrong! False! Wrong! We have a smear and fear campaign being run by a man who is being replaced by the head of the Property Council, ignoring the Liberal leader at any cost. This is not the only time we have seen it. The Leader of the Liberal Party said, according to my notes —

We will support any measure that takes the pressure off housing on granny flats.

Her new deputy said something completely different. He said that the changes and reforms around granny flats will not address WA's rental issues. The Deputy Leader of the Liberal Party contradicted the Leader of the Liberal Party. In two instances, two different members of the Liberal frontbench undermined and contradicted the Liberal leader. This demonstrates a complete lack of policy work. It is a complete vacuum at every opportunity and now multiple Liberal members have undermined the Liberal leadership. It is very clear that they are not fit to govern.

#### INVESTMENT AND TRADE COMMISSIONER FOR ASEAN

#### 118. Ms L. METTAM to the Premier:

I refer to the Premier's comments about the vital importance of Indonesia to strengthening the WA economy, especially regarding critical minerals.

- (1) Can the Premier confirm that it has now been over three years since our state has had a full-time and in-country Trade and Investment Commissioner based in Jakarta?
- (2) Will the Premier advise why the position of WA ASEAN trade commissioner remains vacant after six months?

#### Mr R.H. COOK replied:

- (1)–(2) The reason that we have not had a full-time trade commissioner in Jakarta for some time is a little thing that happened around 2020, which was called COVID. Obviously, it was necessary to recall the trade commissioner. Upon reinstating the trade commissioner roles, we installed the ASEAN trade commissioner into Singapore, because it was a safer jurisdiction with the public health issues that were impacting on Jakarta at the time. I do not know; that just strikes me as sensible, really.

Obviously, the reason we have investment and trade officers in the ASEAN region is that the ASEAN region remains an important market for all our industries and, in particular, Indonesia. It has a population of around 260 million people, and it is literally closer to us than Sydney. It represents a huge opportunity for us, which is one of the reasons that I have engaged deeply with the Indonesian trade interests and the reason that I took the largest delegation, trade mission, to Indonesia last year, ever in the state's history.

We went to the ASEAN business summit. There were 180 delegates from Australia at that conference, 80 of whom were from WA. We are taking very seriously our relationship with Indonesia. That is why we continue to make sure that we engage on every level, including the memorandum of understanding that we have with the Indonesian Chamber of Commerce and Industry, which explicitly talks about opportunities to develop our critical minerals industries together. That will continue to be an important part of our work.

Currently, our acting ASEAN trade commissioner is in Jakarta; Bryce Green is a fluent Indonesian speaker. He is a former resident of Jakarta with deep relationships in that community at government and industry levels. He is doing a great job on behalf of the people of Western Australia, making sure that as part of our investment and trade network right around the world, we continue to make sure that we put WA on the front line of all these business and investment opportunities right across the globe. Indonesia is part of that. That is why we have our people on the ground there today; they are not only in Jakarta but

also Singapore and right across the entire region. Just last year, I opened a new office in Ho Chi Minh City. We are continuing to expand our network, continuing to put Western Australia first, and making sure that we are continuing to grow our invest and trade opportunities.

#### INVESTMENT AND TRADE COMMISSIONER FOR ASEAN

##### 119. Ms L. METTAM to the Premier:

I have a supplementary question. When will the Premier commit to a dedicated in-country commissioner for Indonesia, in line with the recommendations of the parliamentary inquiry chaired by Hon Peter Tinley?

##### Mr R.H. COOK replied:

That is exactly what we have. As I said, Bryce Green is in Jakarta, working with his team in Jakarta, Singapore and Vietnam. We are continuing to make sure that those teams are working together so we get great business, trade and investment outcomes for the people of WA. We will do what is right for WA. We will make sure that our invest and trade teams are out there across the world making sure that we get WA right at the front of the queue when it comes to business investment from overseas.

#### PUBLIC SECTOR — UNPAID PARENTAL LEAVE — SUPERANNUATION PAYMENTS

##### 120. Ms C.M. TONKIN to the Minister for Industrial Relations:

I refer to the extension of superannuation payments on unpaid parental leave up to 24 weeks for all Western Australian public sector employees.

- (1) Can the minister outline to the house how this \$46.1 million investment by the Cook Labor government will help to close the gap in superannuation for women working in the public sector?
- (2) Can the minister advise the house how this initiative will improve women's economic security in retirement?

##### Ms S.F. MCGURK replied:

- (1)–(2) I thank the member for this question and the lifelong commitment she has had to gender equality and improving outcomes for women. Of course, we have just come out of International Women's Day on 8 March. I do not think anyone in this house or publicly would disagree that we need better outcomes for women and girls in our community. We want to improve gender equality. But it is one thing to talk about that and say that is what we want; it is another thing to do something about it. That is why I am so pleased and proud to be part of a government that has worked very hard since 2017 to improve gender equality for women and girls in our community. The joint announcement that the member referred to is a very good example of that. I thank the Treasurer for this announcement, made in conjunction with the Premier, the Minister for Women's Interests and myself as the Minister for Industrial Relations to pay superannuation on unpaid parental leave up to 24 weeks. This entitlement will be paid from 1 July this year. This condition has applied to some workers in the public sector, but by no means all. This announcement is a \$46.1 million commitment—a significant commitment—to pay superannuation on unpaid parental leave up to 24 weeks.

The gender pay gap on women's retirement incomes has been too wide for too long. We need practical measures to narrow that retirement pay gap, and that is exactly what this announcement will do, for what is obviously a big employer of women in Western Australia. The state government is the largest employer of women in Western Australia, and I think just over 70 per cent of employees across our public sector are women, so this is a significant investment and move. It is important for a number of reasons. It is a practical measure that will make a difference to real working families—not just women, but families who are working in the public sector. It will pay superannuation on unpaid parental leave. Also, as a big employer, it sends a message to the private sector—all those employers out there who are not paying superannuation on unpaid parental leave—that they really need to step up. Parental leave is like any other entitlement and superannuation should be paid on that entitlement. It sends a message to private sector employers as well. It also sends a message to young families that the public sector is a modern employer, and we want people to come and work with us. We should be an employer of choice; we want people to stay here and we value their contribution, including when they have children. This measure does all those things, and I am really proud of it.

As I said, we all know International Women's Day. We wear purple; we go out and champion the work that is being done. It is one thing to talk about that; it is another thing to actually do something about it. Since we have been in government, we have done just that. We have improved the number of women on government boards and committees; we committed to have 50 per cent women and we have achieved that target. Of course, we are doing the heavy lifting here in Parliament to achieve gender equality here in this chamber, with the appointment of the Speaker and now 50 per cent women in this chamber. We are doing all that work here in government as a Labor Party, and I am very proud of that work. We are improving the number of women in senior executive positions across government. We are doing all that work.

I want members to think about the eight and a half years that the Liberal Party and Nationals WA were in government before 2017 and name one thing that they did while they were in government to improve the position for women in our state. I want members to name one policy initiative that they put in place. I cannot think of one. It is Labor that improves the outcomes for women in our community, and I am very proud to be part of a Cook Labor government that is continuing to do just that.

**The SPEAKER:** The Leader of the Opposition with the last question.

#### PUBLIC TRANSPORT — FINES

#### 121. Mr R.S. LOVE to the Minister for Transport:

Thank you, Madam Speaker. We have plenty of others. I refer to the almost \$400 000 in fines handed out during the Cook Labor government's so-called summer of free public transport.

Several members interjected.

**Mr R.S. LOVE:** There is your ad!

Several members interjected.

**The SPEAKER:** Order, please, members! Members, it is important that we hear the question.

**Mr R.S. LOVE:** I will get there.

Several members interjected.

**The SPEAKER:** Order, please.

**Mr R.S. LOVE:** The Minister for Transport had put out these posts, and I just highlighted the summer of free love public transport period from 24 December 2023.

Several members interjected.

**Mr R.S. LOVE:** We will get to it!

Several members interjected.

**The SPEAKER:** Members! Members, I may have to reconsider this being the last question, and I may get the opposition to ask a couple more, if we are going to get this response from the government. There will be no more for the government, though. Leader of the Opposition.

**Mr R.S. LOVE:** Noting the \$400 000 in fines, and noting the cost-of-living crisis, will the minister apologise to the 3 943 commuters who were slapped with \$100 fines during that period and commit to waiving or refunding those fines?

#### Ms R. SAFFIOTI replied:

I thank the member for that question. The Nationals WA caring about public transport—I never thought I would see it! We see the fake tears of the Leader of the Opposition. We gave free public transport and over 10 million people in Western Australia used that. There were 10 million boardings on free public transport. As I said on the radio, those who feel particularly aggrieved or who had particular circumstances have a right to appeal. Yesterday, I heard someone ring in to 6PR saying that they had their fine waived because of their particular circumstance. All those millions of people who used their SmartRider or bought a SmartRider for the occasion would not want the wholesale waiving of fines. If we waived those fines, there would be questions about why we do not waive other fines, today or tomorrow. It was a condition to use a SmartRider, and the reason is we want to monitor who uses our public transport system. Unlike the opposition, we invest in public transport, so we need to know who is using our public transport so we can continue to invest in buses, trains and ferries.

Overwhelmingly, it was a success. We saw record numbers of people having access to free public transport. As I said, for those who had particular circumstances and want to appeal to the Public Transport Authority, there is a mechanism. That mechanism existed over that free period and in other times, so they are more than welcome to use it. But we have to safeguard the integrity of our public transport system. A lot of people did the right thing. I know that those people who did the right thing know that they enjoyed five weeks of free public transport.

#### PUBLIC TRANSPORT — FINES

#### 122. Mr R.S. LOVE to the Minister for Transport:

I have a supplementary question. The minister's own social media posts such as that one did not highlight that people needed to have that card. Will the minister commit to ensuring that everybody has these fines waived?

#### Ms R. SAFFIOTI replied:

As I said, if people have a particular circumstance, they can appeal to the PTA. I am so proud of our summer of free public transport. Millions of people got free public transport. When I move around the state —

**Mr R.S. Love** interjected.

**The SPEAKER:** Order, please!

**Ms R. SAFFIOTI:** When I move around the state, I see the people who are benefiting from our capped airfares. The Leader of the Opposition did nothing in this state when he was in government. He did nothing to help with the cost of living around the state. He let airfares get out of control for residents! We capped airfares and public transport fares. For a person who is opposed to every public transport initiative we undertake in the state, whether it is building a Metronet line to Ellenbrook, the Thornlie–Cockburn link —

Several members interjected.

**The SPEAKER:** Order, please!

**Ms R. SAFFIOTI:** — or building to Yanchep, he has some audacity to come in here and pretend he cares about Western Australian public transport users. He has never cared about public transport users in the state, so do not pretend to care today!

Several members interjected.

**The SPEAKER:** Order, please!

Members, that concludes question time.

## FINANCE — STAMP DUTY

### *Question on Notice 875 — Correction of Answer*

**DR J. KRISHNAN (Riverton — Parliamentary Secretary)** [2.51 pm]: I rise under standing order 82A to provide additional information to a response I provided to question on notice 875, answered on 10 October 2023. The response to part (a) for the financial year 2022–23 advised there had been 767 taxable transactions subject to foreign buyer duty. I can inform the house that the correct number is 792. I table a copy of the corrected answer.

[See paper [2697](#).]

## POLICE — MORALE AND OPERATIONAL STRENGTH

### *Matter of Public Interest*

**THE SPEAKER (Mrs M.H. Roberts)** informed the Assembly that she was in receipt within the prescribed time of a letter from the Leader of the Liberal Party seeking to debate a matter of public interest.

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

**MS L. METTAM (Vasse — Leader of the Liberal Party)** [2.52 pm]: I move —

That this house condemns the Minister for Police for his refusal to accept there is plummeting morale amongst —

**Dr A.D. Buti** interjected.

**The SPEAKER:** Minister for Education, those interjections are unruly. The member has barely had 20 seconds on her feet.

**Ms L. METTAM:** I move —

That this house condemns the Minister for Police for his refusal to accept there is plummeting morale amongst the WA Police Force and for overseeing an exodus of police leaving the force.

Before I speak to this motion, I would like to take this opportunity to offer my condolences on behalf of the opposition to the family, friends and colleagues of Senior Constable Liam Trimmer who died in an off-duty accident over the weekend. It is a heartbreaking tragedy that will undoubtedly have a devastating impact on those who were close to him, and also the wider police family. Our support and thoughts go out to all members of the WA Police Force as they grapple with the loss of one of their own.

I would also like to reinforce that this motion is about the performance of the Minister for Police, not the WA Police Force. As the opposition has consistently said, we, along with every member in this house, certainly support the extraordinary efforts of our frontline services, including WA police and the incredible efforts they make and what they achieve. We have a longstanding support and admiration for the work the WA police do. I am sure that I am joined by every member in this place on that matter.

However, this motion is not about that; it is about the minister, and some realities that the police force face and significant issues that put this extraordinary cohort of workers under incredible pressure. The minister has made many great statements in and outside this place about what he wants to do to build his force, but it is quite clear that this minister has no idea how to do that—he is certainly no closer to delivering it as well. This minister continues to resort to Labor’s nothing-to-see-here approach of diverting and deflecting when it comes to significant issues happening under its watch. That is a script that we have often seen under the Cook Labor government. It has failed to address or allay any of the real concerns across this workforce. It gives the same lines that only serve to show how out of touch this government has become on significant issues affecting the morale of some of our most respected workers.

The reality is that there is an exodus of officers from the police force; it is unlike anything we have ever seen before. In the last two years, we have seen 1 051 officers leave the force—either resigning or retiring. Last year alone, there were 403 resignations. In 2022, there were 473 resignations, which is about three times the average number. This raises the question: what legacy will this police minister and the Cook Labor government leave?

In 2023, there were 377 graduates. In 2022, there were 446 graduates. The graduates are not even keeping pace with attrition. That does not include the 46 resignations and retirements in January this year—and those in February as well. Officers are leaving the force in droves, and the government does not know how to stem the flow. That is quite clear. A force facing record levels of violent crime in the community has one hand tied behind its back. It is a workforce that is continually doing more with less as it tries to fill gaps as a stream of officers make the decision to resign. Instead of taking a look behind the curtains to see what is happening and why these issues remain and continue, we see a nothing-to-see-here approach from the Minister for Police in particular. The minister even denies that there is a problem, and at the same time spins that the government's election pledge for an extra 950 officers above attrition is apparently on track when it is quite clearly not. It would be laughable, except this endemic issue is very serious and is putting extraordinary pressure on our WA police and has broader impacts in the community as well. Despite the rhetoric, the resignation rate has not slowed to normal levels, as claimed by the minister. I am not sure what figures the minister is grasping at, but from a resignation rate of 143 in 2017 to 403 last year, it is hardly at a normal level. The minister is out of touch with reality. The purpose of our motion today is to ensure that the government puts greater focus on this issue and actually realises what is happening. We are seeing escalating levels of burnout, fatigue and low morale plaguing this workforce. It is quite a feat given that these issues have been raised again and again for a number of years.

In 2022, at a time when police recorded the highest number of resignations in WA's history, the minister dismissed claims about morale. I quote —

Police Minister ... dismissed claims that morale amongst rank and file officers was at an all-time low saying he had not “encountered” such views and questioned the motive behind a survey that made the claims.

...

Mr Papalia said he had been to “every police district” in the past year where he talked directly with rank and file officers and had “not encountered the claims made in that survey”.

This time last year, we heard in this place a similar response from the minister when he said —

... we suffer attrition beyond anything that has been seen before because we have the best economy in the world and there are greater opportunities for people ...

The minister also suggested that perhaps they were all leaving because they are hitting 10 years spent in the force. I again quote the minister from *Hansard* —

They might have started as a single person and now have a family ... It might be the time that suits people to leave.

Again, that is inconsistent with the extraordinary numbers we are seeing, which backs up the argument that has been raised about low morale and the need to provide better support to our frontline officers. That was an ignorant response to some very real concerns. If it is not an attractive workplace for people of all ages and experiences, the question is: why not, and what can the government do to ensure that it is? If the minister wants an insight into the reasons that so many of his officers are hitting the exit button and leaving the force, he does not need to look far because when he dismissed the 2022 union survey results about low morale as being nothing more than discontent, he could have looked at his own government's survey results to get a picture of how WA police officers are feeling in their workplace. I am happy to give a very brief version of what the survey results stated. In summary, officers were disillusioned and undervalued. The government would not release the census results publicly, so we had to FOI them. Is it any wonder? Less than half of those surveyed by the public sector census of the WA Police Force would recommend it as a place to work—less than half. Only 47 per cent would recommend it, as opposed to an average of 70 per cent across the public sector, yet the minister does not think there is an issue with morale. As I said, we talk about being out of touch. That is one of the lowest approval ratings of any agency. I think, on average, it was about 70 per cent across the public sector. That shows that this is a workforce that is clearly at a crisis point. The police officers want to be heard and they deserve more support from this government.

This is about the government continually failing to recognise and acknowledge the difficult role the police play in protecting our community. The government has consistently taken this workforce for granted and refuses to acknowledge the very real morale issues within the WA Police Force. The government's defence is that there is nothing to see here, as I have touched on. The government continues to divert and deflect attention from the very real issues of discontent within one of our key public sector workforces, and dodges accountability and transparency. Clearly, there are real morale issues in our police force that the minister refuses to accept. The officers are feeling undervalued and ignored. That is why they are resigning in record numbers. According to the police union, police officers are working within an unrelenting environment. They are being assaulted, spat on, kicked, punched and

psychologically harmed. They are also scrutinised by the public and their own employer for every word spoken and every action taken. They are under incredible pressure. In the words of the Western Australian Police Union, this government “has been overpromising and underdelivering for a prolonged period now.” The sad reality is that the fewer boots on the ground we have in our force, the greater we see pressure on those officers and the impact it has on crime and antisocial behaviour. The last WA crime statistics show —

*Point of Order*

**Mr R.S. LOVE:** I am having trouble hearing the member through all the chatter in the chamber.

**The DEPUTY SPEAKER:** There is no point of order, but if ministers want to have a conversation, please keep it down a little.

*Debate Resumed*

**Ms L. METTAM:** The latest WA crime statistics show that non-family threatening behaviour is up by 32 per cent from last year while family-related threatening behaviour is up by 38 per cent. Assaults are also escalating, as many members would be aware, with family-related incidents up by 15 per cent in the last 12 months. The regions are especially suffering with this surge in crime and antisocial and violent behaviour, particularly as they struggle to fill job vacancies. At the same time, rather than addressing any of the cultural issues within the workforce, what has the Minister for Police done? In March 2023, he jumped on a plane to the UK for a photo-op to unashamedly raid workers from there. The minister spent a lot of time filling UK pubs with beach sand and selling WA as being about safety, stability and sunshine. That was backed by a \$300 000 campaign under the “Western Australia — it’s like no other.” branding.

There were fewer police graduates last year than the year before, with 377 last year and 446 the year before. Let us not forget that this was on top of the so-called blitz in 2021. After making a big pledge for an extra 950 officers on the overall headcount, the government went out all guns blazing with the \$1.8 million advertising campaign “Let’s Join Forces”. It started from a base of 6 637 officers in 2020 and the aim was to have 7 587 by December 2024. The results were underwhelming, to say the least. Although it is difficult to ever get a net accurate headcount from WA Police, at the last count in November, before the final resignations had come through, it was 6 923. That is a good 500 officers short of the big election pledge.

This government does not know how to govern. It is out of touch with the people it represents and with the concerns that we are hearing on the ground. We heard a great deal of frustration from the WA Police Force about the great work they are doing on the ground and the revolving door and the light-touch approach we are seeing reflected in the court system as well, which is another significant issue. Officers are continually telling us that they feel undervalued and ignored. It is for those reasons that we are seeing a record number of resignations. It is also why we are bringing this matter to the house and urging the Minister for Police to take this motion seriously and listen to our concerns on behalf of our dedicated police force, which does an outstanding job.

**MR R.S. LOVE (Moore — Leader of the Opposition) [3.08 pm]:** I would like to contribute to the motion brought to the chamber by the member for Vasse. In doing so, I would like to highlight that about a year ago there was a very similar discussion in the Parliament on a motion, again brought by the member for Vasse. It stated —

That this house calls for the Minister for Police to address the impacts of poor morale and challenges facing WA police men and women, and be honest about the lagging police numbers.

We know from that debate, as happened today, about the shocking statistics that were highlighted around this government’s lack of success in prosecuting the case for achieving the recruitment targets that it set itself and also in stemming the tide of police leaving the force. The exodus of police has caused the minister to cast far and wide to recruit police to make up for those that he is losing day by day. As we know, despite the statistics that were apparent then, the minister denied that there was a problem. As the member for Vasse has pointed out, the problems have escalated in the last year. I wonder whether the same blasé responses will be provided by the minister as those that we received last year. Last year, for instance, he gloated about how good things were looking for the recruitment of officers —

... things are looking good with recruiting. Not only are there more than 2 000 local applicants, the police have established a recruiting centre. If members go down Hay Street past the 6PR building to the east towards the WACA, on the corner they will see a dedicated recruiting centre ...

He then talked about the effect of his trips away and the effect he could have on collapsing morale in the Western Australia Police Force. He actually said something that was quite right —

If we rely on the Minister for Police —

This particular minister at least —

to establish, maintain and elevate morale at unit level in the police force around the state, we might be asking too much.

Well, that is very true. In fact, we have seen a collapse in morale right across the state. We know that police feel undervalued and overwhelmed in many communities across Western Australia in which they are forced to try to curb what is an escalating crime problem.

We will turn to the Kimberley, for instance. In 2022, the ABC reported on a Kimberley juvenile crime spike that led to the development of Operation Regional Shield that brought in 24 additional police officers to the Kimberley in a bid to target key offenders. In the initial response, 63 arrests were made, more than 100 charges were laid and crime trailed off in Broome and Derby. But we know that crime did not trail off in Broome because a stream of newspaper reports from that community through to late last year told of the devastating crime wave that was impacting the Kimberley, in particular Broome and how it was turning that holiday hotspot into a war zone. This minister may wish to deny that there is a problem in policing, but there certainly has been a spike in crime and he seems to be doing nothing about it. He cannot achieve the recruitment levels that are required to staff the police force at the level that he has said is appropriate, and he has had to respond by putting additional officers into towns on a rolling basis through Operation Regional Shield.

The Broome situation brought an angry response from the member for Kimberley and denials from the Minister for Police and another minister who attended Broome at the time, but I am not sure in what capacity; she is now the Minister for Training and Workforce Development. Back then she denied that the statistics showed a spiralling crime problem in that town, particularly around alcohol. According to the numbers, in 2022 the total alcohol-related offences in Broome were 22 times higher than the metropolitan rate, 3.7 times higher than the regional average and 11 times higher than the state as a whole over the same period. Alcohol-related family assault figures were even worse with Broome having 28 times the metropolitan rate of offences, four times the regional rate, and 12 times the rate of the state as a whole, and these members of Parliament and ministers are denying there is an issue in this community. The total offences for the town over the same period were also 15 times higher than the metropolitan area, 3.4 times higher than the regional rate and 12 times higher than the state as a whole.

The crisis in that area is impacting the morale of the police force in regional areas as they battle with a lack of resources and a minister who seems to deny that there are problems in those communities. We need solutions, minister. We need the minister to provide the number of police that he promised so that we can work against those statistics that are playing out in not just the Kimberley. The same issues were raised in the goldfields in Kalgoorlie at least a year ago. What has the police minister done about that? Not very much, because there have been further spikes in crime in Kalgoorlie in recent times. Regional shield officers were deployed there, but that happened only after negative publicity with the minister being dragged up there to try to patch up the situation. The minister is not getting about and doing his job of being proactive and ensuring that the police have the resources that they need.

I know that police officers have been involved in negotiations around their remuneration and that the government put them in a pretty difficult and hard-bargaining position in the last round. Many police were disgruntled about the way in which they were treated in that negotiation process and with the very miserable approach taken by the Labor government towards the police, which it claims it supports. It must have been particularly galling for the police when the State Administrative Tribunal gave their boss a big payout that was much bigger in percentage terms than what they were entitled to, according to the government. I am not saying that that huge payout could be afforded across the entire public sector, but it was very galling for the police to see that disparity. I know there is a difference in the way that payout is set and that the Salaries and Allowances Tribunal is involved, but nonetheless, it will probably leave the police feeling unrewarded.

I also want to raise the matter of post-traumatic stress disorder presumptive protection, which the Premier announced would be put in place. Can the minister directly respond to this question, if possible: what is the status of that promised protection? We cannot see that it has been put in place anywhere. Can the minister in his response verify exactly where we are with PTSD presumptive protection, which has been promised, but, as far as I am aware, has not yet come to light? Those things need to be addressed if we are to ensure that our police service feels supported and that its priorities and needs are being taken care of by the minister and the Labor government.

**MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition)** [3.18 pm]: I will back up to the member for Vasse's motion —

That this house condemns the Minister for Police for his refusal to accept that there is plummeting morale amongst the Western Australia Police Force and for overseeing an exodus of police leaving the force.

First, I want to thank our police who are doing a great job under trying conditions, including dealing with this minister and the way the balance has gone in relation to pay scale, morale and many other things. Quite frankly, the people of Western Australia have actually had enough of the failures of this government in law and order. The Western Australian Police Union has also had enough. As the member for Vasse pointed out, the light-touch approach is not working and more needs to be done. The same applies to the education system; the light-touch approach is not working. This minister is refusing to look at the plummeting morale in the police force that lacks resources in many sectors. This minister is dealing with legislation that affects 90 000 law-abiding people who own a licensed firearm, when we have a police force that is lacking in morale. There is no better example than the other day—I have had the letter sent out—“Peter James Rundle, Katanning: We are wanting to update and ensure your personal accuracy



and personal details. Please give us a call on this number.” What did I do? I rang up three times, and three times the phone was not answered. Eventually we got through to an answering machine. I left my details to call back, but there was no call back. This is the sort of stuff that we are dealing with. We have a police minister who wants to revise the whole firearms system but he does not have the resources in place. I refer to an article from late 2022 by former Commissioner of Police Karl O’Callaghan. He stated —

Police officers are resigning at three times the rate of a decade ago when resignations were, on average about 20 officers per month. At current projections the WA Police is set to lose 500 police officers a year and only a few are moving to the resources sector.

A significant number of those resigning are from the more senior ranks of the force, a warning sign that things are not as the Government and police hierarchy would have us believe.

A workplace health and member services survey completed just two months ago found that more than 64 per cent of police officers rated morale as poor, a significant increase over a previous survey conducted in 2016.

...

The survey really reads like a cry for help but was inexplicably and unceremoniously dismissed by Police Minister Papalia as partly being a ruse to enhance the current police wage negotiations.

The minister might have been better served by asking what has changed in policing in the past few years.

This is a cry for help from the police union. The survey showed that 76.8 per cent of police union members were dissatisfied with the Western Australia police management and culture. Where does that stop? That stops with the Minister for Police. That stops with the minister, who needs to look a bit harder, stop turning up at Westminster saying, “We need more officers”. He should take responsibility.

**MR P. PAPALIA (Warnbro — Minister for Police)** [3.22 pm]: I refer at the outset to the tragic loss of Liam Trimmer in recent days. I extend my deepest condolences and those of the entire government to his fiancée and family. It is very sad to reflect upon what has happened.

I also reflect on the insensitive and inappropriate nature of this motion in light of that. It is extraordinary that this ridiculous motion, which, as we heard from the Leader of the Opposition, is a repeat of one moved last year, was brought into this place on this day so proximate to the loss of Liam. It is disgraceful and insensitive and inappropriate that the Leader of the Liberal Party would move this motion and have the gall to stand and reflect on the fact that Liam has just died. It is unbelievable.

That aside, I will respond to the shambolic and appalling cabal of ridiculous statements that were made by the members opposite. Helpfully, the member for Roe referred to a two-year-old opinion piece. Much of what the opposition has said today refers to a two-year-old opinion piece by the former Commissioner of Police Karl O’Callaghan in which he said that the attrition rate for the police force 10 years ago was 20 officers per month. Does the member know what the average rate has been over the past six months? It was 25.5 officers. I know that the member is referring to the high numbers that were experienced in May and June 2022. That is a consequence, as I reflected upon last year and many times subsequently, of the moment in history that we confronted. The member refers to attrition rates in 2019. I refer to between then and 2017, when we inherited the worst financial books in the history of Western Australia. We had gone through a boom and the economy was trashed; the Liberal and National Parties trashed the economy. That is what they do when they occupy the government benches—they destroy the economy. It was the biggest debt and deficit in history. How many people does the opposition think would leave the public sector in that environment? The economy was suffering enormous unemployment. There were no opportunities. Of course people were going to stay in the security of a public sector job. That is what happened when we inherited the disaster that the opposition had imposed on the Western Australian public and economy. That is what happened. People were not leaving, because they had a secure job, and those were few and far between.

In 2020, there was the COVID pandemic. I do not know whether the member noticed, but for two years during the COVID pandemic, no one left any job. If someone had a public sector job, they stayed there, because that meant security. The environment outside the public sector was far from secure. Western Australia was a good place in comparison to the rest of the world, because this government dealt with COVID better than any other jurisdiction on the planet. That is a fact. People in the public sector remained in the public sector because they knew they had a secure job.

By 2022, there was a pent-up number of people who had intentionally delayed departure. There was another reason they delayed departure. When I became the minister in 2021, the previous minister and the Premier had promised that we would deliver better conditions for people who would be medically retired. As a consequence, we told those people who were going to be medically retired to wait until we got the legislation through. It took until 2021 to get that through; therefore, in 2022 we had those people plus people who had been waiting at least four years—we were in recession for the last year or two of the previous government. All those people who had not left in that period were considering departure. They found themselves in the best place on earth for employment opportunities.

It was the strongest economy with the greatest demand for workers, and Western Australian police officers are exceptional people. I will say it because the Liberals and the Nationals never do. Western Australian police officers are exceptional people; they are incredibly attractive to employers in an environment in which people are desperately seeking good people to employ. There is undeniable opportunity. We are losing people because all of those people who had forgone the opportunity to depart when security was required and was offered in the form of a public sector job could now consider it. They were confronting probably the best opportunity in the employment landscape that had been seen at least since World War II, in terms of opportunities and demand for skilled labour and recognition of the quality of our Western Australian police officers. It is a fact that Western Australian police officers are the most respected in the country. The community in Western Australia appreciates the quality of our police officers. They are a commodity that is in demand. Yes, people have been leaving, but as I said, the number of departures has been declining since the May and June 2022 peak.

I am increasingly fearful that the number of departures will not diminish back to pre-COVID levels; I do not think it will. That is not surprising because in the meantime, apart from the fact that the economy has improved and that there are greater opportunities, there has been a shift in the demographics of people who join the Western Australia Police Force—or, for that matter, who do any other job. We increasingly see younger people from a different generation who do not, as a matter of course, sign up for a career spanning 20 or more years, as the member for Darling Range and I did. People do not do that anymore. Increasingly, a greater proportion of the police force and of the workforce in general are from a younger generation who, on average, stay in a career for between five and seven years before shifting on.

We may be confronting a complete shift in the workforce dynamic. The Leader of the Opposition said that I should be doing something, that I should be assessing; what was it I was accused of? I was accused of being a “light touch” by the member for Roe and the member for Vasse. I do not know what that means. It is not something that I am normally accused of in my portfolios, but I assume they are suggesting that somehow I should be driving the operational practices of the police. If that is the case, they are urging me to break the law, and I do not think I will do that. But if they mean I should be looking at how the circumstances and the environment have shifted, I am doing that. I have asked the Commissioner of Police to carry out an analysis of the workforce in terms of the current environment and the likely irreversible demographic shift. It is very likely that, as a consequence of changing demographics and the changing expectations of people entering the workforce, the vast majority of people will not work in one career for 20 years or more, like they used to.

I regularly go to police graduations, where I witness good morale—exceptional morale—in the Western Australia Police Force. I am still waiting for the shadow Minister for Police to stand up at one of those functions and berate the people who are joining the police force over their bad, plummeting morale. It is not true. The Western Australia Police Force is the best in the country and, I think, one of the best on the planet, and I say that regularly for a reason. We are very, very fortunate in Western Australia to be the beneficiaries of service from a police force that is exceptional. Our police officers are exceptional; they are high quality, but they do a tough job. That is undeniable.

The member for Vasse referred to the results of a census of the public sector workforce and berated and chastised me for the low number of police officers who responded to the census who would recommend their workforce to other people. I can only respond with one question for the member for Vasse: what was the response under her government? I know the answer to that question; there was no census under her government because the previous government was not game enough to conduct a census. This is the very first one. The Public Sector Commissioner initiated it as a first response, because no other government had done it. If we compare the responses to that question by police officers in this state with those of other jurisdictions in which similar censuses have been carried out for a while, the results are commensurate. They are probably actually better, but they do not recommend that career to everybody. That is not exceptional or beyond understanding; it is a tough gig. One would not recommend being a police officer to just anybody; that is why we have such high quality people doing that job. Having said that, it is a good thing that we have so many people who want to do it.

I know it somehow triggers the opposition that the state government’s campaign to attract experienced police officers from the UK, Ireland, New Zealand and interstate has been so successful; I know the opposition does not like that. If morale was so bad and plummeting in the Western Australia Police Force, do members opposite not think that someone contemplating coming here to join the police might interrogate that issue a little? Do members opposite not think that they might reach out and seek advice from people who had been in a similar position and had already trodden that path? Do they not think that they might have found it was not something that they would want to do—to join a police force with low morale? I think the evidence suggests that morale is not plummeting, because officers from the UK, Ireland, New Zealand and interstate are rushing to join the Western Australia Police Force. There has been an update on those numbers since the last time the opposition received them from me: as of 6 February, there had been 1 654 applications from overseas officers to join our police force. We need to bear in mind that there are only around 7 000 police officers in the Western Australia Police Force; members opposite should contemplate that little fact, then add to it the fact that there have been well over 2 000 local applicants. We have only around 7 000 officers in the Western Australia Police Force, and we have more than 3 000 applications to join.

In my capacity as Minister for Defence Industry I regularly speak to the chiefs of the Army and Navy—I have not cracked the Air Force yet, but I will have to get hold of that bloke some time—the chief of the Defence Force and the federal Minister for Defence, Minister for Defence Industry and Minister for Veterans' Affairs. I can tell members that they are green with envy over the success of our recruiting campaign. They would give anything for the sorts of numbers we are attracting, bearing in mind that they are looking for very similar cohorts. They are trying to attract a group of people to put on a uniform, sacrifice self-interest in the service of others, be away from family and friends and sacrifice time with them, confront danger and put themselves in harm's way on behalf of their colleagues and the community. They are after the same sort of people, but they cannot attract these sorts of numbers. Their recruiting campaigns are abysmal in comparison with ours. I am pretty sure that our campaign is the most successful of any of the police jurisdictions, but it is absolutely outstanding in comparison with similar campaigns to attract people to the ADF.

We would not attract people to an organisation that has terrible morale. We would not attract people to an organisation that has a poor reputation. It is disgraceful for members opposite to come in here and make pitiful attempts to criticise. I do not mind if they criticise me; that is pretty much par for the course—and, by the way, their criticisms are pretty amateurish in comparison with those of some of the outlandish individuals the member for Roe has associated himself with in criticising the Firearms Act. There are some interesting people out there, and they are engaging in all manner of criticism of me. That is fine. I know that none of the members opposite has served, but when they criticise the morale of a uniformed service, they are also attacking the leadership—not just at the top, but also all the way down, because the people with the most immediate impact on the morale of a uniformed service unit are the leaders who are right at the coalface—the sergeants and the senior constables who are out there on the front line. When members opposite say that police morale is terrible and plummeting, those are the people they are criticising. Those are the people whom members opposite are putting down.

It was a pretty low blow from the Leader of the Opposition to have a crack at the Commissioner of Police. He does not get to choose when he gets a pay rise, and she knows that. He does not get to choose what they give him, and he is worth every cent of it, by the way. At a press conference on the day that it was announced, they asked me whether the Commissioner of Police was worth three times Paul Papalia. I said he was worth 10 times! That commissioner is exceptional. He is the best in the country, easily. I see the other commissioners and there are some good people around, but he is quality. For the member to throw in that low blow is very disappointing. I am sorry he did that and I imagine he is regretting having done it. I think our police officers are outstanding. The Leader of the Opposition referred to Operation Regional Shield. Operation Regional Shield is an operation; by definition, it was created and executed by the police force. The police do that. The government provides resources to enable operations. We might ask for a police effect of the Commissioner of Police and his command team. They will execute an operation to deliver the effect. That is what Operation Regional Shield is. It is a means of delivering a police effect. It is not about a number of cops showing up in some location. It was originally in response to acute juvenile offending. Police looked at the challenge—quality people like Assistant Commissioner for Regional Western Australia Darryl Gaunt, an exceptional police officer who is probably one of the most experienced regional officers in the state, if not the country. He brought in Commander Brad Sorrell. They brought together analysts and other specialists and they delivered a police effect. It was initially in the Kimberley and the Pilbara but was subsequently rolled out in other regions where necessary. As the member reflected, it has been very effectively implemented in the eastern goldfields in the goldfields-Esperance police district. The whole intent is to deliver a police effect in response to an acute problem. In this case, the most recent one the member referred to was in Kalgoorlie. Some antisocial behaviour was peaking so the police responded. They were already responding and the member knows there was far more police activity in Kalgoorlie before that as a consequence of operations to smash illegal bikie operations' amateur refining of gold, which poisoned the community and threatened everyone. The member knows there were dozens more police in town than the normal policing effort to achieve that outcome. That was before Operation Regional Shield, which was a response to in this case —

**Mr R.S. Love:** In a parallel universe. I think we were attacked by the Minister for Education for raising that issue and that you are lauding it.

**Mr P. PAPALIA:** Sorry?

**Mr R.S. Love:** We were attacked by the Minister for Education for raising that issue, which you are now lauding.

**Mr P. PAPALIA:** Which issue?

**Mr R.S. Love** interjected.

**Mr P. PAPALIA:** Yes, okay. I get you now. Sorry, I did not understand what the member was saying. The Minister for Education was criticising opposition for scaremongering about the potential contamination, right?

**Mr R.S. Love** interjected.

**Mr P. PAPALIA:** Yes, he was scaremongering. There was a response. The school was provided with all the support, kids were kept away and everything was addressed. My point was that dozens of police were involved in an operation for an extensive period to effect that outcome, quite apart from Operation Regional Shield and quite apart from normal

policing in Kalgoorlie. That is how operations work. Police put resources and capabilities wherever they are required to address a particular matter. In this case, in the most recent one that the member was reflecting upon, it was elevated antisocial behaviour, which as the member suggested, is a regular event every summer. That is why police have the summer response strategy. It is a local initiative involving the council and the very effective mayor they have now—very effective and collaborative, and works well with police and other agencies to ensure there is a response every summer to the challenge of people coming off lands and not having accommodation, hanging around the streets and often engaging in antisocial behaviour. That was a normal summer-type response. It was elevated so the police responded further with Operation Regional Shield. Regional Shield in the eastern goldfields response consisted of regional investigation unit officers, regional operation group officers, Aboriginal Affairs division officers, and officers from the licensing and enforcement division all going to Kalgoorlie to address the challenge associated with that spike in antisocial behaviour. They were really successful. Again, Assistant Commissioner Gaunt and Commander Sorrell were both there. They worked with the local command and insured that that challenge was confronted and dealt with. They did an exceptional job.

The Leader of the Opposition has subsequently come out and claimed that there is somehow a failure of police in addressing antisocial behaviour. That was his response to their exceptional work. The member for Vasse has repeatedly stated that morale is terrible and that there is a problem with the police force that I am not addressing. My question to the Leader of the Opposition and to the member for Vasse is: exactly what is this issue they are talking about? Why are they criticising the police? What are they saying the police are failing at? What exactly is it the police are failing at? The Leader of the Opposition just said that Assistant Commissioner Gaunt and Commander Sorrell have failed to address the problem of crime in Kalgoorlie and to address the problem of crime in Broome. The member for Vasse just said that the commissioner and his command team have completely failed in caring for their officers.

Several members interjected.

**Mr P. PAPALIA:** Members opposite cannot have it both ways! They cannot walk in here and say morale is terrible in the police and not expect me to suggest the people they are criticising are the leadership of the Western Australia Police Force, from the commissioner all the way down to senior constable because they are the ones who are delivering morale. That is how morale works in a uniformed service! It is not some bloody politician in Parliament who gets to decide what morale is like. It is not; I am sorry. I have served in a uniform. I know that the Minister for Defence had very little impact on morale, other than that we all thought Kim Beazley was probably the best one ever. Apart from that, the minister has very little day-to-day impact on morale. The actual impact on morale at unit level is absolutely resident with the leadership provided to that team. At a team level, we are talking senior constables and sergeants. The sergeants in our police force are doing an extraordinary job. They do hard yards. I know a lot of demands are being placed on people. There have been changes in operational practice to ensure we meet the demands of the family and domestic violence rates that so appal the community, that we get out there and tackle the challenges around juvenile crime and reoffending, and that we look at breaking the impact of organised criminals—outlaw motorcycle gangs who live off the pain and misery of others by bringing illicit drugs into this state and distributing them around the state. All those things demand a 24/7 police service. The force has to be with us 24/7. That means we put demands on our officers that we do not put on other public servants, so I am not surprised that other public servants might be more comfortable in their jobs than police officers. I will always absolutely stand up for that our police officers are second to none. They are extraordinary. They have been delivering an incredible service to us. We should be so thankful that, right through COVID, we all benefited. It was not just because of the police, but they delivered their command and control knowledge and capabilities to all of us and we are all benefiting further. They are going on to be recruited everywhere, to set up SHICCs and SHOCs—the state health incident coordination centre and the state health operations centre—and all sorts of things. They are going into the health response because they have that command and control knowledge and they know how to set up operations. They have been recruited into other public sector agencies. They have been recruited into the private sector. There are constantly targeted for a reason—because they are high quality. It is not surprising that they are sought after. I think they are exceptional.

But I will go back to the observation I made. Does the member not think it would be difficult to attract people to a force that was suffering plummeting morale and was poorly led, and somehow had all manner of issues that are not being addressed by the minister—for whatever role I am supposed to have had in all this? Does the member not think that all that would have moved out of the confines of this place, beyond his little group, and confronted people who might be contemplating joining the Western Australia Police Force? Does he not think that would have had an impact by now? I tell members that the Let's Join Forces campaign began two years ago, and it is, as I said, incredibly successful. People are desperate to join our police force.

**Mr R.S. Love:** Why haven't you made the targets?

**Mr P. PAPALIA:** Police officers are rejoining; 923 police officers rejoined the Western Australia Police Force in recent times. There are police officers joining us from the east coast. Police officers from the UK and Ireland are lining up to get the opportunity to join. Right now, 84 of those overseas officers have commenced and 655 are going

through the joining process. There are 400 officers at the academy. We are going to pass 1 000 through the academy this year. I wish I could pass a law to stop them leaving, but that would not be right, because a lot of sectors out there should be benefiting from having those quality people come and join them and lift their performance.

As I said, I suspect that we are now in a different world in which people will not do those long careers that they used to do. The member is right in that I should do something. I should get the police to do a deep analysis of where we are at. We are not going to get to the 950 above attrition this year; we might, but not in the time frame that we hoped. That is because we had that massive impact in 2022. It set us back on our heels. Attrition is diminishing. Recruiting is growing. The numbers of the police force are growing. There are more than 500 officers more today than when members opposite were in government.

### *Division*

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

#### *Ayes (6)*

Ms M. Beard	Mr R.S. Love	Mr P.J. Rundle
Dr D.J. Honey	Ms L. Mettam	Ms M.J. Davies ( <i>Teller</i> )

#### *Noes (46)*

Mr S.N. Aubrey	Ms K.E. Giddens	Mr P. Lilburne	Ms R. Saffioti
Mr G. Baker	Ms E.L. Hamilton	Ms S.F. McGurk	Ms A. Sanderson
Ms L.L. Baker	Ms M.J. Hammat	Mr D.R. Michael	Mrs J.M.C. Stojkovski
Ms H.M. Beazley	Ms J.L. Hanns	Mr K.J.J. Michel	Dr K. Stratton
Dr A.D. Buti	Mr T.J. Healy	Mr S.A. Millman	Mr D.A. Templeman
Mr J.N. Carey	Mr M. Hughes	Mr Y. Mubarakai	Mr P.C. Tinley
Mrs R.M.J. Clarke	Mr W.J. Johnston	Mrs L.M. O'Malley	Ms C.M. Tonkin
Ms C.M. Collins	Mr H.T. Jones	Mr P. Papalia	Mr R.R. Whitby
Mr R.H. Cook	Mr D.J. Kelly	Mr S.J. Price	Ms S.E. Winton
Ms L. Dalton	Ms E.J. Kelsbie	Mr D.T. Punch	Ms C.M. Rowe ( <i>Teller</i> )
Ms D.G. D'Anna	Ms A.E. Kent	Mr J.R. Quigley	
Mr M.J. Folkard	Dr J. Krishnan	Ms M.M. Quirk	

Question thus negated.

### **BILLS**

#### *Returned*

1. Casino (Burswood Island) Agreement Amendment Bill 2023.
2. Corruption, Crime and Misconduct Amendment Bill 2023.

Bills returned from the Council without amendment.

### **PETROLEUM LEGISLATION AMENDMENT BILL 2023** **PETROLEUM AND GEOTHERMAL ENERGY SAFETY LEVIES AMENDMENT BILL 2023**

#### *Second Reading — Cognate Debate*

Resumed from an earlier stage of the sitting.

**MS M.J. DAVIES (Central Wheatbelt)** [3.58 pm]: I have just a few more remarks before I pass to the member for Cottesloe. I was talking about and reflecting on some of the high-level feedback that was received during the consultation period. Obviously, the weight on the industry side was “Hurry up, let’s get on with it”, and then the Environmental Defenders Office, the Conservation Council of Western Australia and the Lock the Gate alliance, as I think we could characterise it, all have serious reservations about the methodology. In fact, Lock the Gate states that carbon capture and storage is used to justify increased fossil fuel production, and that although CCS should be regulated, especially in terms of long-term liability for environmental impacts, it should not be supported by the government or enabled through regulatory amendments as a key decarbonisation strategy or used to support or enable the further expansion of fossil fuel mining in Western Australia. As I have articulated earlier, the alliance opposition has a view that this is one of the tools in the toolbox for us as a state and a nation to meet our decarbonisation requirements and commitments. Those comments from the EDO, the Conservation Council and Lock the Gate do not align with the views that we hold within our parties.

Given some of the challenges we have had with consultation with previous legislation, I suppose that we should note that consultation has been undertaken. There was some reasonably technical feedback in addition to that high-level summary that has been outlined from those involved in the industry, and I suspect prospective companies that will take advantage when acreage is released, and those with their own projects. I guess that we are not in completely unfamiliar territory, given that there is a project operating at present, but there are going to be a number of moving parts to bring this legislation to life.

In the minister's second reading reply, perhaps he would like to comment on the skilled workforce and resources that the department will require. In the current environment, these workers are difficult to source, particularly in an emerging industry. I am interested in how the legislation and strategy outlined by the Premier last year will be delivered, and what conversations are being had with the Ministers for Training and Workforce Development and State and Industry Development, Jobs and Trade to ensure that we have a workforce that can capitalise on the opportunity. I presume that there are some transferable skills already in the petroleum, oil and gas industry, and that the regulatory environment will be the same, but no doubt there will be other new and emerging skills required.

I note that the government stated that it will prioritise the assignment of staff resources and systems development to ensure that there will be an effective and efficient approvals process; those were comments in the consultation paper that were attributed to the department. Maybe the minister can also advise what additional resources have been invested in developing those systems, and those that will be involved in the approvals. Have they poached staff from within other areas of the department, or are there new appointments? I guess I am really trying to ascertain exactly how much faith industry can have in those comments that this government will, in fact, place priority on this legislation and its enactment.

We are on a pathway to net zero by 2050. We need to meet a number of different milestones. As I have said previously, carbon capture and storage is just one tool in the toolbox to assist in the decarbonisation of some of the state's most significant emitters.

As I conclude my remarks, I will perhaps stray a little from the bill, but only briefly; they remain in the ballpark, although transitioning energy system and economy. I would say, sitting alongside this, there is the discussion around renewables and storage and the energy system as we see it as an opportunity for our state and maybe some challenges. I say that my electorate is not a stranger to significant renewable energy projects. I have spoken previously in this place about the fact that we have in our electorate one of the biggest wind farms in the nation, several solar farms and an emerging hydrogen project. At present, when it comes to the transition of the south west interconnected system and incorporating more renewable projects, there are some tensions in the electorate, and I think they will be shared across some of the other prime agricultural producing areas of the state. That is because there is a growing competition for highly productive land in the midwest, the wheatbelt, the great southern and the south west. I would urge the minister and the government not to stick their heads in the sand when it comes to the challenges of this transition. We are talking about potential pipelines—the storage of captured carbon dioxide in aquifers or areas around the state. It will require infrastructure that will traverse private and government property, or crown land. No doubt, there will be an interest in exploration in some areas around the state, and that will bring some challenges where there are private landholdings, as well. I think that clear rules of engagement and a strategy and regulatory system that will prevent a haphazard approach and a crisscrossing of infrastructure across prime agricultural land and private landholdings will be essential.

Likewise, I also note as part of this debate, because it is another tool in the toolbox that some of our major emitters are using, that there is an emerging trend whereby major industry players like Woodside, Inpex Corporation and others pursue tree planting on what is considered—these are not my words but theirs—non-productive land in agricultural areas of our state. That is in addition to the sandalwood estate expansion that is being pursued by the state government. I can assure members that non-productive land is in the eye of the beholder, particularly in the wheatbelt. We have got very good at growing exceptionally large and very productive crops on what I would say is some of the worst soil in the world with very little water. We are masters of dry land farming, and we are rarely recognised for its significant contribution to the state's economy and trade balance sheet. I think that during this energy transition, an emerging discussion is to be had about what exactly will be the impact on populated areas and agricultural land of our state, the ever-increasing competition for that land, how that will interact with the mining and exploration industry, and also how we will deliver this new energy around the state. We are probably a little bit behind in that debate; it is quite fierce in the eastern states. They have less prime agricultural land, so they are fighting over the same postage stamp and have been for some time. But it is coming in Western Australia, and I regularly have conversations with local governments and landowners about how this will progress going further, as everyone, particularly the major emitters in our state, looks to try to offset their emissions so that we can keep the lights on and create projects that will establish and underpin new and existing industry. It is not that we are saying “stop”; we are saying that we need to have a very serious conversation about what this will look like, rather than just rushing hell-bent into some of these projects. In parts of the electorate, there is a history around managed investment schemes. Going back to talk about the tree planting, that has left a very poor taste in many people's mouths. As I say, I think that having a haphazard approach to any of this transition would turn people away from what it ultimately is that we are trying to achieve, which is to reduce our emissions and meet our state, national and international commitments.

I am very happy to say on record that I remain cautious and unconvinced about the merits of purchasing property wholesale to convert to trees. I do not know that it will make a significant amount of difference to what some of the major emitters in our state are trying to abate, and it is certainly a discussion that I am continuing to have with the sector. Perhaps there will be more upside to it than I can see at this point, but at present I think it is being viewed with caution, particularly in parts of my electorate.

I turn back to the bill. I only strayed for a moment, but it was worth having that little conversation, because at the moment, all those discussions are live. I reiterate that from the opposition alliance's perspective, we support the legislation. I look forward to gaining from the minister a better understanding of how the development of regulations and all the framework that comes with the bill will be progressed. I am looking for time lines, because industry is asking for time lines, and how the government envisages this creation of a world-class carbon capture, utilisation and storage industry will be realised.

I want to put on record my thanks to the department for providing briefings, and, as I said at the beginning, for accommodating my absence from the chamber in the last session so that we could continue this debate today. I look forward to consideration in detail.

**DR D.J. HONEY (Cottesloe)** [4.10 pm]: First and foremost, I think these are the minister's first bills.

**Mr D.R. Michael:** These are my first mining bills.

**Dr D.J. HONEY:** These are his first mining bills before the house—congratulations. We in this chamber all know that nothing is more important to the wellbeing of Western Australians than the health of the mining sector. I will say a little bit more about that in a moment.

The purposes of the Petroleum Legislation Amendment Bill 2023 and the Petroleum and Geothermal Energy Safety Levies Amendment Bill 2023 have been outlined, but I reiterate: they intend to amend the Petroleum and Geothermal Energy Resources Act 1967, the Petroleum Pipelines Act 1969 and the Petroleum (Submerged Lands) Act 1982 to provide a framework for the permanent geological storage and transport of greenhouse gases and for the exploration and production of naturally occurring hydrogen as a regulated substance. Of course, they also look at geothermal.

At the outset—I note some fine officers at the back of the chamber—what a wonderful regulatory framework we have in this state; we are blessed with superb regulatory frameworks in the energy sector. Although the former Minister for Energy and I might have had some interesting debates in this chamber, one thing I consistently championed and congratulated the minister for was his continuation of the excellent work done in this state on a regulatory framework for energy. Our regulatory framework for mining is certainly the envy of the world. I think it is fascinating.

I was recently talking to someone from India—a country with vast resources. Any geologically minded members would know that the south east corner of India and the north west coast of Western Australia were once one as one giant land mass. They pulled apart. In large part, India has the mineral reserves that we have, yet virtually none of them are developed or they are developed in a haphazard way. One of the reasons for this is that if someone identifies a prospective mineral deposit in India and says, “Look, I think there are minerals here; I want to develop it into a mine or do more detailed exploration”, the government will then put it out to tender. Why would someone undertake exploration if they had to potentially inform their competitors? Of course, we have a very defined stepwise process. Yes, you have to get approval to explore, but once you do that, you have your foot on that lease. Provided you have met certain conditions, you can go forward. We have an excellent regulatory framework already in this state. As the lead speaker on our side has already indicated, this legislation will continue to improve that regulatory framework in a couple key areas—obviously, geosequestration being one.

As was pointed out, the changes in the bills were outlined in a similar bill in 2013 that was not progressed. Of course, these bills will extend the geosequestration to offshore carbon sequestration projects. The bills will make some minor changes to laws covering geothermal exploration and energy recovery, but the main changes relate to the inclusion of carbon sequestration and related activities. It is really fascinating to see how the carbon sequestration debate has progressed. Even going back a decade, carbon sequestration was seen to be a bit of a fringe suggestion; in fact, it was perhaps put in the basket of libertarian views around energy transition. It was certainly not seen to be a mainstream activity.

The state government did the Collie gas hub project. It might surprise the minister to know that I was on the industry advisory group for the Collie gas hub project under the umbrella of my work for Alcoa. At that stage, Alcoa was not interested in carbon sequestration; it was interested in potentially using some of the carbon dioxide. The proposal was for a pipeline from the Kwinana–Rockingham industrial area to further south, although not really to Collie, for sequestration. Alcoa was interested in using the carbon dioxide to neutralise the caustic in its residue deposits; therefore, rendering them more inert, if you like, in the long term. I got a bit of insight into it. When I looked at the costs involved, I formed the view that it was unlikely to happen. I am still uncertain about the idea of sequestering onshore into new wells—that is, sequestering into hypersaline deep aquifers and the like. The costs are huge, but the sequestration of carbon dioxide into expired gas wells definitely looks like a much more achievable project. Lights can now be seen in the eyes of gas producers. All of a sudden, something that was potentially a closure liability has become a second business opportunity for them. It has been a real revelation. Nevertheless, it is not cheap. I will not repeat the comments of the member for Central Wheatbelt. The fact that it will add significant costs to our industry needs to be considered. If we do this unilaterally, it could harm our economy. Nevertheless, this legislation is important to make that business opportunity a reality.

A good template in this bill is that the government in a sensible and cautious stepwise way is taking on the long-term liability for these sequestered carbon dioxide deposits. The biggest barrier to the secondary use of materials—that is, re-use of what is otherwise mine waste—is the fact that there is no regulatory framework for secondary use of products. Again, I hark back to my old employer. In its residue areas, Alcoa produces a sand material that is perfect and superb for construction. It then produces an alkaline mud that would be the most fabulous soil amendment for the coastal plain, particularly for the deep sandy soils in the wheatbelt. None of that material should be put into a deposit; to do so would create legacy issues in the future with it all concentrated in one place. Unfortunately, we do not have a regulatory framework that allows the passing on, if you like, of liability. I know when Alcoa was looking at a project around the re-use of that material—there were some very successful trials—lawyers in America would not progress it because they did not want to deal with the long-term liability issue. One of the key enablers to sequestration is that sensible stepwise approach, first, to ensure that the state is not willy-nilly taking on onerous liabilities for the future and that it is done in a proper way, and, second, that the state then picks up the liability so proponents can confidently embark on sequestration and their lawyers and risk people will not stop them. That is a very sensible move. I will not go through the steps outlined in the bills. As I have said, they represent a very sensible approach. As I understand it, something like a 20-year period will exist between cessation of injection and the state ultimately picking up long-term liability.

I find the issue of hydrogen and other gases and the roles they play very interesting. With some embarrassment, I remember a few years ago that a geologist from Russia, a lady I knew, told me about natural hydrogen deposits in the ground. I must say that I rather poured cold water on her assertions, and I am very embarrassed to say that she was completely right! I simply had not heard of that. There are hydrogen deposits. That is potentially a cheaper way to get hydrogen. I am interested in the bills. I asked at the briefing—I thank the minister for that; the staff were very good—how we can separate the hydrogen, because all natural gas has some hydrogen in it. What is the line? The gas is extracted now and often it is flared off and burnt. How will we decide that it is the abstraction of a secondary product?

Another thing I want to give a plug to is another secondary product, or “regulated substance”, as the bill describes it, and that is helium. Other than laughing gas, people might not think much of helium, but it is an incredibly important gas, scientifically. When things are done at very low temperatures, because hydrogen is potentially an explosive gas, helium is used instead. It is cooled and becomes a liquid. Boiling off that liquid reduces the temperatures down to near absolute zero. There is a shortage of helium in the world. Pretty much the only source of helium is natural gas because it is a by-product of natural gas. I do not know what percentage of helium we capture, but once it has gone it is gone. Getting it from the atmosphere is prohibitively difficult and expensive. I know that this is not the purpose of the bill and I do not expect the minister to respond, but I think that he should have in the back of his mind whether we are wasting helium because, as I said, once it has gone, it has gone. For the future of humanity, helium will be important for science and for use on an industrial scale. That is a really important gas when we need to cool things to near absolute zero, which is -273.15 degrees Celsius. I would not expect members to think much about it, but it is very important. This bill will make sure that we do not lose sight of that.

Another area I am interested in is the storage of hydrogen. I can see in the bill that hydrogen is a regulated substance. Going through this bill in consideration in detail is a daunting prospect. I am sure that the minister will have spent many sleepless weeks poring through it to be on top of the detail. I cannot quote the section of the bill, but one part says that people cannot reinject a regulated substance. One of the big issues with renewable energy is the ability to provide a long-term backup when the sun does not shine and the wind does not blow. Batteries are important. I do not want to have a debate on energy or the energy transition. However, the truth is that although batteries are important, they do not give us long-term storage. At the moment, the only solution we have is to burn natural gas to generate electricity when we do not have wind and sunshine for extended periods. One of the potential solutions to that problem is to produce hydrogen when there is excess energy. Again, most renewable energy generation capacity is unused because we need multiple redundancies, but we can only use what is used at the time. If we have a four-gigawatt requirement in the SWIS, we probably need about 25 gigawatts of generation capacity and battery storage to provide something approaching stable power. We could produce and store hydrogen. The volume of hydrogen that we would need to store is large. If we could sequester hydrogen into natural gas deposits or suitable formations, that would provide the scale of energy storage that we will need to backup the power system. If we could store hydrogen at scale, we would have a secure and safe energy supply in the future based on renewables. I do not know whether the bill will ban that per se. Nevertheless, the ability to sequester hydrogen is important.

The key question is: do the petroleum industry and the potential carbon sequestration businesses support the bill? Yes, there is very broad support, as was pointed out in some detail by the shadow in this area. A couple of issues were raised but nothing that is fatal and that we will oppose. Do we align with existing federal legislation? The bill was specifically designed to ensure similar provisions to the existing federal laws to avoid confusion between jurisdictions. The bill certainly ensures clarity for project proponents and also, importantly, protects the interests of the state.

I want to cover geothermal energy in particular. The bill deals with geothermal energy. In fact, that was dealt with previously. There have been changes to that. Perhaps I will make a pitch for this, because I am concerned about what has not happened with geothermal energy in the state. When people think of geothermal energy, they typically



think of something associated with a volcanic type of activity. They think of New Zealand's geysers coming up out of ground or of Yellowstone National Park where a hot magma body is not far under the surface that heats everything up and drives production.

**Mr D.R. Michael:** I am always concerned when there are geezers coming out of the ground.

**Dr D.J. HONEY:** There are geezers coming out of the beach down at Cottesloe.

Geothermal energy gets hotter the deeper it is into Earth's crust. It does not get hotter because it is closer to the centre; it is because of the nuclear energy. Primarily, it is the natural breakdown of radionuclides in the rocks that produce the heat that is trapped by the blanket of soil and rock above it.

[Member's time extended.]

**Dr D.J. HONEY:** Some members know that we get low-grade geothermal heat for swimming pools in Perth. For example, the Claremont swimming pool, which is where I go when the shark net is not up, has a geothermal system. That system goes down only a couple of kilometres. Effectively, hot groundwater is extracted. The water is pumped up and heat is extracted through heat exchanges and it is pumped back into a shallower, cooler aquifer so that there is no thermal mixing. Some six kilometres or so underground gets to very high temperatures of 400, 500 or more degrees Celsius. Many people do not think of Western Australia, and particularly the southern part of Western Australia, as being prospective for geothermal energy. However, the devil is always in the detail. Typically, geothermal energy is associated with hot rocks. They are granite rocks and similar types of rocks that have a high radionuclide content and are hotter. They are close to the surface and there is not as far down to drill to get to them. However, drilling through granite is quite hard—literally—and it is expensive. The harder the rock, the more expensive it is. The whole south west of the state is, effectively, layered sandstone and is a very easy material to drill through. Although the drilling must be deeper in the south west of the state compared with parts of South Australia or the Northern Territory to get to the temperatures we want to get to, it is a lot easier to drill to those depths. The beauty of geothermal energy is that on a human scale it is effectively inexhaustible. By the time those processes that generate the heat are gone, humans are likely to be gone from the surface of the Earth. I hasten to add that will be a long time! The beauty is that it is effectively an inexhaustible supply of energy.

Good Water Energy made numerous attempts to try to get approval to drill in Western Australia but it could not. It seemed to be frustrated at every turn. I will not repeat the discussions I have heard because I appreciate that there are always two sides to a debate, but that company has gone to the Northern Territory and is currently going through the process of drilling a well there to prove its technology. Its technology has an intrinsic advantage because it is single-well technology in which only one well is drilled instead of two, which is the normal approach for geothermal drilling. They were frustrated at every turn.

I am interested in the detail of the Petroleum Legislation Amendment Bill. There seem to be two approaches to geothermal exploration. Amended section 32A will allow the minister to, effectively, allocate a block for geothermal exploration, but section 33 involves a bidding process. The concern of Good Water Energy and other people who are interested in geothermal exploration, is that existing petroleum producers will always outbid a startup that is trying to develop a geothermal process. If we have a bidding process for a block, the existing petroleum producers could always outbid a geothermal proponent because no large-scale geothermal proponent has deep pockets. If a petroleum producer says, "No, we are interested in this too", and renews that lease for a couple of terms, the geothermal producers will have gone broke and gone away. I am interested to understand the process a geothermal proponent will go through and whether they can be outbid as a usual occurrence when trying to get a footprint on a lease. Perhaps the minister's folk could advise me of that.

Australian Energy Producers raised some concern around proposed section 62(6), which limits greenhouse gas injection to a single-block area. I know that the minister would be aware of this. Its concern was that when injecting geological formations, the producer does the best it can, but these things are kilometres underground and cannot actually be seen. One does not know whether the material is going off their lease area. I understand the feedback from government was that it recognises this is an issue, but it does not see it as a major roadblock or a risk to producers. Perhaps the minister could outline that in more detail. I am not seeking to cause any fuss over it. I think that this bill has been developed with very good intent and, as has been indicated, we are a strong supporter of the bill going through.

Overall, and as I have said, it is a complex bill. Nevertheless, it is a good bill, which is a continuation of the excellent, might I say, bipartisan regulatory framework that has been developed around mining. I congratulate the government for bringing this on. We will obviously go through consideration in detail, but we will be looking for a speedy progression of the Petroleum Legislation Amendment Bill 2023 through the Parliament.

**MR D.R. MICHAEL (Balcatta — Minister for Mines and Petroleum)** [4.33 pm] — in reply: I am pleased to conclude the debate on the Petroleum Legislation Amendment Bill 2023 and Petroleum and Geothermal Energy Safety Levies Amendment Bill 2023, noting that I was not the minister who brought it into this house. He has just made a brief appearance, but I congratulate the member for Cannington —

**Dr D.J. Honey:** Take all the credit because you will take all the blame.

**Mr D.R. MICHAEL:** Absolutely. I know that a large part of the bill came from the former government's work as well, so I thank those involved at the time.

**Ms R. Saffioti:** This is all very friendly.

**Mr D.R. MICHAEL:** It is very friendly. I am very friendly, minister.

I thank members for their contributions. I might go through a few of them. A couple of weeks ago we heard from the members for South Perth and Swan Hills, who were both pretty passionate in their speeches. The member for South Perth talked on the bill but also some of the challenges we have in the electrification of the south west interconnected system, the energy requirements we will need, and the uptake of electric vehicles and those types of things and how this bill will relate to that. The member for Swan Hills is very much an expert on these issues and anything to do with energy. They both made excellent contributions.

Today, the member for Central Wheatbelt, as the shadow Minister for Mines and Petroleum and the lead speaker for the alliance, spoke about the importance of gas as a transition fuel that will help the globe, especially some of our major trading partners, in their transition away from coal as well, something for which all three parties in this place have a similar policy, noting the other views in the community. She talked about her past involvement in the process of carbon capture and storage and some of the challenges faced by Chevron. I, too, have been briefed by Chevron over multiple years in a row. It seems to be getting there, which is great, and it will hopefully be able to showcase that project to the world, given its planned size. It is, obviously, critical for the emissions reduction strategy that we look at these things and the opportunity that, as I said, arises with some of the major trading partners like Japan and South Korea that are looking for those kinds of things.

I have some answers to a few good questions. I have tried to pick up as much as I can from both members on the other side. If I have missed something, can we please deal with it when we are sitting around the table. In no particular order, I will start with the South West Hub carbon capture and storage project, which I think both members spoke on. This was an initiative to address greenhouse gas emissions in WA by establishing the feasibility of storing industrially generated CO<sub>2</sub> deep underground in the Lesueur formation. Between 2011 and 2015, the hub collected data and core samples through seismic surveys and four stratigraphic wells north west of the Harvey town site. Three of the wells have since been decommissioned but one remains for ongoing research. The research work is currently being undertaken by CSIRO and Curtin University and is internationally recognised. That project has supported the recognition of Western Australia as a research centre for carbon capture and storage.

I think the member questioned why we landed on 15 years as the time frame for liability for the state. That comes from the 2013 bill, but it also matches the commonwealth legislation. It is important to know that 15 years is the minimum time frame. It has been explained to me that if a proponent were to come to us after 15 years and one day, and say that they wanted to really push their liability, the state has to decide. The liability time frame can be longer if we think it needs to be longer to protect the state's interests.

I agree with the member in terms of the skilled workforce. I have been told that this process is very similar in a lot of ways to the petroleum industry and it uses the same location, so many of the skills will be transferrable, but we will continue to look at that with the Minister for Training and Workforce Development and decide whether we need to offer bespoke training to Western Australians. The member briefly mentioned the approvals process. She would be well aware that the Premier made announcements in late December about the approvals processes. The Premier, as Minister for State and Industry Development, Jobs and Trade, the Minister for Environment and I continue to work on these things and we hope to update the community later this year on our progress with those initiatives.

In terms of adequate resourcing for the department, many of the skills required to successfully implement the CCS framework already exist within the department and include technical engineers, geoscientists, well-integrity engineers and environmental scientists. These are very smart people who have already assisted in the development of this bill and its subsequent regulations. Implementing a new regulatory framework will require additional resourcing as part of its commencement and we will consider those requests from the department once the regulations are in and the system is up and running. We look forward to WA being a world leader in this new technology and the department will obviously be a large part of that.

We covered a few property rights, even when the member veered off track a little. I am not going to get into that issue, but, more generally on property rights, the current regime in the petroleum and geothermal area has been replicated for greenhouse gas storage. These provisions are considered fit for purpose given the expectation that land access arrangements between operators and landholders are negotiated fairly and equitably.

I am aware of challenges that occurred prior to 2015; however, I acknowledge the good work that was done through the land access round table working group in WA that was chaired by Hon Hendy Cowan. The group developed policies and guidelines to ensure fair and sustainable access to land. I understand, through the department, that those arrangements are still in place today and are working well.

In answer to questions about the timing of the bill, in my short time in this role, a few people in industry have said to me that they thought the bill had gone through Parliament under the former government. It got so far, and a few people said, "Oh, did it not happen?". As the opposition well knows, it came to Parliament. Why has it taken so

long? The amendments within this bill were originally contained within three separate bespoke bills. I am sure everyone knows that because that was consulted on. One was to introduce a framework for naturally occurring hydrogen; one was for greenhouse gas storage and transport; and one was for electronic transactions.

The amendments have been amalgamated to enable a response to several emerging industries simultaneously—namely, naturally occurring hydrogen and greenhouse gas storage and transport. Many of the provisions relating to greenhouse gas follow the existing petroleum legislative regime. That approach allows for the existing suite of petroleum regulations for each act to be amended to include greenhouse gas provisions due to the similarity of operations. If the greenhouse gas regime was introduced via a standalone framework, it would have to replicate most of the content of the current petroleum acts, which would mean an enormous amount of drafting and duplication.

The greenhouse gas aspects were based on the 2013 bill, which would have amended the Petroleum and Geothermal Energy Resources Act 1967 and the Petroleum Pipelines Act 1969. The Petroleum Legislation Amendment Bill 2023 will expand the amendments to the state's offshore legislation, the Petroleum (Submerged Lands) Act 1967. Following consultation, many stakeholder submissions were considered by the department—some of which the member went through—including policy considerations that were not raised in 2013 on the greenhouse gas storage and transport aspects. Most of this happened from April last year until the bill's introduction to Parliament in November. It is a complex bill with many clauses. Parts of it were from 2013, but, as members would know, we cannot bring in a bill that has sat around for 10 years. That is why we must go through the process again.

Due to the complexities of the bill, the Parliamentary Counsel's Office recommended administrative and minor amendments following its introduction to ensure the proper working of the bill. These were identified due to the complexity and scale of the amendments—namely, amending the three petroleum acts as well as making amendments across multiple divisions. It is a product of amalgamating three separate bills into one. Although there are numerous amendments, some are duplicative and repeated across three acts and represent a small proportion of what is a very complex and lengthy bill. The number of amendments is not ideal; however, it is important that we get it right.

The member asked about the timing of the regulations. I agree: the sooner we can get the bills through both houses and the regulations done, the better. I am keen to see the framework implemented. I cannot give the member a detailed time line, but I understand the need to get it done. I understand the department has already commenced initial engagement with industry, which is keen to be involved and have input into the development. Industry and our very important peak bodies, the Association of Mining and Exploration Companies and the Chamber of Minerals and Energy, have mentioned to me that they would like to be part of an implementation co-design group. I think the department's intention is to bring them together with some industry participants. I think there is an international expert group that might come in for the very technical regulations that are needed. As soon as we can get the bill through both houses, the sooner we can get going on that. I will make sure we do it as quickly as we are able to.

The member for Cottesloe is obviously very knowledgeable about this, as is the member for Central Wheatbelt.

**Ms M.J. Davies:** I think we can agree that he has some industry experience!

**Mr D.R. MICHAEL:** He knows a few things! What is the temperature in kelvin again?

**Dr D.J. Honey:** It is that 273.15 kelvin is zero degrees.

**Mr D.R. MICHAEL:** I remember numbers pretty well, but that is ridiculous!

The member mentioned the excellent regulatory framework. I agree; it is something that has struck me since taking on this job. Multiple diplomats from other countries have approached me. Their mineral and resources industries are in a fledgling state, and they ask how we accomplished what we have here. I know that it is something the department will assist with to support our important international relationships. I think it is important from an Australian national security point of view, but also the right thing to do when they look at us and say, "You've done things the right way. How do we do it?"

The member mentioned natural hydrogen, which is an important part of the bill. We think we may have a bit of it under the ground here. It does not need a plant or anything; we can just dig it out of the ground, which would be great. He also mentioned helium, which is not part of the bill. I know we probably have reasonable helium reserves, and, as he said, helium and hydrogen come with other products as well. Several basins are pretty prospective. I think, from my briefings, that a lot of them sit under one of our deserts; however, new technology and new ways of doing things means that it could be economical—there is a worldwide shortage of helium. In the last week I think there have been discussions on mining news sites about helium in Western Australia, which I do not think there has been much of in the past.

The member had concerns about the bidding process for geothermal. I was told that the dedicated annual acreage release for geothermal will be driven by nomination processes from industry. If he needs to get into it later, we are happy to —

**Dr D.J. Honey:** By interjection, can I ask a question? Is geothermal somehow different? Do we go through the normal process of saying, "I want to do this", and go to the minister, and the minister looks at it and says, "Yes, I think that's reasonable", or if there are several proponents, decides and you can go through it, or does it cascade down to a bidding process, in which the deepest pocket can push people out? That was really my question there.

**Mr D.R. MICHAEL:** When we get into consideration in detail, we will get a proper answer for the member on that particular clause.

This bill is one of many actions the Cook Labor government is taking to support industry as it transitions to net zero by 2050. The Intergovernmental Panel on Climate Change has said that we cannot get to net zero without CCS. The bill provides the legislative certainty to encourage greenhouse gas storage projects and the development of the greenhouse gas storage industry. The bill demonstrates our commitment to utilising technology to address environmental challenges effectively. This bill allows WA to play a role in using CCUS to decarbonise industry.

The greenhouse gas storage and transport framework is pivotal in reducing carbon emissions and mitigating the impacts of climate change. These amendments are important for our state's future and will provide the resources and industrial sectors with opportunities to decarbonise. Without robust initiatives, Australia's efforts to combat climate change will be significantly hindered. Therefore, it is imperative to recognise the vital role that greenhouse gas storage and transport plays in our economy and our collective efforts towards a sustainable future—albeit, as the member said, it is not a silver bullet.

These bills will enable the exploration and production of naturally occurring hydrogen and address operational amendments relating to insertion of polluter-pays provisions, royalty metering, underground storage of petroleum and blending of additives in pipelines.

I thank all members for their contributions, and the support from the Liberal and National alliance, and I look forward to a further discussion on the bill during our process of consideration in detail.

Question put and passed.

Bill (Petroleum Legislation Amendment Bill 2023) read a second time.

### **PETROLEUM LEGISLATION AMENDMENT BILL 2023**

#### *Consideration in Detail*

#### **Clause 1: Short title —**

**Ms M.J. DAVIES:** Just briefly—I am not sure there is anywhere else I can put this—the minister spoke about the amendments in his reply to our contributions to the second reading debate. This is just to clarify that the amendments did not come from industry or any business feedback. Were the amendments shared prior to them being circulated to us? Has industry seen them? When was industry made aware of them?

**Mr D.R. MICHAEL:** The amendments were requested by the Parliamentary Counsel's Office. I am told that they have not been shared, other than on the notice paper, mainly because they are very minor and of a technical nature.

**Dr D.J. HONEY:** Again, I do not know where this question fits so I will ask it here and seek the minister's indulgence. The Petroleum Legislation Amendment Bill 2023 obviously deals with geosequestration and geothermal resources. A proponent for geothermal has suggested that a single well that is used for geothermal could also be used for geosequestration at the same time. I wonder whether this legislation anticipates the concurrent use of a well for both geothermal resources and geosequestration of carbon dioxide?

**Mr D.R. MICHAEL:** No, it does not contemplate that at this stage.

**Dr D.J. HONEY:** If a proponent has to do that, although it might be the same well, they would have to make a separate application: one for a geothermal permit and a second for a geosequestration permit. I do not want to draw this out, so perhaps to save time, could a geothermal lease and a geosequestration lease be concurrent, because that would be required?

**Mr D.R. MICHAEL:** They would have to have two titles, but they could overlap.

**Ms M.J. DAVIES:** Again, I ask for a bit of indulgence; I suspect I know the answer. Will the introduction of this legislation result in any impact on the interplay between Chevron, what is happening under the state agreement and this new regulatory framework, or will they carry on business as usual?

**Mr D.R. MICHAEL:** They will continue as they do now, under the state agreement.

#### **Clause put and passed.**

#### **Clause 2: Commencement —**

**Ms M.J. DAVIES:** The minister touched on this in his response to the second reading debate when he reflected on the development of the regulations. He said that the industry has indicated a desire to have a working group for the regulations. Is there any indication of timing in terms of when we might see that commencing?

It is a bit of a how-long-is-a-piece-of-string question, but what time frames will be set so that we can continue to progress this, given that there has been some urgency? Albeit that the minister said most people thought it had already been introduced, which I find remarkable, 10 years down the track!

**Mr D.R. MICHAEL:** The department has talked with and will continue to talk with industry while the bill goes through both houses of Parliament. It is intended, as soon as we have assent for the legislation, that the co-design group will come together and the department will get going on it. Hopefully that will be within a month or two, depending on the other place.

**Clause put and passed.**

**Clause 3 put and passed.**

**Clause 4: Section 5 amended —**

**Dr D.J. HONEY:** This is perhaps a straightforward one for the minister. I refer to proposed section 5(1)(g), near the top of page 8, which makes provision for the rehabilitation of land or waters affected by an operation. I am wondering what the term “rehabilitation” means. I do not need an exhaustive definition; just what is contemplated in terms of rehabilitation.

**Mr D.R. MICHAEL:** I am told that it generally means the return of the land to a safe, stable and non-polluting condition.

**Clause put and passed.**

**Clauses 5 to 12 put and passed.**

**Clause 13: Section 38 replaced —**

**Dr D.J. HONEY:** I refer to proposed section 38(4), which makes reference to a geothermal exploration permit. Does the geothermal exploration permit include the right to drill, or is a separate permit required to initiate drilling for a geothermal resource?

**Mr D.R. MICHAEL:** It does. I think the clause the member referred to just refers to not being able to do that outside of the permit area.

**Clause put and passed.**

**Clauses 14 and 15 put and passed.**

**Clause 16: Section 43D amended —**

**Dr D.J. HONEY:** I did not recognise it, but I am sure it is elsewhere in the bill. On page 17 of the bill there is a note in small type for proposed section 43D(3), which states, “The holder of the geothermal drilling reservation” and so on. It refers to a geothermal access authority. I just wonder what a geothermal access authority is in the bill.

**Mr D.R. MICHAEL:** It will replicate what happens in petroleum. It will allow some activities outside the permit area to help with activities inside the area. I am told that it is like a seismic line.

**Dr D.J. HONEY:** I do not want to be repetitive, but the bill refers later to a petroleum access authority. What will be the form of that authority? I am not saying it is not in the bill; it is just that I have not seen it. I think I have a reasonable understanding of how the whole lease system works. The bill goes through all the steps. I was just intrigued. Clause 24 has a similar caveat, or at least a similar explanation, in which a petroleum access authority is mentioned. I do not want to be repetitive. I am sure it is in the bill, but I just want to understand what the nature of that authority will be and how it will be granted.

**Mr D.R. MICHAEL:** It is in section 106 of the Petroleum and Geothermal Energy Resources Act 1967. It already exists and operates at the moment.

**Dr D.J. Honey:** Is it an existing thing?

**Mr D.R. MICHAEL:** It is.

**Clause put and passed.**

**Clauses 17 to 30 put and passed.**

**Clause 31: Section 61 amended —**

**Dr D.J. HONEY:** I am interested in the reference to an original licence. As I understand it, because of the amendments, it must include “an approval corresponding as nearly as may be to the previously granted approval”. I just wonder about the sorts of conditions that would be included in that approval or an example of the transition of conditions.

**Mr D.R. MICHAEL:** This provides that a petroleum production licence covering two or more blocks may be divided into two or more licences. Proposed section 61(5)(c) provides that if the original licence included an approval for additional rights for a regulated substance, any new licence granted via this provision must also include that approval. This provision ensures a continuation of rights obtained for a regulated substance and avoids the need to reobtain approval.

**Clause put and passed.**

**Clause 32 put and passed.**

**Clause 33: Section 67 amended —**

**Dr D.J. HONEY:** We have to do it properly, so I appreciate the minister's rigour.

Proposed section 67(2) states —

The regulations may provide for the grant to a petroleum title holder of an authorisation to inject petroleum into a natural underground reservoir.

I think I understand why, but under what circumstances would that occur? Perhaps I am taking a liberty here. Proposed section 67(4) states —

A person must not inject a regulated substance into a natural underground reservoir.

As I pointed out before, if we were to use hydrogen as the fuel to underpin energy security in the electricity network and not natural gas as we do now, we would need to store vast quantities of hydrogen. I wonder whether proposed section 67(4) precludes storage of hydrogen in underground reservoirs for the purpose of subsequently generating energy from that hydrogen.

**Mr D.R. MICHAEL:** This bill only deals with naturally occurring hydrogen. It is too early to determine what the appropriate framework might be for other options for the future. It is something that we will have to consider in the future.

**Dr D.J. HONEY:** Just to be clear, if I am making hydrogen in off-peak times and want to store it somewhere, and I have a depleted gas well in the Perth basin that is ideal for storing hydrogen, will proposed subsection (4) mean that I will not be able to store hydrogen in an underground reservoir? Will that provision prevent me from doing that, recognising that hydrogen, as I understand it, is a regulated substance?

**Mr D.R. MICHAEL:** That is correct. The storage of hydrogen made from the plant cannot be stored under this legislation. It is something to be considered at a future time. We need to have a look at the regulatory way we would do that.

**Dr D.J. HONEY:** The minister can guess my theme here because I was explicit in my contribution to the second reading debate. I appreciate that this bill was generated some time ago and that things have moved on but I would strongly encourage the member, as a new minister in this area, to consider it. There are people who are vastly more learned than me in this. I am only an amateur but my understanding is that people are seriously contemplating using underground storage for hydrogen. There are limits to above-ground storage vessels. It is potentially a low-cost option, which would be a real facilitator. I appreciate where the minister is. I am not trying to criticise him or the government for that but I think it is a matter of some importance that the government should perhaps consider looking at that as a facilitator. As I said, I am an amateur. I am sure there are industry people who could inform the minister whether they think that is important or a flight of fancy on my part.

**Mr D.R. MICHAEL:** Thank you, member. That is a fair point, I suppose. There is some interplay with the Dangerous Goods Safety Act, which I am sure the member knows. Once we have done the regulations for this and should I be in this job into the future, it might be something we look at down the track.

**Clause put and passed.**

**Clause 34: Section 70 amended —**

**Mr D.R. MICHAEL:** I move —

Page 28, after line 10 — To insert —

(2) Delete section 70(3)(c) and insert:

(c) an authorisation referred to in section 67(2); and

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 35 to 38 put and passed.**

**Clause 39: Part III Division 4A inserted —**

**Mr D.R. MICHAEL:** I move —

Page 33, after line 8 — To insert —

**86AA. Term used: registered holder**

In this Division —

*registered holder*, in relation to a title referred to in section 86A(2)(g), (n) or (o), means the person who holds the title.

Note for this definition:

In relation to the other titles referred to in section 86A(2), see the definition of *registered holder* in section 5(1).

**Ms M.J. DAVIES:** I have some questions about the clause so perhaps the minister could explain what the amendment seeks to achieve.

**Mr D.R. MICHAEL:** This amendment revises proposed sections 86A(3) and (4) and 86B(1) and (2) so that they refer to the holders of all the various types of titles, authorities, permits et cetera listed in 86A(2). A clause-specific definition of the term “registered holder” that has been included at division 4A as the definition of “registered holder” in current section 5(1) does not cover the titles referred to in proposed section 86A(2)(g), (n) and (o). This amendment ensures that administratively, the proposed polluter-pays principle applies to all current title holders.

#### **Amendment put and passed.**

**Ms M.J. DAVIES:** This was the first time I saw the polluter-pays principle in the bill so I want to spend a little bit of time on this. I understand it has been adapted from the Offshore Petroleum and Greenhouse Gas Storage Act, which is the commonwealth legislation, so it is something that industry would be familiar with. Essentially, it requires that in the event that there is an escape, the registered holders are responsible for eliminating, controlling and cleaning up any of that escaped substance, as well as remediating and monitoring the environment. The explanatory memorandum states that it will mitigate the state’s exposure to environmental liability. How does the state ensure that the registered holder for the title has the financial means to cover that escape and impact? The concept of an impact and the cost of an impact are a bit like “How long is a piece of string?” when it comes to remediation of these types of events. How does the government ensure that the state and the taxpayer are not exposed? If, essentially, the company ceases to exist or is no longer around because of the financial responsibilities, ultimately, I would imagine that the taxpayer does become responsible. I am trying to understand what protections are in place.

**Mr D.R. MICHAEL:** This amendment will provide an ability for the state to undertake actions if the minister considers, on reasonable grounds, that the registered holder has failed to meet its duties in relation to the escape of petroleum. Importantly, the amendment specifies that any costs incurred by the state in addressing an escape of petroleum or a regulated substance are costs that are due to the Crown by the registered holder. The amendment will ensure that the state does not take on the financial burden caused by or originating from a registered holder and will ensure that registered holders are financially responsible for making good any escape of petroleum. We will work alongside existing financial assurance provisions contained within the existing petroleum framework. I am told they are things like insurance they are required to have and, from the department’s point of view, continued diligent regulations so that monitoring and enforcement is timely and those kinds of things.

#### **Clause, as amended, put and passed.**

#### **Clauses 40 to 43 put and passed.**

#### **Clause 44: Section 91C inserted —**

**Mr D.R. MICHAEL —** by leave: I move —

Page 37, after line 19 — To insert —

*renewed*, in the case of a petroleum drilling reservation, means extended.

Page 37, line 20 to page 38, line 5 — To delete the lines and substitute —

- (2) Subsections (3) and (3A) apply if, on its grant, a petroleum title includes an approval for the purposes of section 38(3)(a), 43D(1B)(a), 48C(1B)(a), 62(3)(a), 105(4AA)(a) or 106(5AA)(a).
- (3) If the petroleum title is renewed, the approval must be included in the petroleum title as renewed.
- (3A) The conditions which the Minister may impose on the petroleum title on its grant or renewal include conditions for purposes related to the approval or to anything that is authorised by virtue of the approval.

Page 38, lines 16 to 20 — To delete the lines and substitute —

- (6) If the petroleum title is renewed —
  - (a) the approval applies in relation to the petroleum title as renewed; and
  - (b) the conditions which the Minister may impose on the petroleum title on its renewal include conditions for purposes related to the approval or to anything that is authorised by virtue of the approval.
- (6A) The approval applies in relation to the petroleum title, or to the petroleum title as renewed, despite any change in the registered holder.

**Ms M.J. DAVIES:** Perhaps the minister could explain the amendments.

**Mr D.R. MICHAEL:** The first amendment clarifies the intent that if a drilling reservation includes an approval for regulated substances, the approval would automatically be included in the renewal of the drilling reservation. The second amendment clarifies the intent that if a title includes an approval for regulated substances, the approval would automatically be included in the renewal of the title. The third amendment clarifies the intent that if a title has a separate approval for regulated substances, the approval would automatically apply to the renewed title.

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 45 and 46 put and passed.**

**Clause 47: Section 105 amended —**

**Dr D.J. HONEY:** I think this is just a simple one. On page 39, at proposed section 105(2)(ca), I assume that the petroleum special prospecting authority falls into the category of “others”; I just was not sure what that was.

**Mr D.R. MICHAEL:** This clause will amend section 105 to establish that an application for a special prospecting authority may also include an application for additional rights for a regulated substance that the minister is able to grant. This will provide that a special prospecting authority will be permitted to be used for a regulated substance in situations in which the holder has applied for additional rights for a regulated substance and the minister has granted the additional rights by instrument in writing.

**Dr D.J. HONEY:** Where does that “petroleum special prospecting authority” derive from? I assume that is in the existing legislation?

**Mr D.R. MICHAEL:** That is correct; it is in section 105 of the existing legislation.

**Clause put and passed.**

**Clauses 48 to 59 put and passed.**

**Clause 60: Section 147 replaced —**

**Ms M.J. DAVIES:** Perhaps the minister can explain why this amendment is necessary and how it is to be implemented? I assume it is already standard practice for industry to allow third party processing for royalty calculation, but this clause will replace an existing section, and I just wonder what the expansion or update will actually bring into effect.

**Mr D.R. MICHAEL:** There is a bit of an answer for this one.

**Ms M.J. Davies:** I look forward to it!

**Mr D.R. MICHAEL:** Section 147 is being revised to account for regulated substances and to enable the tolling of petroleum. For the most part, the existing purpose and intent of section 147 will be retained. However, the provision will be expanded to allow approved measuring devices or meters to be installed in accordance with a condition imposed pursuant to the Petroleum Pipelines Act 1969 to ascertain the quantity of petroleum or regulated substances under this act. This amendment will enable a third-party processing of petroleum, otherwise known as tolling. The current act is constructed on the basis that a registered holder who finds petroleum will process their own petroleum using their own infrastructure and titles. Therefore, the existing method of ascertaining the quantity of petroleum to calculate royalties is through the use of a measuring device on the registered holder’s title and does not contemplate the use of a measuring device on a third party’s title. This act did not contemplate a registered holder utilising third-party infrastructure to process petroleum. However, there is a shifting trend emerging in industry whereby existing infrastructure with capacity is viewed as an option to process petroleum owned by another registered holder. In practice, for the tolling of petroleum to occur, measuring devices are placed along a third-party pipeline to ascertain the quantity of petroleum. To accommodate the shift to third-party tolling of petroleum, this amendment provides that the ascertainment of petroleum may occur through the use of measuring devices occurring on a third party’s infrastructure, or a pipeline, as imposed under a condition pursuant to the Petroleum Pipelines Act 1969. This new approach will result in a greater, more efficient use of existing infrastructure, and mitigate the need to construct new purpose-built infrastructure.

**Ms M.J. DAVIES:** Who will be responsible for the tolling—I am going to get the language wrong—measuring device? Who will be responsible for that? Will industry pay for that installation or will that be the department, given that it will be for the collection of royalties, or will we act on good faith and allow them to self-report?

**Mr D.R. MICHAEL:** I am told that the industry will pay and report, but the department will have the power to go in and check those things on a regular basis.

**Clause put and passed.**

**Clauses 61 to 63 put and passed.**



**Clause 64: Section 152A inserted —**

**Ms M.J. DAVIES:** This proposed section refers to approved forms, of which there will be many in the department, for various purposes. Can the minister advise whether the forms exist and will just be amended? Will this flow beyond the regulations being created? I guess my question is only administrative, but —

**The ACTING SPEAKER (Ms A.E. Kent):** Minister.

**Ms M.J. Davies:** It is very Australian to finish a sentence with the word “but” at the end of it, sorry!

**Mr D.R. MICHAEL:** That is all right. I just used the word “ascertainment”, which I do not think I have used in my life before!

This amendment provides the ability to establish standardised form and contact requirements in the form of approved standard forms as approved by the minister for applications notices and other documents. This will assist in creating greater efficiency in the application assessment process, as well as provide greater clarity and communication for notices.

**Ms M.J. DAVIES:** My question is: do they exist now, or is this something that the department will be required to do?

**Mr D.R. MICHAEL:** Some of these forms exist, but the idea is not to have them in the regulations, so when they need to be changed or standardised, it can be done a lot more easily.

**Clause put and passed.****Clauses 65 and 66 put and passed.****Clause 67: Schedule 2 Division 2 inserted —**

**Mr D.R. MICHAEL:** I move —

Page 53, after line 3 — To insert —

(ca) section 70(3)(c);

**Ms M.J. DAVIES:** Can the minister please explain what this amendment is actually trying to achieve?

**Mr D.R. MICHAEL:** This amendment is made consequential to the amendment at clause 44 and refers to the new mode of approval for the underground storage of petroleum.

**Amendment put and passed.****Clause, as amended, put and passed.****Clause 68 put and passed.****Clause 69: Various references to “petroleum” amended —**

**Mr D.R. MICHAEL —** by leave: I move —

Page 60, 1<sup>st</sup> column, 2<sup>nd</sup> row — To delete “s. 52(1), (3)(a) and (b)” and substitute —

s. 52(1) and (3)(b)

Page 61, 3<sup>rd</sup> column, 2<sup>nd</sup> row — To delete “that” and substitute —

for

**Ms M.J. DAVIES:** I think the minister knows what I am going to say. Could he perhaps enlighten the house about the amendments that the government seeks to move on its own legislation?

**Mr D.R. MICHAEL:** The first amendment will remove an incorrect reference to “regulated substance” at section 52(3)(a) of the Petroleum and Geothermal Energy Resources Act 1967, and the second amendment will correct a language error amending “that” at the beginning, replacing it with “for” to provide consistency with the existing provision.

**Amendments put and passed.****Clause, as amended, put and passed.****Clauses 70 to 72 put and passed.****Clause 73: Section 5 amended —**

**Ms M.J. DAVIES:** I am at clause 73. Sorry, I have a table here and I am not keeping up with the bill!

This provision will introduce the new term “closure assurance period”. It is described in proposed section 69HW as meaning the period “beginning at the end of the cessation day”. I think we talked a little bit about the 15-year minimum period in the second reading debate. My question was about how the minister arrived at 15 years. His

response to me was that it was based on what the federal government determined as the minimum period before a site could be considered for handing over. What assurances did the minister get from the department that 15 years is the right period? It is just a number. I am asking what the science is behind it and why it was chosen, other than aligning with federal government responsibilities. We in Western Australia choose not to align with the federal government on occasion.

**Mr D.R. MICHAEL:** It was very much to align with the commonwealth. I think the member might have mentioned a few of the submissions made. I think some in the industry might have wanted five years, and some of the more environmental groups suggested a very long time—perhaps the number should be up to 100 years. The figure was chosen to provide some cross-jurisdictional alignment with the commonwealth and some certainty. I am told that the science behind it is that after a minimum of 15 years, which includes the five years at the end of the injection period for a total of 20 years, and the pressure and monitoring, there should be good evidence that the CO<sub>2</sub> is behaving itself, I suppose.

**Ms M.J. DAVIES:** From the last time they inject the carbon dioxide—I think other gasses can be considered—they have to wait 15 years before they can come to government to say that they would like to hand over the site. How long does the government have before it must respond? Does the minister want to deal with that down the track? Do not worry.

**Mr D.R. Michael:** We will get onto that shortly.

**Ms M.J. DAVIES:** It is just the definition. Okay.

**Clause put and passed.**

**Clause 74: Sections 6B to 6E inserted —**

**Ms M.J. DAVIES:** This clause relates to the potential greenhouse gas storage formation. It states —

... a *potential GHG storage formation* is a part of a geological formation that is suitable for the permanent storage of a greenhouse gas substance injected into that part.

I have a query about the use of “permanent”. I wonder about that language. Do we truly know that it will be permanent? How was that language chosen? Can the minister give some advice on how those geological formations will be considered suitable? We spoke about the South West Hub and the work that the government did on the potential of onshore carbon capture and storage. What test will be applied if an application is made to ensure it is suitable? Proposed section 6B(3) states —

... regard may be had to reasonably foreseeable technological developments.

Maybe I have three questions in a row there for the minister. Can the minister advise how part of a geological formation can be eligible? Does the minister want me to do these one by one?

**Mr D.R. Michael:** No; I think we are okay.

**Ms M.J. DAVIES:** What does “regard may be had to reasonably foreseeable technological developments” refer to? Proposed section 6C contains a reference to “100 000 tonnes” as the amount chosen. What is the science behind that? Why has that been recommended? Is it in line with what already exists? Proposed section 6C(4) refers to fundamental suitability determinants. Can the minister clarify and advise on that and any other relevant matters? I see that fundamental suitability determinants are referenced at proposed section 6C(9). Perhaps the minister can give me an example of what an effective sealing feature or attribute might be when we get to that point. I can go back through it; that was a grab bag of questions!

**Mr D.R. MICHAEL:** First off, an example of an effective sealing feature, which is at proposed section 6C(9)(e), is a non-permeable layer like a shale that does not allow the carbon dioxide to pass through. A permanent storage feature is indefinite. I am told that that is checked by modelling to be up to 10 000 years.

**Ms M.J. Davies:** Is that just the agreed terminology in this industry?

**Mr D.R. MICHAEL:** Yes, apparently it is the agreed terminology in the industry. What makes a storage site suitable? The main geological conditions needed to securely store carbon dioxide are adequate capacity to store the injected carbon dioxide and a reservoir or rock that is both porous and permeable. The rock must have pore spaces in which the carbon dioxide can reside and have links between the pore spaces—the permeability—to allow the carbon dioxide to move through it. A trapping mechanism is also required to prevent the carbon dioxide migrating from the target geological structure. Four basic mechanisms keep the carbon dioxide in place: stratigraphic/structural; residual; dissolution and mineral trapping, which I think is calcium carbonate; and impermeable cap rock to prevent the carbon dioxide from migrating upwards. This bill aligns with the commonwealth greenhouse gas legislation by not specifying the type of geological formation. What did we miss?

**Ms M.J. DAVIES:** I have just a couple more questions. The bill refers to “part of a geological formation”. How can it be part of a geological formation? We cannot have half a reservoir. Once gas is put into the space, it takes it all up. I do not fully understand the technology, but I question how part of a geological formation can be eligible.

**Mr D.R. MICHAEL:** Geological formations can be very large. I will use an example. I am probably thinking the same way as the member. There might be a large rock with multiple compartments, and it would be put in only one of the compartments.

**Ms M.J. DAVIES:** This is my final question on this clause. Presumably, industry will go to the government with what it thinks is a potential storage formation. Will a checklist get signed off on and will a risk-based analysis be done, or will it be scientifically known before the gas is put in that it is a suitable formation? My question is: until it is done, how can we be certain that it is appropriate?

I guess I am asking whether there is a list of things that are ticked off—I think the minister gave me some of those—that will meet the criteria for a potential site? When I think about the South West Hub, I know those investigations went on for a long time. I presume that industry will want to move faster than that and will go to government with potential sites. I question how that will work.

**Mr D.R. MICHAEL:** The bill will establish three categories of storage formation with increasing specific descriptors that correspond to the titleholder's improving level of knowledge about the formation. The three categories are: potential greenhouse gas storage formations, eligible greenhouse gas storage formations and identified greenhouse gas storage formations. When an application comes in, the department will move the application through those levels, depending on the information we have regarding the formation.

**Clause put and passed.**

**Clauses 75 to 79 put and passed.**

**Clause 80: Section 16 amended —**

**Ms M.J. DAVIES:** This clause relates to the consent of an owner or trustees required in certain cases for exploration. I think the minister spoke briefly about this in his second reading reply. This will allow for an extension of the current consent that is required when exploration is undertaken. Can the minister advise when consent will be required and on what type of property titles? How will it be gained? What proof will be required? If it is already underway and established in the industry under the current exploration requirements, I am happy to take that as the answer. What will happen if someone cannot get consent? Where will it end up?

**Mr D.R. MICHAEL:** This clause will make no change to the current system for petroleum; it just adds greenhouse gas operations. I am sure that the member would be well aware of the success of the land access working group. If that consent is not provided, there is the capacity to go to the Magistrates Court. We just discussed that around the table, and those times are very few and far between. It is not zero, but it is almost zero.

**Clause put and passed.**

**Clause 81: Section 17 amended —**

**Ms M.J. DAVIES:** I need some clarification. The explanatory memorandum states —

This clause extends the existing provisions that provide that no compensation is to be paid to the owners and occupiers of private land for any gold, minerals, petroleum, geothermal energy resources or ... now ... GHG storage formations.

Section 17(1) states —

A permittee, holder of a drilling reservation, lessee or licensee may agree with the owner and occupier respectively of any private land comprised in the permit, drilling reservation, lease or licence as to the amount of compensation to be paid for the right to occupy ...

The landowner is being paid for access, but, as part of that negotiation, if anything is found, they cannot get a cut of the outcome. Is that essentially what will be brought into effect?

**Mr D.R. MICHAEL:** Clause 81 will extend the regime to greenhouse gas, so the member is correct, I think. I am saying “I think” only because the member is looking confused now.

**Ms M.J. DAVIES:** I want to clarify things. It talks about no compensation being paid, but the explanatory—good lord; I have lost power of speech! That is an occupational hazard. The EM states —

... no compensation is to be paid to the owners and occupiers of private land ...

But section 17(1) states that the amount of compensation to be paid for the right to occupy can be negotiated. I am missing something. It will be me not understanding the regime, but it seems like it is at odds.

**Mr D.R. MICHAEL:** No compensation will be paid for the gold, minerals or greenhouse gas, but compensation will be payable to owners and occupiers of private land for the right to occupy the land; deprivation of possession of the surface land; any damage to the surface of the land; severance of the land; and for any rights of way. Again, the systems are in place, and this is just adding to it.

**Clause put and passed.**

**Clause 82: Section 24 amended —**

**Ms M.J. DAVIES:** This might again be an extension of what already exists, but, as I understand it, it provides that compensation is not required to be made to the lessee of the land leased by way of a pastoral lease. If somebody seeks to access the land of a pastoral lessee, am I right to assume that this provision does not allow the lessee to request compensation for access, and that includes not only a pastoral lease, but also a diversification lease? By the looks of things, it also covers leases for the use and benefit of Aboriginal habitants including —

- (a) for deprivation of the possession of the surface of the land ...
- (b) for damage to the surface of the land; and
- ...
- (d) for surface rights of way and easements.

I assume this is something to do with the fact that it is a lease and it is crown land, but in some cases this process will impact infrastructure or land owned by pastoralists or those managing it, and there will be no recourse for them to seek compensation, as I read it.

**Mr D.R. MICHAEL:** This already exists. We are just adding the new thing to it.

**Ms M.J. Davies:** I am happy to accept that.

**Clause put and passed.**

**Clauses 83 to 86 put and passed.**

**Clause 87: Section 30 amended —**

**Ms M.J. DAVIES:** Does this clause allow for the release of acreage or blocks for exploration? I want to make sure that I am in the right place.

**Mr D.R. MICHAEL:** Yes.

**Ms M.J. DAVIES:** Can the minister provide us with an update on the progress of the department's development of the new *WA carbon dioxide geological storage atlas*? I presume that that will be the repository of information as part of the release. What progress has been made on the development of acreage assessment and release so that the information can be released as soon as possible; and how will that work?

**Mr D.R. MICHAEL:** The greenhouse gas acreage release process will follow the same approach as taken for exploration for petroleum, but it will also include direct access provisions. The identification of prospective acreage release will be determined by the Department of Energy, Mines, Industry Regulation and Safety's knowledge of the state's geology and through nomination by industry of potential release areas. To assist both, DEMIRS, as the member mentioned, is developing a new *WA carbon dioxide geological storage atlas* that will provide government and industry with a clearer understanding of the potential for the permanent sequestration of CO<sub>2</sub> by providing new data on the reservoir seal and trap. The atlas will include new geographic areas like state waters and Officer Basin; stratigraphic intervals not included in the first atlas—for example, early Permian reservoirs in the northern Perth Basin—new, and where feasible, higher resolution depth maps, including major faults; reservoir and seal information from wireline logs; and new analysis in both the new regions as well as those originally investigated. I think that work is continuing, but I am told there has already been a data release through the Western Australian Petroleum and Geothermal Information Management System.

**Ms M.J. DAVIES:** Well! Hold the phone.

**Mr D.R. Michael:** I will get you the link.

**Ms M.J. DAVIES:** Yes, thanks. I have an additional question. Is there scope for industry to nominate areas to be included in acreage releases or in the atlas—or is it just one way?

**Mr D.R. MICHAEL:** The bill provides two avenues to allow for direct access through the Department of Energy, Mines, Industry Regulation and Safety identifying potential greenhouse gas storage formations. The second one is through the titleholder's geological knowledge of the formation. The explanation for that is that petroleum or geothermal lessees or licensees may, through petroleum or geothermal exploration operations, have knowledge of whether a part of a geological formation may be suitable for the permanent storage of a greenhouse gas.

**Ms M.J. DAVIES:** If through their own licence they have already found appropriate areas, will there be a requirement for that information to be included in the atlas? I guess I am asking whether it will be a complete record. Is there a responsibility for industry to feed that into the database held by DEMIRS?

**Mr D.R. MICHAEL:** There is no requirement for proponents to contribute to the atlas now, but as they are issued titles and get information, there will be a requirement to supply it to the department in the future.

**Ms M.J. DAVIES:** How often will the invitation for applications for the grant of a permit for greenhouse gas storage exploration be done? How often will the minister do that?

**Mr D.R. MICHAEL:** Obviously, this will form part of the regulations. At the moment, the intent is to do something similar to petroleum, which is about once a year.

**Dr D.J. HONEY:** I think we covered this before, but how will organisations be prevented from banking, if you like, these leases and preventing genuine proponents from accessing areas in the future? I refer to a Macquarie-type organisation just using this as another investment vehicle as opposed to a serious proponent that wants to sequester gas right now.

**Mr D.R. MICHAEL:** One criterion for assessment will be technical expertise. The minister will be able to require the proponent to identify the source of the proposed greenhouse gases and, importantly, its program of works year on year. That will include a requirement to expand the state's geological knowledge. If the proponent does not comply with those things, as the member knows, the title can be cancelled.

**Clause put and passed.**

**Clauses 88 and 89 put and passed.**

**Clause 90: Section 32A amended —**

**Ms M.J. DAVIES:** This clause relates to having more than one permit application for the same block or blocks. I understand it just extends what currently exists and there is a right for the minister to grant the permit to whichever applicant in the minister's opinion is most deserving of the grant. I understand that provision already exists, but I just seek some clarification. As noted in the consultation paper, it is theoretically possible for the holder of a petroleum title and a geothermal title to simultaneously apply for a greenhouse gas retention lease and/or a greenhouse gas injection licence on the same blocks. How will this occur with existing applications for exploration permits, and what criteria will the minister use to prioritise or determine who is most deserving of the grant?

**Mr D.R. MICHAEL:** This is probably a bit similar to my last answer in that the required technical knowledge and the program of works will be part of the assessment. Other than that, we expect that most ministers, or all ministers, would use the expertise of the department to work those things out.

**Ms M.J. DAVIES:** Is there a time line for when that happens? If it happens, industry wants these things resolved sooner rather than later. Will that be in the regulations or is it how long is a piece of string? Are there preconditions to how that is determined? I am looking for a bit of certainty.

**Mr D.R. MICHAEL:** There is no set time frame in regulations at the moment. Obviously, applicants would want this to happen as soon as possible, the department would want a good outcome for the state and we hope that the minister would want a good outcome for the state too. There might be some information gathering by the department from any applicant. There is no time frame, but it is in the best interests of the state to sort it out as quickly as practicable.

**Ms M.J. DAVIES:** This might not be relevant to this clause, but is an application for a particular purpose given precedence over another—so an application permit for minerals prospecting versus greenhouse gas? How would that be dealt with? It is not apples with apples, is it? Does one nullify the other?

**Mr D.R. MICHAEL:** Proposed section 32A follows on from the section pertaining to the release of acreage. When there is a release of acreage, it would be for one purpose or the other, not combined. There would be two applications for greenhouse gas, not one in competition with the other. That is the two applications.

**Ms M.J. DAVIES:** Now I am getting out of my depth. There would presumably be potential for there to be areas—although the member for Cottesloe said that it would have to be a very deep mine—where there might be mineral exploration and greenhouse gas storage prospectivity or other activities happening on those sites. How will it be decided how they will be released for a particular purpose?

**Mr D.R. MICHAEL:** It will be decided through feedback from industry and through the information the department is continuously collecting from industry and other sources. That is how it determines which areas will come up in an acreage release.

**Clause put and passed.**

**Clauses 91 to 93 put and passed.**

**Clause 94: Section 38A inserted —**

**Ms M.J. DAVIES:** This clause will insert proposed new section 38A, "Rights conferred by GHG exploration permit". It details the rights conferred by the exploration permit, including the ability to explore, inject and store. Can the minister advise what is considered an appraisal basis for the storage of air, water and greenhouse gas substances? How much can be stored, what are the risks and what do permittees have to provide to the department to progress with this? I seek clarity on the language.

**Mr D.R. MICHAEL:** The expectation is that most tests will occur in the order of days to weeks for an appraisal. Any amount injected for appraisal purposes will be required to demonstrate a negligible risk of leakage to surface and/or freshwater aquifers. It has to ensure permanent storage of CO<sub>2</sub>. Regulation akin to regulation 58 would not

apply, as regulation 58 relates to a petroleum licensee. An extended production test is dealt with under a policy. Injectivity tests are to determine the rate of storage rather than containment. Decommissioning and monitoring responsibilities will be in line with the same surrender cancellation guidelines as we have for petroleum.

**Ms M.J. DAVIES:** Will this essentially allow the permittee to test and provide feedback to the department on what they are trying to achieve? If petroleum or geothermal energy is recovered, who will it belong to? This clause says that they cannot keep it. Where does it go?

**Mr D.R. MICHAEL:** The answer to your first question about the appraisal is yes. If something is found, it would belong to the geothermal or petroleum titleholder, as there is no right to that product with a greenhouse gas title.

**Clause put and passed.**

**Clauses 95 and 96 put and passed.**

**Clause 97: Section 42C inserted —**

**Dr D.J. HONEY:** At the top of page 108 is proposed section 42C, “GHG exploration permits cannot be renewed more than once”. I understand that petroleum leases are entitled to two renewals—if I am correct—and I wonder why the minister landed on only one renewal for the greenhouse gas exploration.

**Mr D.R. MICHAEL:** This returns to the member’s question a couple of clauses ago. It provides for only one renewal of a greenhouse gas exploration permit to encourage exploration and progression of storage projects. It is intended to prevent warehousing and encourage title holders to progress their project to a retention lease or hand back the permit.

**Clause put and passed.**

**Clauses 98 to 106 put and passed.**

**Clause 107: Sections 48BB to 48BD inserted —**

**Mr D.R. MICHAEL — by leave: I move —**

Page 119, after line 5 — To insert —

(ia) a GHG drilling reservation;

Page 119, after line 18 — To insert —

(ia) a GHG drilling reservation;

**Ms M.J. DAVIES:** Would the minister like to explain the amendments he is making to his own legislation?

**Mr D.R. MICHAEL:** The next couple have very similar replies, so let us get it done now. This amendment corrects an oversight in which greenhouse gas drilling reservation was not included in the list of pre-existing titles in proposed section 48BB(1) and 48BB(2), along with the greenhouse gas exploration permit, a greenhouse gas retention lease and a greenhouse gas injection licence. That would preclude a petroleum or geothermal lessee from being able to apply for a greenhouse gas retention lease.

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clause 108: Section 48CA amended —**

**Mr D.R. MICHAEL — by leave: I move —**

Page 123, after line 21 — To insert —

(ia) a GHG drilling reservation;

Page 124, after line 4 — To insert —

(ia) a GHG drilling reservation;

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 109 and 110 put and passed.**

**Clause 111: Section 48CAA inserted —**

**Mr D.R. MICHAEL — by leave: I move —**

Page 129, lines 14 and 15 — To delete “the identified GHG storage” and substitute —  
a geological

Page 129, lines 18 and 19 — To delete “the identified GHG storage” and substitute —  
a geological

Page 129, lines 22 and 23 — To delete “the identified GHG storage” and substitute —  
a geological

Page 129, lines 32 and 130 — To delete “the identified GHG storage” and substitute —  
a geological

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 112 to 116 put and passed.**

**Clause 117: Section 48J replaced —**

**Ms M.J. DAVIES:** This clause requires the notification of a discovery of petroleum or geothermal energy and also that a regulated substance or potential GHG storage formation or injection site be provided to the minister in writing within three days of the discovery. Can the minister advise what will happen when that notification is made? Where will that information go? Will it go into the database? What will happen when the department receives it and what will the penalty be if it does not notify?

**Mr D.R. MICHAEL:** The penalty is listed at the end of the proposed section replacing section 48J. The fine will be \$10 000. The notification will be in the regulations, but it is intended to be similar to the current provisions relating to petroleum and geothermal energy. The report will remain confidential indefinitely at the department, but results from the well will be released on the Western Australian Petroleum and Geothermal Information Management System after two years.

**Ms M.J. DAVIES:** In the consultation paper, GeoVolt submitted that the period should be changed from three days after the date of discovery to within 90 days of rig release. It is quite a technical response. I can read the paper but I am sure the department has it. It said that imposing a three-day limit during active drilling is impractical and it could lead to all intervals being declared a discovery to comply with the legislation. It is seeing red tape as opposed to “pull up your rigs, do your report and pass it in”. Can the minister comment on why this was a requirement as opposed to what was suggested by GeoVolt?

**Mr D.R. MICHAEL:** If we look at petroleum, the department has a policy statement that allows some flexibility, which is that the three days kicks in after analysis in a lab, for instance. It is expected that there will also be a policy and guidelines for greenhouse gases.

In relation to the GeoVolt submission, it is important to note that the current notification provisions for petroleum geothermal discoveries in section 44 and proposed section 48J involve a three-step process: immediate verbal notification, written notification after three days and submission of a discovery assessment report after 90 days. The department has built in some flexibility to allow for some of those issues.

**Dr D.J. HONEY:** Some see this as a bit of a how-long-is-a-piece-of-string clause in a sense. We might find a gram of petroleum product or a vast reservoir, though we could not do that in a day. The same goes with geothermal energy. If we put a drill in the middle of this chamber and drill down five kilometres, it will be about 400 or 500 degrees. That is just physics. A potential greenhouse gas storage formation or potential greenhouse gas are all potential; they just might not be very good potentials. It seems to me that the way the bill is worded, it could have the unintended consequence of people being noncompliant when they do not know whether they are meaningful. How will this be quantified? Will there be some other guideline that says it has to be more than a certain amount or more than a certain magnitude before it is a potential or before it has actually been detected? Does the minister see what I mean? Again, there are hydrocarbons in all areas, some straight below this chamber.

**Mr D.R. MICHAEL:** Again, as exists now with petroleum, the definition of a discovery is within the policy and guidelines to ensure that no-one falls foul of this provision.

**Clause put and passed.**

**Clauses 118 to 122 put and passed.**

**Clause 123: Section 50A amended —**

**Mr D.R. MICHAEL —** by leave: I move —

Page 144, after line 6 — To insert —

(ia) a GHG drilling reservation;

Page 144, after line 17 — To insert —

(ia) a GHG drilling reservation;

**Ms M.J. DAVIES:** Can I just clarify whether these amendments are a continuation of the ones we were talking about before, or is this a new set? Perhaps the minister could explain what the amendments seek to achieve.

**Mr D.R. MICHAEL:** I might say that these are very similar to the amendments to clause 124 as well. These amendments will correct an oversight in which a greenhouse gas drilling reservation was not included in the list of pre-existing titles under proposed section 50A(1C) and (1D), along with a greenhouse gas exploration permit, a greenhouse gas retention lease and greenhouse gas injection licence, that will preclude a petroleum or geothermal lessee from being able to apply for a greenhouse gas injection licence, so it is very similar.

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clause 124: Section 50B inserted —**

**Mr D.R. MICHAEL —** by leave: I move —

Page 145, after line 30 — To insert —

(ia) a GHG drilling reservation;

Page 146, after line 10 — To insert —

(ia) a GHG drilling reservation;

**Dr D.J. HONEY:** I think this will probably be a quick answer, minister. My understanding of the legislation is that if someone has a petroleum or geothermal licence, they have primacy in any application for a subsequent greenhouse gas injection on that site. Is that correct or incorrect? I understood that that was the case.

**Mr D.R. MICHAEL:** Yes, an existing geothermal retention lease or petroleum production licence has the right for direct access to the subsurface area, provided that the eligible storage formation exists. That would have to be assessed and then declared by the department.

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 125 to 130 put and passed.**

**Clause 131: Section 56 amended —**

**Mr D.R. MICHAEL:** I move —

Page 152, after line 31 — To insert —

(aa) delete “50A” and insert:

50A(1)

**Ms M.J. DAVIES:** Can the minister explain what the amendment seeks to achieve?

**Mr D.R. MICHAEL:** This amendment will correct a cross-reference to section 50A to clarify that section 56 should be limited to applications under proposed section 50A(1).

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 132 to 140 put and passed.**

**Clause 141: Section 69A amended —**

**Ms M.J. DAVIES:** As I understand it, this clause provides for a similar thing to what we were talking about before; maybe this is where I was trying to get to. It will allow for various types of permits to exist on the same block. If an application is made for that to occur, this provision will require the minister to go to the existing title holder within a month. This was not clear to me: If a registered holder submits any issues, will it have to be dealt with by the minister within one month or will it be longer? What happens if the title holder comes back and says, “No, here are things I want the minister to consider”? What is the time frame beyond one month? Could it, in fact, be much longer? What is the time line beyond the month within which the minister has to notify the existing title holder?

**Mr D.R. MICHAEL:** No time line is specified. This probably goes back to a question from a couple of hours ago, or whenever it was. The minister and the department, having released the acreage for the good of the state, would want to have a speedy resolution, one would expect.

**Ms M.J. DAVIES:** Just as an observation, I suspect that when the minister has been in this role for longer, he will find a couple of little mushrooms waiting to explode. There are occasions—I have certainly been dealing with one of them—when there are conflicting applications for land use and it is entirely up to the minister. Some of them have been going on for two years. Although I appreciate that the minister is saying that this is the intention, a whole lot of mitigating circumstances could come to the fore and the minister could be left in a pretty unsavoury position. Time frames would at least require some resolution. I get nervous when no time frame is specified in legislation, and I know industry does as well. To me, that is a little concerning because there is an initial time frame in which they



must notify, but that is: how long is a piece of string? From an industry perspective, that would be very concerning if they were seeking a resolution, given that they would have investors and potential market responsibilities—that is, to not know and to not have any requirements for the minister to provide resolution.

**Mr D.R. MICHAEL:** I take the member's point, obviously. The department has been out for consultation on a guideline for the management of subsisting petroleum geothermal titles. That is still being progressed through the department. It probably does not resolve the point the member was trying to make but obviously we can try to resolve these things as quickly as possible.

**Clause put and passed.**

**Clause 142: Part III Division 3B inserted —**

**Ms M.J. DAVIES:** Clause 142 is quite significant! I thought I had stuffed up my own table, thinking I have 17 clauses under clause 142. I have a few questions, but I have broken them into the subdivisions. The first question I have relates to site closing certificates. Could the minister explain the process as described by the legislation? The questions I have around it are: What happens if a proponent enters bankruptcy or fails financially? Who becomes liable? How will the state pursue recovery of costs? Who is responsible for the monitoring and management of the closure of the site? What mechanisms have been built into the legislation to prevent companies from ceasing to exist and then phoenixing, given that Western Australia is going to assume the long-term liability if the greenhouse gas titleholder ceases to exist? Will that require a contingency liability built into the budget going forward or do we not anticipate that there will be any circumstances in which the state will become responsible for something that has not been managed appropriately?

**Mr D.R. MICHAEL:** There is a bit of an answer on this one, member.

Declaration of the closure assurance period is a major step in the Western Australian government assuming long-term liability for the stored greenhouse gas substance. It establishes the minimum 15-year period whereby the minister, through the Department of Energy, Mines, Industry Regulation and Safety and the licensee, monitors the site prior to allowing the proponent to formally confirm the storage site is secure and the long-term liability shifts to the WA government. In terms of a risk assessment for this proposed section, the minister needs to be satisfied that there is no significant risk to storage formation, the environment or to human health and safety. Under objective-based regulation, DEMIRS will undertake a risk assessment using international best practice, such as ISO standards, in the same manner as undertaking a risk assessment of well integrity through the well management plan, worker safety through the safety case and environment through an environment plan. Further information on the risk assessment for the declaration of closure assurance period will be contained in the proposed injection and storage regulations, modelled on the Offshore Petroleum and Greenhouse Gas Storage (Greenhouse Gas Injection and Storage) Regulations 2011 and associated guidelines.

The government has decided that the long-term liability provisions in this bill, which the member was talking about, will follow the equivalent sections 399, 400 and 401 of the commonwealth Offshore Petroleum and Greenhouse Gas Storage Act 2006. Western Australia will assume long-term liability for the stored greenhouse gas only when the minister is satisfied that the greenhouse gas injected is behaving as predicted and there is no significant risk that the greenhouse gas will have significant adverse impact on the geological integrity of the formation, the environment, or human health or safety. Long-term liability refers to risk beyond the operational phase of the project and the risk of harm to health, the environment or property due to the leakage or migration of injected CO<sub>2</sub>. These risks can be minimised by ensuring rigorous and robust site selection processes and effective monitoring and verification. Long-term liability involves both statutory liability and liability under common law. The issue of liability is complicated by the fact that liabilities for greenhouse gas storage projects will run for centuries and extend far beyond the life of most companies and insurance contracts. In this instance, as with other industries, government would assume the liability by default. Western Australia will also assume long-term liability if the greenhouse gas titleholder has ceased to exist. DEMIRS acknowledges that there is a need for appropriate mechanisms to deal with long-term liability associated with petroleum, geothermal and greenhouse gas titles. It intends to propose a complete decommissioning package for the petroleum, geothermal and greenhouse gas titles to deal with associated amendments, including those relating to liabilities. This bill also aligns with section 399 of the commonwealth Offshore Petroleum and Greenhouse Gas Storage Act 2006 in specifying a time frame of a minimum of 15 years after the issue of a site closing certificate before Western Australia accepts long-term liability for the stored greenhouse gas.

**Ms M.J. DAVIES:** I understand that there is a framework at the beginning to say they have selected a safe site, but, somewhere along the way, what happens if the company goes bust before that process of closing out, remediation, management and testing the ceiling, if the government does not have 15 years? What happens then? Does the state ultimately become responsible for it? Does it convert back to the state to manage?

**Mr D.R. MICHAEL:** It does.

**Ms M.J. DAVIES:** That will become a financial cost for the state. Does the government acknowledge a liability in the budget for that? Will that be done or will it sit as an assumption that may or may not be brought to book?

It is a bit doomsday; we do not want to assume it is going to happen, but we have to plan for it. If it is going to be a long-term liability that the state becomes responsible for mid project or part way through, that would presumably just appear in the budget at the point in time when the government assumes liability.

**Mr D.R. MICHAEL:** Before it got to that point, the department tells me the aim would be to improve its monitoring of the financial state of those companies over that period, strengthening the work the department already does.

**Ms M.J. DAVIES:** Another proposed section in the same clause, “Refusal of pre-certificate notice”, will allow for the minister to refuse to give a pre-certificate notice if —

- (a) the Minister is not satisfied that the greenhouse gas substance injected into the ... storage formation is behaving as predicted ... of an approved site plan for the formation ...

Can the minister outline what kind of condition? The minister talked about monitoring. I do not want to labour the point. Without the notice of closure, what responsibilities will the applicant have? They will have to keep making active improvements or they will have to reapply. How will that work?

**Mr D.R. MICHAEL:** They would have to go away and do further work as directed by the minister and then reapply.

**Ms M.J. DAVIES:** I refer to proposed section 69HK, “Time for decision on application for site closing certificate”. In the submissions that were made by industry, the Australian Petroleum Production and Exploration Association submitted that five years for a minister to make a decision on an application for a pre-certificate notice was excessive. Could the minister provide some comments on why the five years is necessary?

**Mr D.R. MICHAEL:** The WA bill aligns with section 388(8) of the commonwealth legislation, specifying a maximum time frame of five years after application for a site closing certificate. The requirement in section 388(8) was a late opposition Senate amendment to set a time frame for when a decision must be made. *Hansard* records that there was debate on the time required and it was recognised that sufficient time would be needed for the minister to review all the data and scientific information available, take the advice of his or her department and come to a conclusion on whether the site certificate may be granted. *Hansard* also reflected that the minister may grant an application in fewer than five years when a company believes that a site is safe and secure and is able to provide necessary data and supporting information that can be crosschecked by the department. It is to match commonwealth legislation.

**Ms M.J. DAVIES:** It is a long time to make a decision, minister.

**Mr D.R. MICHAEL:** It is a maximum.

**Clause put and passed.**

**Clauses 143 to 148 put and passed.**

**Clause 149: Section 91 amended —**

**Mr D.R. MICHAEL — by leave: I move —**

Page 194, lines 5 to 10 — To delete the lines and substitute —

- (a) all petroleum operations;
- (b) all geothermal energy operations;

Page 194, line 21 — To delete “(2) and (2a)” and substitute —

- (2), (2a) and (3)

Page 198, lines 12 to 14 — To delete “petroleum exploration operations, geothermal exploration operations or GHG exploration operations, as the case requires,” and substitute —

operations authorised by the special prospecting authority or access authority

Page 198, line 18 — To delete “exploration”.

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 150 to 152 put and passed.**

**Clause 153: Section 106 amended —**

**Mr D.R. MICHAEL — by leave: I move —**

Page 201, after line 22 — To insert —

- (1A) In section 106(1a):
  - (a) delete “petroleum title outside the State” and insert:  
national petroleum title
  - (b) delete “that petroleum” and insert:  
that national petroleum

(1B) In section 106(1c):

(a) delete “geothermal title outside the State” and insert:

national geothermal title

(b) delete “that geothermal” and insert:

that national geothermal

Page 201, line 33 — To insert after “operations” —

related to the GHG operations carried on

Page 202, line 3 — To delete “outside the State”.

Page 202, line 6 — To insert after “operations” —

related to the operation carried on

Page 205, line 11 — To insert after “grant” —

or variation, as the case may be,

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 154 to 186 put and passed.**

**Clause 187: Part 4A inserted —**

**Dr D.J. HONEY:** I refer to page 228. Under proposed section 56B, “Escape of petroleum: reimbursement of State”, will any penalty apply or is that purely around cost recovery? Not that I am encouraging penalties, but penalties are typically a deterrent and I wondered whether any penalty will be associated with this on top of cost recovery.

**Clauses 188 to 203 put and passed.**

**Clause 204: Section 21 amended —**

**Ms M.J. DAVIES:** I am just seeking a bit of clarity around this clause. As I understand it, a person can apply to a minister for a direction if agreement has not been reached with a pipeline licensee for the conveyance of petroleum through the pipeline specified in the licensee’s licence within a three-month period. I am just trying to understand what the government is trying to remedy. I am not quite sure. Who would the two proponents be, and what would likely be the cause of them not being able to reach an agreement? Would it be a project proponent with greenhouse gas or petroleum and the pipeline owner? Would it be the landowner and the pipeline owner? I do not quite understand.

**Mr D.R. MICHAEL:** Obviously, this provision will add all greenhouse gas substances to the existing provision. The existing provision is a very old provision. It actually dates to 1969. We are going to allow third-party access. The example is a pipeline licensee and, potentially, a petroleum producer.

**Clause put and passed.**

**Clauses 205 to 235 put and passed.**

**Clause 236: Part 3 Division 4AA inserted —**

**Mr D.R. MICHAEL — by leave: I move —**

Page 260, after line 10 — To insert —

**74AAA. Term used: registered holder**

In this Division —

*registered holder*, in relation to a title referred to in section 74A(2)(h), means the person who holds the title.

Note for this definition:

In relation to the other titles referred to in section 74A(2), see the definition of *registered holder* in section 4(1).

Page 260, line 17 — To delete the line and substitute —

operations that are equivalent to petroleum operations (whether carried out in an area that is equivalent to the adjacent area or otherwise);

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clause 237 to 241 put and passed.**

**Clause 242: Section 97B inserted —**

**Mr D.R. MICHAEL** — by leave: I move —

Page 268, lines 1 to 11 — To delete the lines and substitute —

- (2) Subsections (3) and (3A) apply if, on its grant, a title includes an approval for the purposes of section 28(2)(a), 38C(2)(a), 52(2)(a), 111(4A)(a) or 112(5AA)(a).
- (3) If the title is renewed, the approval must be included in the title as renewed.
- (3A) The conditions which the Minister may impose on the title on its grant or renewal include conditions for purposes related to the approval or to anything that is authorised by virtue of the approval.

Page 268, lines 22 to 25 — To delete the lines and substitute —

- (5A) If the title is renewed —
  - (a) the approval applies in relation to the title as renewed; and
  - (b) the conditions which the Minister may impose on the title on its renewal include conditions for purposes related to the approval or to anything that is authorised by virtue of the approval.
- (6) The approval applies in relation to the title, or to the title as renewed, despite any change in the registered holder.

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clause 243 to 259 put and passed.**

**Clause 260: Various references to “petroleum” amended —**

**Mr D.R. MICHAEL:** I move —

Page 284, 1st column, 3rd row — To delete “s. 126(1)(a)(i) and (ii)” and substitute —

s. 126(1)(a)(ii)

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 261 to 264 put and passed.**

**Clause 265: Section 4A to 4D inserted —**

**Dr D.J. HONEY:** At the top of page 311, greenhouse gas substances, or greenhouse gas, relates to, as I understand it, captured material that will be reinjected. I do not need an exhaustive list, but what will the range of compounds be? For example, if someone is capturing gas, it may be that they have nitrous oxides of various types, and there could be a range of other organic combustion products that are captured as well. Is it contemplated that those other materials will be reinjected as being greenhouse gasses?

**Mr D.R. MICHAEL:** Hopefully, this kind of answers the question. This bill provides for transport and permanent geological storage of greenhouse gas substances and aligns with the commonwealth Offshore Petroleum and Greenhouse Gas Storage Act 2006 and the definitions of the terms “primary greenhouse gas substance”, “greenhouse gas substance” and “incidental greenhouse gas-related substance”.

For practical purposes, when the amendments made by this bill commence, “greenhouse gas substance” will mean carbon dioxide, together with any substances incidentally derived from the capture, transportation, injection or storage processes with the permitted or required addition of chemical detection agents to assist the tracing of the injected greenhouse gas substance. There is a power by regulation to extend the meaning of “greenhouse gas substance” to include other greenhouse gases. This regulation-making power is not expected to be used until such time as the protocol to the London dumping convention is amended to permit geological storage of those other greenhouse gases. In accordance with that protocol, it would be an offence to add a waste substance or other matter to a greenhouse gas substance for the purpose of disposal.

**Clause put and passed.**

**Clauses 266 to 270 put and passed.**

**Clause 271: Section 19 amended —**

**Mr D.R. MICHAEL:** I move —

Page 315, after line 17 — To insert —

(aa) in paragraph (b) delete “Part.” and insert:

Act.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 272 to 291 put and passed.**

**Clause 292: Sections 38BB, 38BC and 38BD inserted —**

**Mr D.R. MICHAEL** — by leave: I move —

Page 336, lines 11 to 16 — To delete the lines.

Page 337, line 20 — To delete “38BC(1), (2) or (3)” and substitute —

38BC(1) or (2)

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 293 to 295 put and passed.**

**Clause 296: Section 38C replaced —**

**Mr D.R. MICHAEL** — by leave: I move —

Page 346, lines 18 and 19 — To delete “the identified GHG storage” and substitute —

a geological

Page 346, lines 22 and 23 — To delete “the identified GHG storage” and substitute —

a geological

Page 346, lines 26 and 27 — To delete “the identified GHG storage” and substitute —

a geological

Page 347, lines 4 and 5 — To delete “the identified GHG storage” and substitute —

a geological

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 297 to 303 put and passed.**

**Clause 304: Section 39 amended —**

**Mr D.R. MICHAEL:** I move —

Page 355, line 24 — To delete the line and substitute —

In section 39:

(a) in paragraph (a) before “licence; or” insert:

petroleum production

(b) in paragraph (b) delete “Part.” and insert:

Act.

(c) delete the Penalty and insert:

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 305 to 314 put and passed.**

**Clause 315: Section 46 amended —****Mr D.R. MICHAEL:** I move —

Page 368, after line 5 — To insert —

(aa) delete “40A” and insert:

40A(1)

**Amendment put and passed.****Clause, as amended, put and passed.****Clauses 316 to 323 put and passed.****Clause 324: Section 54A amended —**

**Dr D.J. HONEY:** Proposed section 54A(1A) provides that if a licensee does not do any work for five years, the licensee will potentially lose the site. What about the pairing of sites with a deposit? If someone has an existing long-term gas field, they will need a carbon sequestration site to pair with that site to deal with the excess CO<sub>2</sub> from the deposit sometime in the future. Will the minister be able to recognise that and say, “Yes, this is required to be concurrent with this operation in the future and therefore I will allow them to continue to hold that lease”?

**Mr D.R. MICHAEL:** After five years, the capacity exists to apply for a retention lease, which is what they will be able to do to hold that lease.

**Dr D.J. HONEY:** Is a retention lease for five years or 10 years? What is the duration that a retention lease can be held for?

**Mr D.R. MICHAEL:** It is for five years.

**Clause put and passed.****Clauses 325 to 332 put and passed.****Clause 333: Sections 64 and 65 replaced —****Mr D.R. MICHAEL:** I move —

Page 403, line 21 — To delete “GHG injection” and substitute —

petroleum production

**Amendment put and passed.****Clause, as amended, put and passed.****Clauses 334 to 337 put and passed.****Clause 338: Part 3 Divisions 4AAA and 4AAB inserted —**

**Dr D.J. HONEY:** We are getting into exotic numbering. I refer to proposed section 74AZG, “State to assume long-term liability if licensee has ceased to exist”, on page 436. What protection does the state have to ensure that companies will not game this? Is there a potential for the government to require a bond or some other mechanism to ensure that a company does not, effectively, transfer all its assets somewhere else and, lo and behold, that company no longer exists or, as we have seen with some expired oil rigs, the company sells it to a third party that has no capacity whatsoever to manage the liabilities, and then it folds and the state picks up the liability for remediating an oil rig and drilling site?

**Mr D.R. MICHAEL:** Under the existing transfer system provisions of the Petroleum Act, there is a requirement for the company or proponent to demonstrate to the department its financial capacity to operate.

**Dr D.J. HONEY:** Thanks, minister. I appreciate that. It is more about the end of the operation if the company knows that it will wind up but does not want the liability for dealing with the site and is happy to transfer the liability to the state. Through various mechanisms, the company depletes the assets in the company that operates the facility or sells the company to a third party for a nominal amount when that third party has no capacity to pay for the remediation work.

**Mr D.R. MICHAEL:** Obviously, we had a discussion with the shadow minister earlier. The intention is that as these provisions go live, the department will beef up its financial monitoring of these companies. Obviously, it can watch for any red flags in a company’s financial capacity as the project goes along and towards the end of the project, as the member talked about. The department will be able to issue directions and those kinds of things before we get to the point that the member talked about.

**Dr D.J. HONEY:** Has any thought been given to companies having to set aside a bond or allowance? I do not think this is an issue that is isolated to this area of Western Australia. I have a deep suspicion that the state will

end up picking up all the liability for the remediation of that site in Collie. In my estimate, that will be billions, not hundreds of millions of dollars. I am sure other people can give the minister a precise estimate. I am concerned that for a lot of different mining operations, the state will have to pick up the liability, particularly when it is at the end of the mine's operations.

**Mr D.R. MICHAEL:** No bond is required under the petroleum legislation at the moment, as the member probably knows, but there is a requirement for insurance, and that will continue under the new system. Having said that, the point the member made is noted. Someone in the department will look at ways to protect the state's liability.

**Clause put and passed.**

**Clauses 339 to 341 put and passed.**

**Clause 342: Section 97 amended —**

**Mr D.R. MICHAEL —** by leave: I move —

Page 439, lines 17 and 18 — To delete the lines and substitute —

(a) all petroleum operations;

Page 440, line 15 — To insert after “petroleum,” —

a regulated substance,

Page 441, line 7 — To delete “petroleum” and substitute —

petroleum, a regulated substance

Page 442, lines 8 and 9 — To delete “petroleum operations or GHG exploration operations, as the case requires,” and substitute —

operations authorised by the special prospecting authority or access authority

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 343 to 346 put and passed.**

**Clause 347: Section 112 amended —**

**Mr D.R. MICHAEL —** by leave: I move —

Page 446, line 31 and page 447, line 1 — To delete “the GHG operations” and substitute —

the operation

Page 449, line 31 — To insert after “grant” —

or variation, as the case may be,

**Amendments put and passed.**

**Clause, as amended, put and passed.**

**Clauses 348 to 354 put and passed.**

**Clause 355: Section 143 amended —**

**Mr D.R. MICHAEL:** I move —

Page 453, line 29 — To delete “permit, petroleum lease or petroleum” and substitute —

exploration permit, petroleum retention lease or petroleum production

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 356 to 383 put and passed.**

**Clause 384: Act amended —**

**Dr D.J. HONEY:** This is a question about capacity. I understand that the easement for the Dampier to Bunbury pipeline is a crowded easement, if you like, that is well utilised. I recall from a conversation with former Premier Hon Richard Court that a second easement, to guarantee competition for the sole operator of the Dampier to Bunbury pipeline, was established adjacent to the existing pipeline easement. That would ensure that at any time the government could allow another party to come in and compete with the operator if they became unreasonable about transport fees along that pipeline easement. The core of my question is: do we have adequate space within the easement or do we have adequate easements to allow other pipelines to utilise that corridor?

**Mr D.R. MICHAEL:** I am told that the corridor is wide in some areas and narrow in others, and that the state would have to make those narrow areas wider.

**Dr D.J. HONEY:** Is that an act of consideration? Again, I will refer to my previous employment, when Alcoa had a pipeline easement going from the Kwinana refinery all the way to the Pinjarra refinery. It was forward planning to allow for the closure of Kwinana all those years ago so it could pump the considerable volumes of liquid between those locations. That easement became degraded over time. I do not know what the status of it is now, but that potentially was not available. Is the government actively developing a plan to make sure we have an adequate easement along this line? It is logical that this sort of use will occur and, obviously, we would not want sudden barriers to come up when we are trying to establish a pipeline.

**Mr D.R. MICHAEL:** The importance of the pipeline to all Western Australians is well documented. It is something that governments should always be looking at. I am sure that once this legislation is passed, the operator of the pipeline will be looking at whatever commercial opportunities that affords them. As the member knows, the pipeline is jointly managed with the Minister for Lands. Given that this issue is a bit of an aside from what we are discussing tonight, the member could write to me and we could have a future discussion on that matter.

**Dr D.J. HONEY:** As I understood the set-up before, the government having control over part of that easement to maintain commercial pressure is a very valuable thing, but I am very happy to discuss that with the minister separately. Thank you.

**Clause put and passed.**

**Clauses 385 to 389 put and passed.**

**New Part 5 Division 5A —**

**Mr D.R. MICHAEL:** I move —

Page 476, after line 26 — To insert —

**Division 5A — *Gas Supply (Gas Quality Specifications) Act 2009* amended**

**389A. Act amended**

This Division amends the *Gas Supply (Gas Quality Specifications) Act 2009*.

**389B. Section 3 amended**

- (1) In section 3(1) in the definition of **gas producer** paragraph (b) delete “production licence for petroleum” and insert:  
licence, other than an infrastructure licence or pipeline licence,
- (2) In section 3(1) in the definition of **gas producer** paragraph (b) delete “licence, other than an infrastructure licence or pipeline licence,” and insert:  
petroleum production licence
- (3) In section 3(1) in the definition of **pipeline** delete “all of the definition from and including “but does not include”” and insert:  
paragraph (b) of the definition

**New part put and passed.**

**Clauses 390 to 396 put and passed.**

**Clause 397: Section 164 amended —**

**Dr D.J. HONEY:** I was a little intrigued. If I understand this correctly, this clause will amend the section that requires the government to acquire land for the transport of material or other things. Why are all those other things such as minerals under the land included? Surely, if it is common law timing, so it is fee simple, all those mineral rights and other things would go with the land if it were to be acquired by the state. I do not understand why this provision details all those different things.

**Mr D.R. MICHAEL:** Section 164 of the Land Administration Act 1997 provides that mineral, petroleum and geothermal energy rights may be excluded from a taking order. Section 164 is to be expanded to state that unless otherwise stated, a taking order will also apply for the rights related to regulated substances, greenhouse gas substances, and petroleum and geothermal energy substances, as referred to in each of the various petroleum acts, with references to the respective revised titles. This amendment is a proportionate and suitable amendment in recognition of the introduction of rights for regulated substances as well as greenhouse gas storage and transport. It essentially maintains the status quo in coordination of the rights available within the three petroleum acts.

**Clause put and passed.**

**Clauses 398 to 417 put and passed.**



**New Part 5 Division 10A —**

**Mr D.R. MICHAEL:** I move —

Page 488, after line 8 — To insert —

**Division 10A — *Petroleum Titles (Browse Basin) Act 2014* amended**

**417A. Act amended**

This Division amends the *Petroleum Titles (Browse Basin) Act 2014*.

**417B. Section 6 amended**

- (1) In section 6(3) delete “an exploration permit for petroleum” and insert:  
a permit
- (2) In section 6(3) before “permit” (2<sup>nd</sup> occurrence) insert:  
petroleum exploration

**417C. Section 8 amended**

- (1) In section 8(3) delete “an exploration permit for petroleum” and insert:  
a permit
- (2) In section 8(3) before “permit” (2<sup>nd</sup> occurrence) insert:  
petroleum exploration

**New part put and passed.**

**Clause 418 put and passed.**

**Clause 419: Section 3 amended —**

**Mr D.R. MICHAEL:** I move —

Page 489, line 22 — To insert after “*geothermal*” —

*energy*

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 420 to 431 put and passed.**

**Title put and passed.**

**PETROLEUM AND GEOTHERMAL ENERGY SAFETY LEVIES AMENDMENT BILL 2023**

*Second Reading*

Resumed from an earlier stage of the sitting.

Question put and passed.

Bill read a second time.

*Consideration in Detail*

**Clauses 1 to 8 put and passed.**

**Clause 9: Section 3 amended —**

**Mr D.R. MICHAEL:** I move —

Page 6, after line 24 — To insert —

- (g) an infrastructure licence granted under the *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982* if the infrastructure facilities are for engaging in any of the activities mentioned in section 6B(3) of that Act;

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 10 to 16 put and passed.**

**Title put and passed.**

*House adjourned at 7.45 pm*

### QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

#### MINES AND PETROLEUM — AMMONIUM NITRATE TRANSPORT

**953. Mr R.S. Love to the Minister for Mines and Petroleum:**

- (1) Are there designated routes for the bulk transport of ammonium nitrate in:
  - (a) the metropolitan area; and
  - (b) regional areas?
- (2) What are the reporting requirements when a truck carrying ammonium nitrate is involved in an incident, be that a fire or traffic accident?
- (3) How many incidents (fire or traffic accident) have there been involving trucks carting ammonium nitrate in:
  - (a) 2020;
  - (b) 2021;
  - (c) 2022; and
  - (d) 2023?

**Mr D.R. Michael replied:**

- (1)
  - (a) No.
  - (b) No.
- (2) Section 9 of the Dangerous Goods Safety Act 2004 requires they are reported to the Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) A dangerous goods incident report form must be lodged with DEMIRS within 21 days of an incident.
- (3) The number of reported dangerous goods transport incidents involving ammonium nitrate products is listed as:
  - (a) 2020 – 2
  - (b) 2021 – 5
  - (c) 2022 – 7
  - (d) 2023 – 13

#### ABORIGINAL MEDICAL SERVICES — TRANSITION CARE PROGRAM

**954. Ms L. Mettam to the Minister for Health:**

I refer to the Minister’s media statement, “Innovative Aboriginal led service helping older hospital patients return to their communities” of 18 February 2022, and I ask:

- (a) Are all of the five Transitional Care Program partnerships with Aboriginal Medical Services (AMS) announced in the release currently operating;
- (b) If yes, where are they located.;
- (c) How many individuals, by program partnership location, have been transitioned to community care through the program.;
- (d) What are the ages of the individuals helped back to community care by the program;
- (e) Were any individuals readmitted to hospital after transitioning back to community care; and
- (f) Did any individuals helped back to community care by the program pass away within 1 month of returning to community care?

**Ms A. Sanderson replied:**

- (a) No. Three of the five initial proposed Pilot Aboriginal Community Controlled Health Services (ACCHS) commenced service delivery under the Pilot. Geraldton Aboriginal Medical Service (GRAMS) commenced service delivery under the Pilot in 2022 and ceased in December 2023. The remaining two Pilot ACCHS, did not proceed to build capacity to deliver TCP.
- (b) South West Aboriginal Medical Service (SWAMS) and Broome Aboriginal Medical Service (BRAMS) are currently delivering services in the South West, Peel and Broome.

- (c) Between 1 April 2022 and 8 February 2024, 28 clients of GRAMS, 33 clients of SWAMS and 46 clients of BRAMS.
- (d) Under the TCP, placements are available to Aboriginal people aged 50 years and over.
- (e) Yes.
- (f) Yes.

PREMIER — AUSTRALIAN LABOR PARTY NATIONAL CONFERENCE

**955. Mr R.S. Love to the Premier:**

I refer to the 49<sup>th</sup> Australian Labor Party National Conference held in August 2023, and I ask:

- (a) Did any members of the Premier's Office attend the conference:
  - (i) If yes, how many staff; and
  - (ii) If yes, did the staff attending take any form of leave?

**Mr R.H. Cook replied:**

- (a) (i)–(ii) One staff member attended the conference in a private capacity and was on approved leave. The Premier attended the event in an official capacity and was accompanied by two staff members, as the event coincided with a National Cabinet meeting in the same location.

MINISTERIAL OFFICES — STAFF ENTITLEMENTS

**956. Mr R.S. Love to the Premier:**

I refer to the resignation of the Hon Bill Johnston MLA as a Minister on 8 December 2023 and the consequential financial impact of departed or departing term-of-government ministerial staff, and I ask:

- (a) What was the total cost of all gross termination payments and accrued leave entitlements to ministerial staff as a result of the resignation; and
- (b) What was the value of each individual payout?

**Mr R.H. Cook replied:**

- (a)–(b) No payments were applicable.

MINISTERIAL OFFICES — STAFF ENTITLEMENTS

**957. Mr R.S. Love to the Premier:**

I refer to the recent ministerial reshuffle and the subsequent swearing-in of Ministers on 8 December 2023 and the consequential financial impact of departed or departing term-of-government ministerial staff, and I ask:

- (a) What was the total cost of all gross termination payments and accrued leave entitlements to ministerial staff as a result of the reshuffle:
  - (i) Broken down by ministerial office; and
- (b) What was the value of each individual payout:
  - (i) Broken down by ministerial office?

**Mr R.H. Cook replied:**

- (a)–(b) One departing employee received a payment of \$34,506.48, consisting of their leave entitlements and payment in lieu of notice.

PREMIER — VEHICLE LICENCES

**958. Mr R.S. Love to the Premier:**

I refer to the social media video posted by Senator Glenn Sterle on 11 December 2023 featuring Premier Roger Cook behind the wheel of a 'triple road train' driving across the new Fitzroy River bridge, and I ask:

- (a) At the time the video was taken on 10 December 2023, did the Premier hold a Heavy Rigid or Heavy Combination licence; and
- (b) At the time the video was taken on 10 December 2023, did the Premier hold a Multi Combination (MC) licence?

**Mr R.H. Cook replied:**

- (a)–(b) I reject the premise of the question, which is misleading and incorrect.

The truck was driven across the Fitzroy River Bridge by Senator Sterle. At no point did the Premier drive a truck across the Fitzroy River Bridge, as the Member has incorrectly stated.

## PREMIER — NATIONAL CABINET MEETING — TRAVEL

**959. Mr R.S. Love to the Premier:**

I refer to the National Cabinet meeting held in Canberra on 6 December 2023, and I ask:

- (a) Did the Premier fly business class to Canberra;
- (b) Did the Premier fly business class to Perth;
- (c) How many of the Premier's Office accompanied the Premier to Canberra for National Cabinet:
  - (i) Please breakdown by position;
- (d) Did any of the Premier's staff fly business class to Canberra;
- (e) Did any of the Premier's staff fly business class to Perth; and
- (f) Did the Premier attend any other event other than National Cabinet whilst in Canberra:
  - (i) If so, what event(s)?

**Mr R.H. Cook replied:**

- (a)–(b) The Premier's travel to Canberra for National Cabinet was undertaken in accordance with guidelines for travel.
- (c) Two.
  - (i) Chief of Staff and Media Director.
- (d)–(e) Yes. One, in accordance with guidelines for travel.
- (f) Yes.
  - (i) The Premier attended:
    - Council for the Australian Federation meeting;
    - National Cabinet Dinner;
    - Meeting with the High Commissioner of India to Australia, Mr Manpreet Vohra; and
    - Meeting with the Australian National University.

## COOK GOVERNMENT — MINISTERIAL DIARY DISCLOSURE SYSTEM

**960. Mr R.S. Love to the Premier:**

I refer to the WA Government's media statement titled 'Cook Government delivers fair and transparent electoral system' and the Premier's comment that "We made a commitment to ensure transparency, integrity, and accountability in the political process and we have delivered.", and I ask:

- (a) In the interest of transparency, integrity and accountability in the political process, will you consider implementing a ministerial diary disclosure system similar to that of New South Wales:
  - (i) If not, why not?

**Mr R.H. Cook replied:**

- (a) The WA Labor Government has delivered on its election commitment to improve the transparency and accountability of donations to political parties and candidates to ensure public confidence in the Western Australian electoral process. Unlike the Liberal and National parties, who voted against the reforms, the WA Labor Government has a record of improving transparency and accountability across the government and the electoral system.
  - (i) Not applicable.

STATE AND INDUSTRY DEVELOPMENT, JOBS AND TRADE —  
AGENT GENERAL AND TRADE COMMISSIONERS**961. Ms L. Mettam to the Premier; Minister for State and Industry Development, Jobs and Trade; Public Sector Management; Federal–State Relations:**

I refer to the article "WA's Agent General and Trade Commissioners return to Perth" posted on November 23, 2023 on the WA State Government website [investandtrade.wa.gov.au/news-events/news](https://investandtrade.wa.gov.au/news-events/news) which states "Western Australia's Agent General and Trade and Investment Commissioners are back in Perth for the first time since they were first deployed overseas in 2021.", and I ask:

- (a) Can you confirm, as stated in the article, that this was in fact the first return to Perth for the Agent General and the Commissioners since their deployment in 2021;
- (b) If the Agent General or Commissioners have returned to Western Australia at other times since their deployment in 2021, what are the dates and duration of those trips; and

- (c) How many days have the Agent General and each Commissioner spent in Western Australia since they were first deployed overseas?

**Mr R.H. Cook replied:**

- (a) Yes. This was the first collective meeting of the Agent General and Investment and Trade Commissioner's in Western Australia since their deployment in 2021.
- (b)–(c) Travel to Western Australia by the Agent General and Investment and Trade Commissioners since their deployment is outlined in the table below.

Name	Dates spent in Western Australia since deployment*	Number of days spent in Western Australia since deployment*
Ms Juan Le	27 Sep 2023 – 8 Oct 2023 8 Dec 2023 – 6 Jan 2024	42
Ms Nashid Chowdhury	26 Oct 2022 – 1 Nov 2022 10 Apr 2023 – 18 Apr 2023 18 Jun 2023 – 28 Jun 2023 8 Nov 2023 – 18 Nov 2023	38
Ms Nicole Fasana	4 Dec 2022 – 14 Dec 2022 27 Apr 2023 – 6 May 2023 25 Jul 2023 – 8 Aug 2023 8 Nov 2023 – 19 Nov 2023 26 Jan 2024 – 1 Feb 2024	55
Mr John Langoulant AO	4 Aug 2022 – 6 Sep 2022 21 Oct 2022 – 1 Nov 2022 12 Mar 2023 – 28 Mar 2023 11 Nov 2023 – 13 Dec 2023	97

\*Includes travel days to and from Western Australia, weekends, annual leave taken while in Western Australia and personal or medical related reasons in line with employment contracts.

#### INVEST AND TRADE WA — OFFICES

**962. Ms L. Mettam to the Premier; Minister for State and Industry Development, Jobs and Trade; Public Sector Management; Federal–State Relations:**

I refer to Invest and Trade Western Australia, and I ask:

- (a) How many overseas offices are currently being maintained for the overseas operations of Invest and Trade Western Australia;
- (b) How long has each office been operational;
- (c) Have any offices been closed; and
- (d) List, by office, the total cost of operating each office since its establishment until 31 December 2023?

**Mr R.H. Cook replied:**

- (a) 15
- (b) [See tabled paper no [2695](#).]
- (c) All 15 offices are operational.
- (d) [See tabled paper no 2695] for operating costs in 2022–23. Operating costs for each office since their establishment is not available. For example, the London, United Kingdom office has been in operation for over 130 years, since the 1800s.

#### INVEST AND TRADE WA — ACCOMMODATION

**963. Ms L. Mettam to the Premier; Minister for State and Industry Development, Jobs and Trade; Public Sector Management; Federal–State Relations:**

I refer to Invest and Trade Western Australia, and I ask:

- (a) Does the Government fund overseas residential accommodation for WA's Agent General and Trade Commissioners;

- (b) If yes to (a):
- (i) In which cities is the Government funding accommodation;
  - (ii) By location, what is the type of accommodation the Government funding (ie hotel, apartment, house); and
  - (iii) By location, what is the total cost to government of each funded residential accommodation up to 31 December 2023;
- (c) If no to (a):
- (i) Is an allowance for accommodation expenses included in the salary packages of the Agent General and Trade Commissioners' salaries; and
  - (ii) By employee, what is the total cost of the accommodation allowances paid to the Agent General and Trade Commissioners; and
- (d) What is the total annual salary and allowances package for the Agent General and each of the Trade Commissioners?

**Mr R.H. Cook replied:**

- (a) Yes.
- (b) (i)–(iii) Residential accommodation costs for 2022–23 are provided below.

Location	Accommodation Type	2022–23 Cost
London, United Kingdom	Apartment	\$308,880
Tokyo, Japan	Apartment	\$235,069
Chennai, India*	Apartment	\$32,800
Singapore^	Apartment	\$112,232
Shanghai, China	Nil – not deployed until 2 September 2023.	
Austin, United States	Nil – not deployed until 4 January 2024.	
Jakarta, Indonesia	Nil – not yet deployed.	

\*The Investment and Trade Commissioner for India-Gulf's spouse is employed by Austrade and receives accommodation assistance. JTSI and Austrade agreed have agreed to 40/60 split of residential lease costs (respectively) from 1 February 2023.

^The former Investment and Trade Commissioner for ASEAN's employment concluded on 3 May 2023. Once appointed, the new Investment and Trade Commissioner for ASEAN will reside in Jakarta, Indonesia.

- (c) (i)–(ii) Not applicable.
- (d) The total annual remuneration (salary, superannuation and any allowances) as at 22 February 2024 for the Agent General and Investment and Trade Commissioners is provided in the table below. Allowances provided to the Agent General and Investment and Trade Commissioners (if any) are informed by third party global mobility data and vary depending on location and dependents.

Name	Salary	Superannuation	Allowances	Total Annual Remuneration
Mr Bryce Green	\$177,186	\$19,490	–	<b>\$196,676</b>
Ms Juan Le	\$177,186	\$19,490	\$163,402	<b>\$360,078</b>
Ms Nashid Chowdhury	\$177,186	\$19,490	\$97,451	<b>\$294,127</b>
Mr John Langoulant AO	\$376,560	\$41,422	\$116,851	<b>\$534,833</b>
Ms Natasha Monks*	\$215,508	\$23,706	\$157,906	<b>\$397,120</b>

\*On secondment. Salary from role as CEO of Great Southern Development Commission applies.

**TRANSPORT — PRACTICAL DRIVING ASSESSMENTS**

**964. Mr R.S. Love to the Minister assisting the Minister for Transport:**

- (1) In reference to Practical Driving Assessments (PDA), please provide the following, for each site, for the years 2021, 2022 and 2023:
- (a) Failure rates shown as a %; and
  - (b) Number of driving assessors per site shown as Full Time Equivalents (FTE)?

- (2) For the driver assessor recruitment drive please provide by site the number of applications received and number of assessors employed and or contracted shown as FTE for:
- (a) July 2023; and
- (b) December 2023?

**Mr D.R. Michael replied:**

- (1) (a)–(b)

Site	(1)(a) Pass Rate Against Fail (%)			(1)(b) Driving Assessors (occupied FTE)		
	2021	2022	2023	2021	2022	2023
Cannington DVS	44.3	31.1	47.1	4.92	6.01	4.10
City West DVS	33.8	32.2	39.0	8.96	9.65	9.18
Butler DVS	—	—	47.4	—	—	8.05
Joondalup DVS/DAC	36.7	38.1	43.8	8.89	7.56	10.33
Kelmscott DVS	50.4	44.5	43.5	13.24	12.29	14.69
Mandurah DVS	41.9	34.4	38.2	3.14	3.86	3.54
Midland DVS	39.0	32.3	36.9	8.27	9.59	9.41
Mirraboooka DVS	21.9	31.3	34.2	6.67	7.96	8.00
Rockingham DVS	42.0	38.7	39.5	3.99	5.54	5.58
Success DVS	29.0	42.3	48.9	4.81	6.28	6.11

- (2) (a)–(b) Recruitment drives were undertaken by region, not by site.

JobsWA Board Ref #	Closing Date	Applied	Employed
Ef1249/1258	16/01/2023	52	5
Ef1394	05/05/2023	117	13
Ef1539/1540	24/07/2023	136	5
Ef1625/1626	20/09/2023	40	9
Ef1794/1795	16/02/2024	169	In progress

#### SMARTRIDER CARDS — MEMBERS OF PARLIAMENT

#### 965. Mr R.S. Love to the Minister for Transport:

I refer to The Summer of Free Public Transport SmartRider initiative media statement on 15 December, that started on 24 December 2023, and I ask:

- (a) what was the total number of SmartRiders distributed to each Member of Parliament;
- (b) when were they distributed to each Member of Parliament and how;
- (c) how many were activated; and
- (d) what was the total cost?

**Ms R. Saffioti replied:**

- (a)–(d) To assist constituents who wish to access the Government's free public transport initiatives, an initial 15, and later an additional 50, SmartRiders loaded with a minimum balance have been offered to each Member of the Legislative Assembly (MLA).

15 SmartRiders were posted to each Opposition MLA on 9 January 2024.

A further 50 per MLA were offered to the Opposition in February, with the allocation for Liberal MLAs being delivered to 2 Parliament Place on 14 February 2024, and the allocation for Nationals MLAs delivered to Parliament House Reception on 20 February 2024, as requested by Opposition staff members.

SmartRiders not collected by Government MLAs been offered to Government Members of the Legislative Council.

Requests for additional SmartRider cards can be made to the Minister's office and will be facilitated where possible.

MINISTER FOR TRANSPORT — RAIL INDUSTRY MEETING —  
REGIONAL AUSTRALIA LEVEL CROSSING SAFETY PROGRAM

**966. Mr R.S. Love to the Minister for Transport:**

- (1) With reference to a meeting the Minister for Transport had with the rail industry in November 2023, please detail the outcomes of this meeting?
- (2) What progress has been made on Main Roads' grant application under the Regional Australia Level Crossing Safety Program to trial an active level crossing control relying on radio communications between the crossing controls and in-track detection?

**Ms R. Saffioti replied:**

- (1) The Rail Safety Forum brought together senior industry executives and Government to identify pathways to improve rail safety, including discussion of CBH and Aurizon's locomotive lighting trial. The meeting was very productive, and I have asked the Department of Transport to co-ordinate the development of further safety initiatives.  
  
This builds on the WA Labor Government's strong commitment to improving rail safety in regional WA, including upgrades to passive level crossings in regional Western Australia; driving the development of a train lighting code of conduct through the Infrastructure and Transport Ministers' Meeting forum; and securing \$180.1 million of federal funding through the Regional Australia Level Crossing Safety Program.
- (2) Main Roads was successful in its application to the Commonwealth's Level Crossing Safety Research and Innovation Grant Program. Design activities for the trial crossing are now underway.

MINES AND PETROLEUM — AMMONIUM NITRATE TRANSPORT

**967. Mr R.S. Love to the Minister for Mines and Petroleum:**

- (1) Are there designated routes for the bulk transport of ammonium nitrate in:
  - (a) the metropolitan area; and
  - (b) regional areas?
- (2) What are the reporting requirements when a truck carrying ammonium nitrate is involved in an incident, be that a fire or traffic accident?
- (3) How many incidents (fire or traffic accident) have there been involving trucks carting ammonium nitrate in:
  - (a) 2020;
  - (b) 2021;
  - (c) 2022; and
  - (d) 2023?

**Mr D.R. Michael replied:**

- (1)–(3) Please refer to answers given in Legislative Assembly Question on Notice no. 953.

POLICE PROSECUTORS

**968. Mr R.S. Love to the Minister for Police:**

I refer to individuals employed by the Western Australian Police Force as police prosecutors, and I ask:

- (a) What is the current number of police prosecutors in Western Australia; and
- (b) What is the operational capacity of police prosecutors in Western Australia?

**Mr P. Papalia replied:**

Please refer to Question on Notice 969.

POLICE PROSECUTORS

**969. Mr R.S. Love to the Minister for Police:**

I refer to individuals employed by the Western Australian Police Force as police prosecutors, and I ask:

- (a) What is the current number of police prosecutors in Western Australia; and
- (b) What is the operational capacity of police prosecutors in Western Australia?

**Mr P. Papalia replied:**

The Western Australia Police Force advise:

As at 31 January 2024:

- (a) 121.36 – FTE
- (b) 150



ENVIRONMENT — *PHYTOPHTHORA* DIEBACK**971. Ms L. Mettam to the Minister for Environment:**

I refer to the impact of *Phytophthora* dieback, and I ask:

- (a) How much funding has been allocated each financial year since 2017–18 to address this issue:
  - (i) Can you provide details outlining the name of the program(s) funded and the amount provided over each year of funding?

**Mr R.R. Whitby replied:**

(a)

Financial year	Budget allocated \$'000
2017–18	1321
2018–19	1301
2019–20	1277
2020–21	1298
2021–22	1208
2022–23	1261
2023–24	1368

- (i) The Department of Biodiversity, Conservation and Attractions (DBCA) undertakes its responsibilities to reduce the impact of dieback on DBCA-managed lands in accordance with Corporate Policy Statement 3 – Management of *Phytophthora* Disease. DBCA prioritises areas for management according to the biodiversity values present to minimise impacts. Activities funded through the *Phytophthora* dieback management program include mapping operations, vegetation health services and phosphite application, together with ongoing research and monitoring, community engagement and education activities. DBCA provides industry and government with dieback diagnostic services, maintaining an internationally recognised collection and database of *Phytophthora* isolates, provides Green Card training on dieback awareness and management, and dieback interpretation services.

## POLICE — RANDOM BREATH TESTS

**973. Mr R.S. Love to the Minister for Police:**

How many random breath tests have been undertaken by the Western Australia Police Force in the following years:

- (a) 2020;
- (b) 2021;
- (c) 2022; and
- (d) 2023?

**Mr P. Papalia replied:**

The Western Australia Police Force advise:

- (a) 1, 683, 447;
- (b) 1, 752, 619;
- (c) 2, 042, 321;
- (d) 2, 185, 098.

## COMMERCE — RESIDENTIAL LAND — FOREIGN INVESTMENT

**974. Mr R.S. Love to the parliamentary secretary to the Minister for Commerce:**

What is the number of residential land purchases made by foreign investors in the financial years of:

- (a) 2020–21;
- (b) 2021–22; and
- (c) 2022–23?

**Dr J. Krishnan replied:**

Answer

- (a) 472
- (b) 539
- (c) 781

## MUSIC FESTIVALS — PILL TESTING

**975. Mr R.S. Love to the Minister for Health; Mental Health:**

I refer to the stance taken by McGowan Labor Government that opposed the use of pill testing at music festivals, and I ask:

- (a) Does the Cook Labor Government maintain its opposition to pill testing at music festivals; and
- (b) Is there any indication that the policy position of the Government on pill testing at music festivals will change in the foreseeable future?

**Ms A. Sanderson replied:**

- (a)–(b) The Cook Government has no plans to introduce pill testing in Western Australia at this time.

## PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS — TRAVEL

**980. Mr R.S. Love to the Speaker:**

I note the budget allocation for the Parliamentary Commissioner for Administrative Investigations falls under Parliament, and the Parliamentary Commissioner for Administrative Investigations appears in estimates alongside the Speaker, and I ask:

- (a) Were you, as a presiding officer, aware of the travel arrangements of the Parliamentary Commissioner:
  - (i) If not, who is responsible for the oversight of the Parliamentary Commissioner's expenditure; and
  - (ii) If yes, did you approve the travel arrangements of the Parliamentary Commissioner?

**The Speaker replied:**

- (a) No.
    - (i) The Parliamentary Commissioner holds office in accordance with the provisions of the *Parliamentary Commissioner Act 1971*. Under the *Financial Management Act 2006*, the Parliamentary Commissioner is the accountable authority for the agency and is subject to the reporting and accountability requirements of that Act, including the presentation of annual reports to the Parliament.
    - (ii) No.
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