



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE ASSEMBLY

Thursday, 13 June 2024

Legislative Assembly

Thursday, 13 June 2024

THE SPEAKER (Mrs M.H. Roberts) took the chair at 9.00 am, acknowledged country and read prayers.

MENTAL HEALTH — KARRATHA

Petition

MR K.J.J. MICHEL (Pilbara) [9.01 am]: I have an e-petition from Kristie Grabenhofer that has been certified by the clerks as conforming with the standing orders of the Legislative Assembly. It contains 22 signatures. They urgently call on the state government to provide a residential inpatient/outpatient facility for mental health issues with residential psychiatrists who can provide consistent ongoing care and medication to ensure accurate diagnosis and support in Karratha. The petition reads —

On February 1st 2024, my 21-year-old son took his own life due to deficiencies in mental health care and resources in Karratha. The help received in the last 10 months was unacceptable, insufficient, and resulted in the loss of his life. There is a high incidence of suicide amongst youth and adults in our community due to inadequate care for all mental illnesses. Karratha needs easy access to reliable, consistent Psychiatry/Psychologists and Paediatrics for all mental health issues including ADHD, anxiety, depression, bi-polar mood disorders, autism etc.

The petition continues —

... consistent ongoing care, to give accurate diagnosis, medication, and ongoing support for both youth and adults suffering mental health issues. Mental Health is a priority that needs to be addressed within our community.

[See petition 56.]

PAPER TABLED

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

MARGARET RIVER READERS AND WRITERS FESTIVAL

Statement by Minister for Culture and the Arts

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [9.04 am]: On the weekend of 17 May, I had the pleasure of providing a welcome address at the Margaret River Readers and Writers Festival at Margaret River HEART—Nala Bardip Mia. Over 400 people packed the venue for the official festival opening. I was joined by local member Jane Kelsbie, MLA, member for Warren—Blackwood. This festival fills the south west region with literary delights through 50 events held between Margaret River and Busselton, as well as 10 more satellite events.

The Margaret River Readers and Writers Festival featured over 60 authors and presenters, including a return of international talent. This year, Scottish author Andrew O'Hagan and British philosopher A.C. Grayling presented alongside a star-studded Australian line-up that included Wendy Harmer, William McInnes and best-selling author Holly Ringland.

I was incredibly proud of the Western Australian content in the festival, including five authors who have recently been nominated for the 2024 Western Australian Premier's Book Awards—Molly Schmidt, Gemma Nisbet, Dianne Wolfer, Alan Fyfe and Laurie Steed. We are fortunate to have such extraordinary literary talent in our state. All 11 main stage sessions featuring high-profile international and Australian guest authors were sold out. Twelve writers workshops were also held featuring new and emerging authors, including three free workshops. Over 1 000 people attended the festival weekend, with over 5 000 event tickets sold. The festival also engaged over 3 000 students from 16 schools in the south west region through the young readers and writers program.

Arts Margaret River, under the leadership of festival director Sian Baker, has made this incredible event possible. It harnessed the contributions of over 60 volunteers to provide crucial support to the festival, who all bring incredible passion and energy. These volunteers are the backbone of Arts Margaret River and collectively their efforts have a huge impact on the success of the festival. The Cook government has invested \$50 000 in the Readers and Writers Festival through the Arts Projects for Organisations program, as well as another \$50 000 for the operations of Arts Margaret River through the regional arts sector investment program.

I am delighted to acknowledge the many achievements of Arts Margaret River, a tremendous cultural organisation in the south west, and I encourage all members to attend the Margaret River Readers and Writers Festival in future years—maybe even to launch their memoirs!

WATER CORPORATION — KIMBERLEY COMMUNITY GRANTS SCHEME*Statement by Minister for Water*

MS S.F. McGURK (Fremantle — Minister for Water) [9.06 am]: Today I update the house on the Water Corporation's 2024 Kimberley community grants scheme. Now in its ninth year, the scheme provides individual grants of up to \$10 000 to not-for-profits and community groups for projects that make a positive contribution to life in the Kimberley. A few weeks ago, I travelled to Broome and Kununurra to join Water Corporation and representatives from the Lions Club of Broome to award this year's recipients—13 worthy grassroots organisations that collectively received \$80 000. The winners were diverse, with some of the 13 grants awarded to the Broome town band to expand its repertoire with licensing rights to more songs; the Wyndham Historical Society for a monument to the town's industrial heritage; Broome's native animal rescue for security lighting at a turtle rehabilitation facility; the Kununurra Picture Gardens to fix a broken projector that hampered the end of its 2023 season; and a new ice machine that will allow the Ord River Magpies Football Club to better treat injuries and keep players cool during games.

The grants program is particularly unique because it is funded using proceeds from the sale of grass hay that is grown using recycled water from the Broome North Water Resource Recovery Facility, which demonstrates that wastewater is no longer something to be wasted. Recycled water from homes and businesses in Broome is used to grow hay, with profits used by the Water Corporation to give back to the community. It is a real example of a circular economy. These grants may seem small to some, but the feedback from the recipients was that they make a big difference.

WATERBANK SITE — PUBLIC SPACE*Statement by Minister for Lands*

MR J.N. CAREY (Perth — Minister for Lands) [9.08 am]: Today I update the house on progress at the former Waterbank development site. The start of the transformation of the site into a high-quality landscaped public space with multipurpose recreational fields has begun. Work is set to begin on rebuilding the former Trinity Avenue, with a \$3.1 million project funded by Lendlease. This project will reconnect Trinity College with Hay Street and open up public access to future temporary recreational fields and landscaped public space on the Waterbank foreshore. The 200-metre road will allow the public to access the area, which will be transformed into a temporary public space suitable for a wide array of recreational pursuits. The government has undertaken significant investigations into a range of options for Waterbank, but we must be clear that the advice is that the land is significantly constrained and not currently suitable for development. The decision to green and landscape the area will ensure it will provide community benefits and value to the public and Trinity College while future land use options are considered. Lendlease will commence construction of the road as part of its obligations in handing the site back to the state government. I am sure residents will have the same excitement as we wait for part 2 of *Bridgerton* tonight on Netflix!

JINBI SOLAR FACILITY*Statement by Minister for Environment*

MR R.R. WHITBY (Baldy — Minister for Environment) [9.10 am]: I have yet to watch the first episode!

I am pleased to inform the house that the Yindjibarndi Energy Corporation was granted environmental approval for its proposed Jinbi solar facility on 3 May 2024. It is the first project to receive approval under the Cook Labor government's new green energy approvals initiative. This is big news.

The facility is located on Yindjibarndi Ngurra country and will provide up to 150 megawatts of solar-generated renewable energy that will feed into Rio Tinto's private energy grid, which is currently powered by fossil fuels. The Jinbi solar facility is the first project in the Yindjibarndi Energy Corporation's plans to develop, own and operate large-scale renewable energy projects, with an aim to provide up to three gigawatts of capacity in the Pilbara region.

The Yindjibarndi Energy Corporation is a partnership between Yiyangu Pty Ltd and ACEN Australia that was formed in June 2023. Yiyangu is 100 per cent owned by the Yindjibarndi people and has a 25 per cent stake in the Yindjibarndi Energy Corporation, with the balance controlled by ACEN. The partnership agreement has been framed to ensure Yindjibarndi approval is required for all proposed project sites, Yindjibarndi equity of 25 to 50 per cent in all projects, preferred contracting for Yindjibarndi-owned businesses, and training and employment opportunities for Yindjibarndi people.

The decision was subject to a 21-day appeals period that closed on 24 May this year, with no appeals received. That means there was a period of only 86 days from when the Department of Water and Environmental Regulation received the application to it being fully resolved. That is less than three months for an approval. This marks the first renewable energy project approval to be completed under the newly formed green energy directorate.

The green energy directorate is a dedicated environmental assessment team that forms part of the green energy approvals initiative. The directorate is now leading assessments on over 40 projects across the agency. The green energy approvals initiative is a cross-government collaboration to deliver faster environmental approvals for renewable energy projects, without compromising the unique environmental biodiversity of Western Australia.

The decision to grant approval without receiving any appeals is a significant achievement for both the department and the Yindjibarndi Energy Corporation. It demonstrates the value that is gained when government, private industry and traditional owners work together to deliver green energy solutions for Western Australia, and underpins the Cook government's commitment to reach net zero by 2050. It demonstrates that our reforms are working.

COMMUNITY GARDENS

Statement by Minister for Community Services

MS S.E. WINTON (Wanneroo — Minister for Community Services) [9.13 am]: Community gardens can be the lifeblood of a region or suburb, getting neighbours together and keeping people active and engaged. Grants of up to \$10 000 were available to support the establishment and development of sustainable, edible community gardens under the 2023–24 community garden grants program. Incorporated not-for-profit community organisations, local government authorities and community groups were eligible to apply. Following high demand for the program and in recognition of the value of community gardens, the Cook government announced an additional investment of \$308 000 in May. This allowed 35 additional community garden projects to receive funding. A total of \$508 000 in funding has now been awarded to 64 organisations through the 2023–24 program. These grants cover all regions of Western Australia.

I recently had the pleasure of visiting some incredible gardens and heard about their plans for promoting these community resources. On 6 June, I visited the Capel Community Garden in the south west with the member for Collie–Preston. We met with members who shared their long-term plan to grow their garden and allowed me to taste their produce. In May, the member for Kimberley and I were invited to Incredible Edible Broome. It has developed wonderful workshops to increase food security and food waste management skills of the community. I also visited the coastal community garden in North Beach with the member for Scarborough and heard about how its members will use funding of \$10 000 to create garden beds and paths for accessibility purposes, and develop a shared area.

There are other existing projects around WA. The Hopetoun Community Resource Centre in the goldfields–Esperance region is establishing a youth Earthkeepers initiative. It will be a youth-led community garden and green waste recycling program that it is envisioned will be a hub of inclusivity, sustainability, and community engagement. In the Pilbara, the Yandeyarra Remote Community School will run the community desert to plate project. A garden of living walls using climbers, trees and other bird and bee-friendly plants will be created in the wheatbelt by Brookton Community Incorporated. In the Gascoyne, the Exmouth Community Garden will undertake a climate resilience and accessibility project. St Vincent de Paul Society is establishing the Mirrabooka Community Food Centre's community garden from which participants will be able to access affordable and culturally appropriate food. In the great southern, Alzheimer's Australia WA is developing Don's Cottage Community Garden. The garden will provide good social engagement and gardening activity and enhance mobility for people living with dementia.

The funded projects will help to establish and maintain community gardens that encourage community members to participate more actively in community life, develop and implement their skills and give back to the community. I congratulate the successful recipients and I look forward to meeting with many more of them.

WORKING WITH CHILDREN CHECKS

Statement by Minister for Child Protection

MS S.E. WINTON (Wanneroo — Minister for Child Protection) [9.16 am]: Keeping children safe is always our priority and working with children checks are a really important screening tool that help to do that. New legislation on working with children checks came into effect on 1 July 2023, making it harder for people who have committed certain offences or engaged in certain conduct to obtain working with children checks. These laws also allowed for penalties, including fines of up to \$60 000 and up to five years' imprisonment for those who conduct child-related work whilst holding a negative notice. The provisions also enabled real time information from other government agencies, including the Western Australia Police Force, meaning the unit can immediately review a working with children check when an individual is charged with a serious offence.

To date, in the 2023–24 financial year, over 126 000 working with children applications have been received. This means that more than 169 000 people will have undergone the much more rigorous screening and assessment process under the new legislation.

The Cook government remains committed to delivering strengthened protections for children in WA. I visited the working with children check screening unit in early 2024 and learnt more about its important work, which spans every region of WA. I commend the unit's commitment to keeping Western Australia's children safe.

The working with children check unit has seen two successive years of record-breaking application numbers in 2022 and 2023. Despite the increase in applications, the wait time has reduced for applicants. The working with children check unit continues to run community engagement campaigns to ensure Western Australian community members are aware of their obligations when working with children. Recently, the working with children check unit has focused on new "Have you checked?" campaign resources aimed at reminding religious and faith-based

organisations on the need to check working with children cards of new volunteers engaging in child-related work. On 22 April 2024, the unit also launched the regional outreach program, Explore the Check, in the great southern, with sessions being held in Harvey, Collie, Donnybrook, Manjimup and Nannup this week. This outreach program to regional and remote WA is promoting key information about the working with children check, including individual and organisation obligations for those working with children. Explore the Check is an opportunity to better support the needs of regional and remote Western Australia, and I look forward to launching further child safety campaigns throughout the year, including one later this month.

MENTAL HEALTH — DROUGHT-AFFECTED COMMUNITIES

Grievance

MS R.S. STEPHENS (Albany) [9.20 am]: My grievance is to the minister representing the Minister for Agriculture and Food. I thank the minister for taking my grievance. Primary production is the backbone of the great southern's economy and, in fact, the backbone of many regional Western Australian towns. According to the Great Southern Development Commission, the great southern is Western Australia's largest agricultural region, with approximately 60 per cent of its economic activity directly or indirectly related to agriculture. Key primary production activities include broadacre cropping, livestock farming and producing superb fresh produce as well as award-winning beverages. These vital agricultural products, from lamb to beef, milk and cheese, feed our nation. I take this opportunity to thank WA's hardworking primary producers.

This year, farmers across our state, including many of my constituents, have faced challenging drought conditions. Unfortunately, this hot, dry weather is the new normal because of climate change, and it is absolutely vital that we find new ways to tackle these challenges going forward. However, a number of my constituents believe that this tough season was made worse by the federal government's announcement to phase out live sheep exports by 1 May 2028. Our state government does not support that policy and we believe it will negatively impact our rural communities. The Minister for Agriculture and Food, Hon Jackie Jarvis, will continue to fight for a better deal for WA farmers. She will travel to Canberra in the coming weeks to meet with her federal counterparts to advocate for adequate assistance to support the transition if the bill process proceeds. It must be noted that the recent rainfall has provided some relief, and it is great to hear stories from around my electorate of farmers celebrating the break in the weather. However, the morale of the sheep producers remains low. These are tough and uncertain times, and we know that people's mental health can suffer. According to statistics from Lifeline Australia, people in rural populations are twice as likely to take their life by suicide. Beyond the tragic loss of the person, the impact of suicide is felt by up to 135 people, including family members, work colleagues, friends and first responders at the time of the death. These statistics are a stark but sad reality.

I want to reassure my constituents that our government is standing with rural communities, that they are not alone and that critical mental health services are available. What actions has the government taken to support our drought-affected communities? Has funding been provided to mental health and wellbeing services? How can rural residents feel more connected? How can we help break down the stigma of mental health?

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [9.22 am]: I am very pleased to respond to this grievance from the member for Albany. I thank her for the grievance and her ongoing advocacy for the farming communities within her electorate and region and, of course, across the state. I regularly keep in contact with a number of people in the areas where I used to live and am pleased that the rainfall in the last few weeks has been promising, but, of course, we want that to continue so that things will look much brighter for our agricultural region. The Cook government is firmly behind farmers in Western Australia. We very much recognise their importance to Western Australian life, our economy and the health and wellbeing of our broader community. If the farmers are successful and doing well, that makes for a successful Western Australia. I highlight to the member that the Minister for Agriculture and Food, Hon Jackie Jarvis, has been continuously and relentlessly working to advocate for a better deal for our farmers, and she will continue to do so. Certainly, support has continued for those affected by the drought.

Point of Order

Ms M.M. QUIRK: There are some conversations at the back of the chamber and I am finding it quite hard to hear.

The ACTING SPEAKER (Mrs L.A. Munday): Member for Belmont, people are struggling to hear. If you could take that conversation outside, it would be greatly appreciated. Thank you.

Grievance Resumed

Mr D.A. TEMPLEMAN: The Cook government established the Dry Season Taskforce in April. That is made up of respected industry leaders who provide critical advice. Coupled with that was a significant package of support worth \$8.6 million for impacted agricultural industries in rural communities. That included \$2 million in hardship grants, \$4 million in interest-free loans, a \$1.5 million investment in community water infrastructure, \$225 000 in donations for rural assistance charities and, importantly, \$875 000 to support mental health and community wellbeing programs. Part of that package included funding for the Blue Tree Project, which received \$250 000.

With that funding the charity is set to embark on a regional mental health tour across Western Australia, travelling more than 3 000 kilometres and visiting locations in the member's electorate as well as others such as Brookton, Wagin and Moora, to name a few. The charity's mission, as the member is well aware, is to connect with thousands of people and help break down the stigma of mental health, spark open conversations and encourage people to reach out for help. The message is quite simple but very effective: it's okay not to be okay. During the regional mental health tour, the blue Tree Project will host a range of free activities including blue tree paintings, discussion panels with empowering speakers, sporting events and quiz nights. Those social events are very important to regional towns. They help to not only foster connections and participation, but also provide a safe environment for mates to have a chat at a game of footy, for mothers to share their concerns over coffee and for teenagers to ask what mental health services are available. Thankfully, we are very pleased that key speaker and Blue Tree Project founder and CEO, Kendall Whyte, will talk about her own experience and the tragic loss of her brother Jayden in 2018. The blue tree that was once painted by Jayden as a practical joke at their home in Mukinbudin now acts as a beacon of hope for those who are struggling. There are now 700 painted trees across Australia and the world. It is a very effective mental health campaign. The Unbreakable Farmer, Warren Davies, who is one of Australia's leading mental health advocates, will also share his journey piecing his life back together. In addition, the Blue Tree Project will gather expressions of interest for its accredited mental health first aid training course, with the view of travelling back to equip regional communities with lifesaving skills. The tour is set to kick off on 19 June, running through to 11 July. For more information, members can visit the website at bluetreeproject.com.au. Please reach out. It is easily accessible.

In addition, the Cook government has launched a dedicated drought-response website and hotline. This is very important because it operates 24 hours a day, seven days a week and enables farming families to speak to a trained operator who can connect them with the financial and mental health services that are most relevant to their needs. We know that the recent drought has caused some significant angst and tough times for a number of primary producers throughout our regional communities. We recognise that and we want to reassure them, as the member has in her electorate of Albany, that they are not alone. We will, as a government, continue to support them in every way we can to make sure we do what is right, because we value them so much. Our farming communities are critical to Western Australia. It is important that they be valued and supported. I can assure the member that the Minister for Agriculture and Food and, of course, the Premier will continue to do that on behalf of the government. We encourage rural residents to support each other by getting involved in the Blue Tree Project's regional mental health tour. We genuinely want them to be engaged so that they access this assistance and the support they may need in a safe and protected manner, and that they benefit from the services that are offered.

I am very pleased that the member raised this very important grievance. The message that help is there is very important to the agricultural communities in her electorate and all electorates across the state. The government is strongly supporting them and it will continue to do so into the future because they are very valuable parts of our Western Australian community

NICHELIVING — HOME CONSTRUCTION DELAYS

Grievance

MR R.S. LOVE (Moore — Leader of the Opposition) [9.29 am]: I grieve today to the parliamentary secretary representing the Minister for Commerce on behalf of the hundreds of Western Australians who have been let down by Nicheliving and the Cook government. The stories I have heard in recent days are heartbreaking and unacceptable, and suggest a government that has turned a blind eye to those who are enduring such hardships. In doing so, the government is failing to stand up for Western Australian families who are feeling helpless and hopeless about their plight and the lack of action, urgency or intervention from the government.

I wish to give credit to the ABC *Morning* program, especially to Nadia Mitsopoulos and Alicia Hanson, who have been highlighting issues relating to Nicheliving and its managing director, Ronnie Michel-Elhaj, for more than a year. Their advocacy on behalf of the many aggrieved customers and contractors trapped in limbo by Nicheliving is truly appreciated. I seek leave to lay on the table several emails I have received on behalf of many Nicheliving customers who continue to fight and who are desperate for an outcome.

[The papers were tabled for the information of members.]

Mr R.S. LOVE: I have de-identified these emails and sought permission from their authors to do so. Many fear reprisals from the managing director, who apparently has threatened customers with litigation for raising concerns. Other emails I am unable to table due to customers being so concerned about such reprisals, and because of circumstances involving family and domestic violence. As one customer with a long-delayed build in Byford has written, according to my notes —

All we want is to be able to live in our homes and for this nightmare to end.

That is not a big ask; it is not an unfair ask. In a climate in which housing is so desperately needed, it is not an ask that should be allowed to go unanswered and ignored by the government. Those who have written to me are desperate

and in dire need of support. While companies such as Nicheliving can benefit from interest-free loans with apparently few or no conditions attached, many customers have had their construction loans cancelled by their banks because of lengthy delays.

My office has received many emails, letters and submissions concerning Nicheliving. These stories share many common themes and concerns. Firstly, the scale of this problem is significant. A group of impacted customers has around 200 members and it is estimated that between 300 and 500 homes remain in an unfinished state, with little or no progress having been made for many, many months. Many of these contracts date back to 2020, when customers were promised builds of 12 months, but they have now ballooned to nearly four years. One customer tells me that there are 30 impacted Nicheliving clients on one single street alone.

Is the parliamentary secretary aware of the scale of this potential disaster and the potential implications for taxpayers, should it be revealed that Nicheliving is operating whilst insolvent? If the figure of some 300 or so homes is accurate, it would represent a builder indemnity insurance payout in the vicinity of \$60 million; of course, that will be backed by the Western Australian taxpayer. However, because Nicheliving is still trading but not progressing these builds, customers are stuck in limbo. Many have told me they would actually prefer it if Nicheliving went into liquidation, as this would allow them to access their indemnity insurance and pay another builder to complete their homes.

One customer has asked whether Nicheliving is upholding its legal obligation to hold indemnity insurance after it was revealed that her build was not covered for 10 months. This is very alarming, and it is a matter that the Minister for Commerce must investigate. It also represents some 300 or more families placing additional pressure on Western Australia's tightly constricted rental market. These delays are not just about unfinished homes; they represent financial ruin, emotional distress and broken promises. Multiple families have told me of the severe financial distress they are under and the impact this has had on their mental health.

As one customer stated, according to my notes —

My life the last four years has been miserable, with no light at the end of the tunnel. My interactions with Sue Ellery's office left me feeling unheard and dismissed. When our case was handed over to the Building Commission, I was further disillusioned by their apparent stance to protect the builder rather than the affected homeowners. The financial, emotional and mental impact it has on me is immense and pushed me to the brink of exhaustion and despair.

The customer went on to say, according to my notes —

Nicheliving has continued to sell and start building in multiple new areas while neglecting us whose houses are near completion. For your information my house has been at lockup stage since June 2022.

Another client stated, according to my notes —

I am a single mum currently living in a camper trailer, have been for more than 12 months, with my daughter who is studying for her Year 12 exams and my autistic son. Our lives are extremely cramped and we have no air conditioning or heating. I am in an extremely challenging financial situations paying my mortgage, council/water rates and full strata fees on the home I can not live in while paying rent for our camper trailer, storage locker fees for our furniture, and not to forget to mention the living expenses of raising two teenagers.

The next quote is from a client's letter to the Premier. It states, according to my notes —

The deadline will pass tomorrow and the bank will cancel my construction loan. This will mean that the existing loan will be converted to a principal and interest loan, meaning higher repayments, and the remaining amount for completion will be no longer available. I will therefore have to somehow finance the outstanding amount.

I have also received allegations that Nicheliving has not been paying contractors, causing them to walk away from projects and leaving them unfinished or in a state of disrepair. Many customers doubt that Nicheliving is, in fact, solvent. These factors all point towards a dire situation that demands government action and swift and urgent assistance for impacted customers. Whilst the government is offering interest-free loans for builders, what is it doing to assist the hundreds of home owners trapped in limbo and trapped in desperate financial and emotional turmoil whilst no progress is made on homes for years?

I stand with these many impacted customers in calling for an urgent investigation into this matter by the state government, the Department of Energy, Mines, Industry Regulation and Safety, or ASIC. What cannot be allowed to continue is the state of limbo and the lack of resolution that hundreds of families have found themselves in. We need to get to the bottom of exactly how many houses are sitting in an unfinished state, for how long, and what progress will take place to resolve this situation. We would also like to know the status of any interest-free loans provided to Nicheliving, the terms of these loans and the potential of exposure for the state government.

Exactly what has the minister been doing to resolve this situation? Does the minister know exactly how many homes remain unfinished, and for how long? Is there a plan to work with the industry to ensure that these Western Australian families can move into the homes of their dreams?

DR J. KRISHNAN (Riverton — Parliamentary Secretary) [9.36 am]: I thank the Leader of the Opposition for his grievance to me as the parliamentary secretary representing the Minister for Commerce. The Cook government is acutely aware of the difficult situation that a number of Western Australian home owners are facing due to delays with their building projects with Nicheliving and its construction arm, Projex Management and Construction Pty Ltd. I sympathise with those families who have experienced delays and are waiting for their properties to be completed.

The Minister for Commerce has also received similar correspondence from Nicheliving customers. The state government shares concerns about allegations regarding Nicheliving, including those about superannuation payments to its employees. The Premier has met with customers of Nicheliving, along with the Building Commissioner. The current building environment has been challenging for industry and those eager to move into their new home. Building a new home is a major life event and stressful at the best of times. The Minister for Commerce has requested an urgent meeting with the directors of Nicheliving, which is scheduled for next week.

In January this year, our government announced a builders' support facility to specifically help support construction companies to finish home builds that have stalled. I can advise that the first loan instalments have been made, but I am unable to name the companies who have applied for loans due to commercial confidentiality. Separately, the state's building regulator, Building and Energy, has been working to resolve disputes lodged by home owners against Nicheliving in respect of contractual disputes and delays, in accordance with its governing legislation. I encourage WA home owners who are experiencing delays to lodge a dispute with Building and Energy.

Building and Energy is also examining the company's operations as part of the renewal process for its builder's registration. Generally, in terms of the broader building industry, Housing Industry Association data shows that in the second half of 2023, completions exceeded commencements for the first time since June 2020; more houses are now being completed than started, which will help to ease construction delays. Australian Bureau of Statistics data also shows that the number of dwellings completed rose sharply from 7 600 in the second quarter of 2023 to 10 000 in the third quarter of 2023.

In addition to our home builders loan facility, the government has taken deliberate action to support home builders through this challenging period. We have smoothed the pipeline of government works to free up skilled labour for the private sector, and we have chosen to delay the implementation of new construction codes to allow the industry time to deliver existing projects and adjust to the new codes before they become mandatory.

I note that the Liberal and National Parties have no policies to support the building and construction industry. They do not have a plan. They just want to politicise the serious situation that home owners find themselves in for cheap political points.

The ACTING SPEAKER (Mrs L.A. Munday): As I understand it, the Leader of the Opposition has laid some papers on the table for the duration of the day's sitting.

TRANSPORT — LEACH HIGHWAY

Grievance

MS L. METTAM (Vasse — Leader of the Liberal Party) [9.40 am]: My grievance is to the Minister for Transport. I thank the minister for taking my grievance.

This grievance is on the growing concerns of residents of Riverton, Rossmoyne and Shelley regarding the proposed changes to Leach Highway, which will have significant flow-on impacts on the intersections of Leach Highway and Webb Street, Fifth Avenue, Corinthian Road East and Beatrice Avenue. As the minister is aware, the number of cars and trucks travelling along Leach Highway has been a major issue for this community for many years, and the traffic is only continuing to increase.

During the 2021 election campaign, the now member for Riverton committed \$5 million of taxpayer funds to "fix" what he believed was the dangerous intersection of Fifth Avenue and Leach Highway. I understand Main Roads Western Australia staff did not believe the Fifth Avenue and Leach Highway intersection required a fix, and the only driver for the changes now being proposed was fulfilling the member for Riverton's election commitment. In fact, I understand statistics show that the intersection has had a decline in crashes and is no more dangerous than any other similar intersection along Leach Highway and South Street. It has now come to light that the fix will involve closing off a major part of and limiting access to Fifth Avenue—a fix that will force traffic to take a longer route through suburban streets and create another set of traffic lights along Leach Highway. With no plan by the minister's government to address the increasing number of trucks and heavy haulage vehicles using Leach Highway, residents are rightly concerned that another set of traffic lights along Leach Highway will compound the traffic and congestion issues.

In 2022, the City of Canning upgraded the intersection of Webb Street and Leach Highway in Rossmoyne, which was a state black spot project to improve safety and reduce congestion on both Webb Street and Fifth Avenue. This project was successful and has seen better traffic flow at Webb Street and a significant decline in accidents at both intersections. Why is the local community upset? Rossmoyne and Shelley have limited access points due to the Canning River. The design proposed by MRWA to fulfil the member for Riverton's election commitment

will completely change the traffic flow within the local community. The member's "fix" will partially close the only other entry and exit point into Rossmoyne and push more vehicles towards Webb Street and other suburban roads such as Wilber Street, Central Road, Corinthian Road and Beatrice Avenue.

Also of significant concern are the vulnerable user groups needing to access facilities via the Webb Street intersection. These include students attending Rossmoyne Senior High School, which is one of Western Australia's largest schools, and the residents of the expanding Rossmoyne Waters retirement complex. Over 1 000 residents have signed a petition because they are concerned about this so-called fix but feel they have no local voice to advocate for them. No one wishes to diminish the impact that a collision has on those involved, but it is important that any road changes must result in the least negative consequences. In the absence of any data to support such a proposal, the City of Canning is planning to conduct traffic counts in the coming months to understand the impact of the changes on local traffic flow. Residents are also concerned about the lack of community consultation, other than a last-minute opportunity to pick one of three designs, with no supporting data for any of the options. How could residents possibly know, without any data, which would be the safest and least impactful of the designs?

It is clear that this is not about proper design but about meeting an election commitment, no matter how misguided it may be, and shoring up voter support. The community is calling for a complete re-think of this entire project. Regrettably, with no alternative to Roe 8 being produced by this government, the local community has had to accept more and more traffic on Leach Highway. To add further insult, the government now proposes to close off access to their suburbs because of an issue of their making. There would be fewer incidents if the thousands of cars and trucks were instead on Roe Highway.

I call on the minister to reconsider this project and invest the \$5 million in looking at appropriate alternative solutions that do not create more issues than they solve. I thank the minister again for taking this grievance on behalf of the local community.

MS R. SAFFIOTI (West Swan — Minister for Transport) [9.45 am]: I thank the member for the grievance. I find it quite incredible that the member says that we should not consider delivering on election commitments. I know that is what the Liberal Party thinks. Also, the Liberal Party, of course, has reinstated its commitment to Roe 8.

Ms L. Mettam: No; we are not.

Ms R. SAFFIOTI: So, it is not committed to Roe 8?

Ms L. Mettam: That is not what this grievance is about.

Ms R. SAFFIOTI: Yes; the member mentioned it.

Ms L. Mettam: I mentioned it. You weren't here for most of the grievance, minister.

Ms R. SAFFIOTI: She mentioned it.

Obviously, the member is committed to Roe 8. The Liberal Party is committed to Roe 8, because that is what she said. She said basically Roe 8 would fix this.

Ms L. Mettam: You were not here.

Ms R. SAFFIOTI: I was here. If the member could sit there quietly, like I listened to the member's misinformation.

This is a key point. The local member made a commitment. When we won government, we went out to work on that commitment, unlike the Liberal Party, which makes claims and commitments and then completely drops them when it wins government. The local member, as a candidate, heard concerns from the local community. That is why he made a commitment on that Leach Highway intersection. We have had significant feedback on that intersection of Leach Highway and Fifth Avenue. What did the government do? The government listened to the local member about community concerns and then commissioned Main Roads to do a full study of the corridor. Main Roads went out and did a study of the corridor to see what would be the best solution to address the key community concerns and safety concerns about that intersection. That is what good local representatives do. They listen to the community and they make commitments.

Upon the member becoming the member for Riverton, we went through and analysed and we discussed. In particular, a key focus was the Leach Highway and Fifth Avenue intersection experiencing delays as well as significant pressure during school pickup and drop-off times. A number of investigations took place. Again, Main Roads did a corridor analysis and looked at the entire area around the intersection to try to get an overall package that would support movement. Solutions were expanded to look at Leach Highway between Webb Street and Vahland Avenue. They included traffic modelling and an optimal treatment of those intersections, and a proposal was put forward.

What did the local member do? He then consulted with the community about the proposal. The local member is running a survey and had an open office with 40 people coming in to discuss the proposal. That survey continues and closes tomorrow. The survey is very simple. It went out to the community and with a proposal to improve safety in the area. What a great thing it is that a local member works with government and the agency to identify a proposal and then goes and consults with the community about that proposal. The City of Canning has never engaged with me about safety in this area at all, but this local member went out there and consulted. He is undertaking a survey

and he doorknocks to get feedback about the issue. It is a significant survey. We are going through that survey. As I said, the survey is wrapping up tomorrow. It went out to the community, asking whether it wanted a certain proposal and whether it thought it is okay as it is. Obviously, that is what the City of Canning thinks. It is saying no change—nothing. Talking about politics, honestly, it is so political what the Leader of the Liberal Party is doing. Anyway, that is where we are at.

Thank goodness we have local members on this side of the house who represent the community upon being elected. They make commitments to the community and they work with government agencies to look at the best form to deliver those commitments. Once a proposal is put forward, they consult the community on how the government can deliver it. The Liberal Party twice committed to building Roe 8, yet never delivered it in eight years; committed to the Ellenbrook rail line and never delivered it; and also committed to Metro Area Express, the light rail project, and never delivered it. There are lists upon lists of Liberal Party broken election commitments across the suburbs.

We are working very strongly with the local community, through the local member consulting the community about how to improve safety in the area. From my perspective, I think it should be recognised that the local member is very engaged on a local safety issue. That is why I am very proud of members on this side of Parliament. Our local members engage and try to find a solution. They do not just knock and knock and knock, like Liberal Party members do. Members opposite oppose everything, knock everything and do nothing. It is interesting that the Liberal Party has committed to Roe 8 again. I hope it talks to all community members and the local councillor tells people that the Liberal Party is committed to Roe 8, because some members of the community will support that. The Liberal Party is committing to Roe 8.

In relation to the local traffic concern raised by the member, our local member is doing exactly what we expect and what the community expects a local member to do—to make commitments and, upon winning their seat, to work with agencies on how they can deliver those commitments. They then consult and engage with the community about the proposal to gauge the level of support and people's willingness. From our perspective, it appears that a lot of people want improved safety in that area, so we will continue to work with the local member on how we can improve safety, as he committed to during the election.

FILM PRODUCTION

Grievance

MS C.M. ROWE (Belmont) [9.52 am]: My grievance is to the Minister for Culture and the Arts regarding the Cook Labor government's commitment to developing and investing in Western Australia's local film industry. This issue is close to my heart as I had the privilege of serving for 10 years as a board member and chairperson of the Film and Television Institute WA, where I obtained a diploma in screenwriting. Sadly, the FTI no longer exists. It was an incredible not-for-profit organisation that for over 40 years provided a platform for emerging and mid-career filmmakers to learn and hone their craft through the courses it offered, an extensive grants program and access to affordable equipment. It enabled people to showcase projects in short film festivals promoted by the FTI and to gain recognition through its annual film awards.

I would like to acknowledge the role that the Revelation Perth International Film Festival has played by continuing to provide support to early career filmmakers. Although I have not been involved in this industry, even on the periphery, since my involvement with the FTI, I thank and acknowledge quite a few people who still reach out to me and advocate for their sector. In particular, I acknowledge Susie Warner, a tireless advocate for that sector, which is fantastic; and also my good friend Michael McCall, who contacts me on a regular basis to highlight some issues, concerns and needs of the industry. I would like to get that on the record. I thank them for their constant commitment to ensuring the continuation of our fantastic film industry and film sector.

My time serving on the board of the FTI provided me with a unique insight into some of the needs of emerging filmmakers here in Western Australia. I saw the transformational impact such an organisation had in nurturing this sector of the film industry, particularly the early career participants. At the time—this is going back some years—there was very little infrastructure in WA, which impacted the sustainability of the local industry.

Undoubtedly, film is a very powerful medium. It has the ability to shape our perception of the world, and, of course, it allows us to do something that humans have done for thousands of years—that is, share our stories. Capturing our culture and our stories is profoundly important for us culturally. But without ongoing government support at a federal and state level, this sector would be so vulnerable. I note that it was particularly difficult for the industry across Australia when we had Liberal governments, mostly at a federal level. That certainly impacted the continuation of the FTI. We were always at the hands of federal funding. It was a very precarious time. Of course, it showed Liberal governments' absolute ignorance of the importance of the arts.

Anyhow, other countries and governments have long seen the cultural significance and economic impact of a robust screen sector and have invested accordingly, and over a long time, to support practitioners and really nurture the industry. Of course, I am thinking of the film industry in India, which is immensely successful, not only financially, but also in terms of preserving and showcasing India's culture very effectively. Another obvious example is America with Hollywood.

Here in WA, we have Screenwest, which plays a crucial role in supporting our film sector practitioners in getting our stories made and onto screens, which is fantastic—not only here in Australia, but also globally. We have an incredible film industry in Australia. Despite our relatively small size, we have always punched above our weight, which makes me really proud. But we need to ensure that we provide ongoing support so that our screen practitioners can compete globally and continue to make local content for local screens.

Within the conversation of the importance of the film industry, its economic significance should not be overlooked. According to Screen Australia and the Australian Bureau of Statistics, the Australian screen industry contributed over \$6 billion in value-added terms to the national economy in the 2021–22 financial year and employed around 55 000 people, with the largest proportion of employment identified to be a part of film and video production. Of course, that is only one of the elements of the screen culture and the screen industry; gaming is also in there.

From the 2015–16 to 2021–22 financial years, the total income of film and video production businesses substantially increased, by 98 per cent. This significant growth highlights the opportunities for our state. It shows that we need to not only support our screen industry, but also strengthen it so we can harness the cultural and economic incentives that arise from our film industry. It can also be a way to highlight and attract international tourism by showcasing our beautiful natural environment, especially here in WA. The federal government is doing a lot in this space to protect and foster our industry. At the federal level, in the 2023–24 budget an additional \$112 million was invested in the Australian screen industry to attract international investment and enhance employment opportunities.

I finish off by saying that the film industry in WA is a hugely important part of our community. It plays an essential role in capturing our culture and creativity. I would like to ask the minister what our government is doing to embrace a strong local film industry here in WA. I thank him for taking my grievance today.

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [9.59 am]: I thank the member for Belmont for her wonderful advocacy for the film industry and for all things screen in Western Australia, and particularly for her own history in that journey. Her work with the former Film and Television Institute WA was remarkable and she brings a great depth of understanding to this Parliament. I think that is why she is so excited, like I am, about the industry and its growth and future in Western Australia, and indeed the significant investment that the Cook Labor government has made and will make into the future so that the industry is on firm foundations and has access to a state-of-the-art film studio and support. We want to continue to grow the ecology of the local film industry here in Western Australia, which, as the member has articulated so well, is rich in history, experience and expertise. The member mentioned a couple of wonderful stalwarts—Michael McCall and Susie Warner and others, Revelation Perth International Film Festival, and many other independent film enthusiasts, producers, directors and writers. I want to assure them, and the member, that they are very much part of this picture. It is important we acknowledge the importance of our local ecology; those people who are already here have been doing fantastic things in the film industry and the screen sector. They are considered an integral part of the journey forward.

As the member for Belmont knows, I released the *Western Australian screen industry strategy: 2024–2034*, which is the first real strategy that maps the way forward for the screen industry in WA into the future. As we know, a significant piece of infrastructure will come online with the \$233 million investment in a film production facility in Malaga. When that comes online, the elements and the ecology of our existing infrastructure and film sector will be enhanced. They will be enhanced by not only that, but also the significant \$31.9 million additional money put towards the strategy, particularly focusing on the workforce development aspect. This is where we talk about supporting and encouraging a pipeline of workers in the industry, who are not only the creatives who create the stories and create the content but also those who are required to deliver that. This includes smaller and larger production content. Yes, we are chasing the bigger ones, but they are not the only thing that we want because, as we know, a successful screen industry is a journey for all of those who are engaged, both the smaller entities and those who are involved in delivering large-scale content. We know we have tremendous assets that we can draw on in Western Australia. We have the local expertise and the passion. The member mentioned a couple of people who are examples of that.

We have the training institutions. The workforce development process in the strategy is very much about making stronger connections so that when people are coming out of the Western Australian Academy of Performing Arts, our training institutions that the Minister for Training and Workforce Development oversees —

Ms C.M. Rowe: SAE.

Mr D.A. TEMPLEMAN: — and SAE and even the private entities, they are all part of the creation of a pipeline of workers who are ready to be engaged in a whole range of productions that will be attracted to Western Australia, be they bigger or smaller or different genres, from series through to films through to documentaries—whatever they might be. Those workers will be there and ready. Of course, the underpinning fact is that we want more Western Australian creatives to stay here, living in Western Australia—many of them. We have only to look at some of the recent successes: *The Surfer*, for example. Western Australian directors and Western Australian expertise is bringing to life films that are filmed here in Western Australia and are getting worldwide acclaim.

The member knows that I am excited about this and I am really pleased she shares that excitement. This is essentially a new industry. This is a new and enhanced industry for Western Australia. I call it a manufacturing industry. I get into trouble for that, but essentially I see this as a manufacturing industry because it manufactures stories. All the people who are engaged and involved in the screen industry are part of the manufacturing industry. They are manufacturing stories. As the member for Belmont has highlighted very clearly, we have some of the most unique, special and exciting stories to tell the world and they date back thousands and thousands of years. We want to draw on those stories. We want to share them with the world and we want to make sure that those stories are made here, the content is created and made here, and as many of our own performers, writers, directors, producers and technical people are engaged and involved in that storytelling.

I pay tribute, as the member has, to those who have paved the way for us into this new beginning. I pay tribute to those people who have been engaged and involved in the creative industries, many of them independent producers and entities. I thank them because they have been part of the journey. That is the point the member has made to me today. They are important; they are critical. This is an exciting future and journey we now face. I want everyone in this place to get involved in that. We want to see more films, more productions and more documentaries filmed in regional Western Australia, attracted to our film studio when it opens in 2026, and for people to share in the great story that is creative Western Australians who have great capacity and a great history of bringing our local stories to life for local, national and international eyes. It is an exciting journey. The member for Belmont is brilliant. Let's do this! We will make it work.

PETROLEUM RETAILERS RIGHTS AND LIABILITIES REPEAL BILL 2024

Introduction and First Reading

Bill introduced, on motion by **Dr J. Krishnan (Riverton — Parliamentary Secretary)**, and read a first time.

Explanatory memorandum presented by the parliamentary secretary.

Second Reading

DR J. KRISHNAN (Riverton — Parliamentary Secretary) [10.07 am]: I move —

That the bill be now read a second time.

Today I introduce the Petroleum Retailers Rights and Liabilities Repeal Bill 2024. The bill will repeal the Petroleum Retailers Rights and Liabilities Act 1982 and the regulations made under that act and make consequential amendments to the Petroleum Products Pricing Act 1983.

The purpose of the act was to increase the bargaining power of fuel retailers to better negotiate competitive prices for fuel supplies. The act was originally intended to give retailers a right to purchase up to 50 per cent of their fuel supplies from suppliers other than their primary supplier under a franchisee agreement. It was also intended to allow a retailer to use a franchisor's storage and dispensing equipment for fuel purchased from other suppliers.

The act was amended in 2001 to address a problem in the act identified by the Supreme Court in the case of BP Australia Limited v Dragoon Holdings Pty Ltd. That case found that the Petroleum Retailers Rights and Liabilities Act only gave franchisees the right to use the franchisor's storage equipment and did not provide any extra rights to buy fuel from other sources. The Petroleum Legislation Amendment Act 2001, 50–50 legislation, amended the act to address this issue. A statutory review was conducted of the act recently, which identified that use of the act since the passing of the 50–50 legislation appears minimal. The Department of Energy, Mines, Industry Regulation and Safety's Consumer Protection division has received only two inquiries about the act since the 2001 amendments.

There are two issues that appear to contribute towards the low usage of the act. Firstly, changes have occurred in the regulatory environment for fuel retailers since the introduction of the act. These are the terminal gate pricing system introduced under amendments made to the Petroleum Products Pricing Act 1983, and the introduction of the commonwealth downstream petroleum reform package. Both have increased the transparency of wholesale fuel pricing. In 2001, the Western Australian government created FuelWatch as a fuel price monitoring service. This service monitors and reports on wholesale—sales to fuel resellers—and retail fuel prices under the Petroleum Products Pricing Act. The terminal gate pricing system arrangement requires terminal operators to provide daily wholesale prices to FuelWatch. These prices are then published on the FuelWatch website. In 2007, the commonwealth government introduced the mandatory Trade Practices (Industry Codes—Oilcode) Regulations 2006, now the Competition and Consumer (Industry Codes—Oil) Regulations 2017, as part of its downstream petroleum reform package. The aims of the Oilcode are to improve transparency in wholesale pricing and access to petroleum products at a published terminal gate price, to set minimum standards in relation to contract requirements and assist participants to make informed decisions when managing fuel reselling agreements.

Secondly, significant practical difficulties associated with using the act relate to supply relationships, environmental protection laws and storage tank and dispensing equipment costs. It appears that retailers are not using their right to buy up to 50 per cent of their fuel supplies from other suppliers because of the importance of maintaining firm supply relationships with primary suppliers. Exercising rights under the act may put these relationships at risk.

Furthermore, commonwealth and state environmental protection laws mean that there are mandatory minimum quality standards for each type of fuel. The risk of fuel contamination inhibits retailers from mixing fuel from different suppliers. Elimination of this risk requires the retailers that wish to use the act to install a separate storage tank and dispensing equipment for fuel purchased under this scheme. This is cost prohibitive.

The *Petroleum Retailers Rights and Liabilities Act 1982: Statutory review*, which was tabled in Parliament on 11 October 2023, recommended that the act should be repealed. The repeal of the act will require that consequential amendments are made to the Petroleum Products Pricing Act 1983, which contains references to the act. This will result in penalties that were prescribed under the Petroleum Retailers Rights and Liabilities Repeal Act being incorporated in the Petroleum Product Pricing Act by way of simple amendments.

Debate adjourned, on motion by **Mr P.J. Rundle (Deputy Leader of the Opposition)**.

**CIVIL LIABILITY AMENDMENT
(PROVISIONAL DAMAGES FOR DUST DISEASES) BILL 2024**

Second Reading

Resumed from 18 April.

MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary) [10.12 am]: I rise to make a contribution to this very important piece of legislation. I understand that the opposition will also be contributing to debate and supporting the legislation. I rise knowing that I carry the burden of speaking on behalf of most of the government backbench, many of whom would have loved the opportunity to contribute to this debate. This is extremely important legislation that I want to see pass Parliament as quickly as possible, and I will come to the reasons for that shortly. Members would be aware that perhaps the reason I have been handed this great privilege of being the speaker on behalf of the rest of government contributors is that prior to my entry into this place, I acted as a solicitor for victims of asbestos-related diseases. This is incredibly important legislation in their ongoing campaign for justice. The paradox is that I want to see the legislation passed as quickly as possible, but I have a significant contribution to make.

I need to commend and congratulate a number of people for the advocacy that they have undertaken and the support they have provided to victims of asbestos-related diseases. I will talk about doctors and scientists and the medical care and research that goes into treating people with asbestos-related diseases. I will talk about the advocates and unionists who take up these issues on behalf of injured workers and people who have been negligently exposed to asbestos in their campaigns to seek justice for people who they represent. I want to talk about the lawyers and politicians who have been assiduous in their commitment to fighting for a fair and equitable outcome.

I am very pleased to note that this legislation will enjoy the support of the whole house in the Legislative Assembly, which is a reflection of just how important justice is for victims of asbestos-related diseases. The two people who I most need to thank in bringing this legislation forward are the honourable Attorney General, who has worked assiduously as an advocate on behalf of asbestos victims and has been a keen and enthusiastic legislator and the whole time he has been the Attorney General over both terms of the Labor government, and Hon Kate Doust in the Legislative Council, who has forever been a terrific friend of the Asbestos Diseases Society of Australia and to victims of asbestos-related diseases. In fact, it was Hon Kate Doust, back in 2013, who first introduced a similar piece of legislation that provided for provisional damages and gratuitous services. It is important that we cover off some of the history.

After the 2013 state election, Hon Kate Doust was returned as a member of the Legislative Council, and with the assistance of my friend John Gordon, an eminent barrister who practises extensively in this field, Hon Kate Doust was able to prepare a private member's bill. Unfortunately, as a member of the opposition in the Legislative Council, Hon Kate Doust did not have a great deal of time to progress this bill, but she introduced it in 2013 and advocated for legislation similar to the bill before us. The then Attorney General, Hon Michael Mischin, referred the legislation to the Law Reform Commission of Western Australia. Dr David Cox, who is the commissioner of the Law Reform Commission and a barrister at the well-regarded Francis Burt Chambers, together with Justice Fiona Seaward, who was also another commissioner, prepared the Law Reform Commission's *Provisional damages and damages for gratuitous services: Final report: Project 106*. The time line for that was that the referral was made to the Law Reform Commission in 2014, the Law Reform Commission issued the *Provisional damages and damages for gratuitous services: Project 106 discussion paper* in 2015 and the final report was published in June 2016. Unfortunately, notwithstanding the final report of the Law Reform Commission that recommended that legislation be introduced to provide for provisional damages and damages for gratuitous services for not just asbestos victims, but also personal injuries victims generally, the then Liberal government and the then Attorney General, Hon Michael Mischin, did not support the passage of the legislation. I have no idea what their reasons were, but I am pleased that the Liberal Party is supporting this legislation now. Whatever the reasons were, Liberal Party pre-selectors dropped Hon Michael Mischin down to an unwinnable spot on the ticket, and he did not return to this place. Going into the 2017 election, the reform of the Civil Liability Act 2002 to provide for fair and just compensation for victims of asbestos-related diseases became an election commitment of the Labor Party. Many people in the Labor Party have pursued this outcome since Hon Kate Doust introduced to legislation in 2013 and in the time since.

This is complicated and difficult legislation, and it is a testament to this Attorney General that this legislation is now before Parliament in a form that will enable compensation for victims of asbestos-related diseases to catch up with equivalents in other states and territories in the commonwealth. It is a testament to not only the work that he has done to bring this legislation forward in concert with Hon Kate Doust, but also to the advice that he received. Part of the difficulty in bringing this legislation forward, as the Attorney General identified in his second reading speech, was the need to align the operation of the Workers Compensation and Injury Management Act with the amendments to the Civil Liability Act. That requirement meant that the introduction of this legislation had to wait for the passage of the Workers Compensation and Injury Management Act reforms, which the member for Cannington, the then Minister for Industrial Relations, was instrumental in passing. The coordinated effort of both Hon Bill Johnston and the Attorney General to get both the Workers Compensation and Injury Management Act passed and this bill then drafted and introduced into Parliament is a testament to something I have mentioned before, and that is the unity of purpose of the McGowan and now Cook Labor government.

I will come back to some of the efforts made by advocates, but before I do that, I will talk about the three waves of asbestos victims that the Attorney General mentioned in his second reading speech. I want to do that by referencing three of the most recent Western Australian cases related to asbestos-related diseases. The Attorney General already explained this in his second reading speech, but I want to explain the import of the award of provisional damages for sufferers of asbestos-related diseases. As members would know, a long latency period can follow exposure to asbestos before the onset of the diagnosis. The initial diagnosis will generally fall into one of two categories. It will fall into a fibrosis category, such as asbestosis, or it will fall into a carcinogenic category, such as mesothelioma or lung cancer. If it is the former, there is a low chance of that leading to end of life; if it is the latter, there is a high chance of that leading to end of life. The diagnosis of the former does not preclude a subsequent diagnosis of the latter. Someone could be diagnosed with asbestosis, have a legitimate basis for bringing a claim for compensation and then subsequently develop mesothelioma or lung cancer. If they have settled their claim for their asbestosis condition, they will be precluded by the current regime, known as the once and for all regime, from bringing a subsequent claim. That is by way of background.

The most recent Western Australian authority pertaining to an award of damages for asbestosis was the case of Antonio Lo Presti against the Ford Motor Company. I can give members the citation for that case. I have to scroll back up to the top because I was reading the case while listening to members' grievances. It is *Lo Presti v Ford Motor Company of Australia* [2008] WASC 12. The decision was delivered by Justice Beech on 19 February 2008. As result of working for the Ford Motor Company on asbestos brake linings from the 1970s to the 1990s, Mr Lo Presti developed asbestosis. Rather than settle his claim, with the assistance of Slater and Gordon lawyers and my great friend Michael Magazanik, Mr Lo Presti proceeded with his claim in the Supreme Court of Western Australia. He was successful and awarded a significant sum of damages in the order of \$800 000 as a result of his asbestosis condition. Had he settled his claim against Ford Motor Company and not proceeded to trial, he would have been precluded should he have subsequently developed malignant mesothelioma or lung cancer. That he proceeded to trial demonstrates the financial value of these asbestosis claims.

By way of comparison are two of the most recent cases concerning malignant mesothelioma, which will always carry a fatal outcome. I frequently refer to the case of Simon Lowes, a gentleman who was exposed while playing at Castledare Miniature Railway. He was awarded in excess of \$2 million by the Supreme Court of Western Australia as a 42-year-old and subsequently passed away as a 47-year-old. Most recently, was the case of *Ms Parkin v Amaca*. The reason I raise both Lowes and Parkin is that when the Attorney General introduced the legislation, he talked about the third wave of asbestos exposure in his second reading speech. Mr Lo Presti was part of the second wave. The first wave was from mining and manufacturing workers at Wittenoom and James Hardie who were exposed to asbestos. The second wave was predominantly tradesmen such as carpenters, roofers and construction workers who were exposed using the products manufactured by James Hardie. The third wave is people like Simon Lowes, who had no history of working with asbestos products, but was exposed when he played at Castledare, and Ms Christine Parkin who was exposed when she and her father built a garden shed on their property. Christine Parkin successfully sued James Hardie again, and she was awarded damages in the sum of over \$1 million. She was represented by my other great mate, Tim Hammond, SC, in a successful decision handed down by His Honour Justice Rene Le Miere. The citation for that is [2020] WASC 306.

I will also mention in passing a couple of my former clients, Peter De Ruyter and Barry Knowles. For those who are interested, the late great Barry Knowles wrote a fantastic book about his experiences as a mesothelioma sufferer, *Reflections Through Reality: Mesothelioma — My Journey*. The reason I make these points is that although we have waited many years for the introduction of this legislation and many people have missed out on the ability to claim damages on the basis of having to make an invidious choice between settling their claim for an asbestos-related disease of the nature of fibrosis, asbestosis, or mesothelioma, the work, the advocacy, the commitment, suffering and experience these people have gone through has strengthened the resolve of their advocates, lawyers, unions and politicians to make sure that we arrive at this position. It is only by virtue of having a Labor government and an activist Attorney General that we are now in the position to introduce these provisions for provisional damages. The reason I do not want to speak too long on the bill is that it will mean that later this year, people who are

currently facing that tragic choice will be free to pursue their claim knowing that the effect of this legislation will be that they will not be prevented from bringing a subsequent claim should they develop a devastating malignant diagnosis. This is imperative legislation and it is important that it be passed by the Legislative Assembly as quickly as possible.

The next thing I will talk about is what some of that advocacy looked like. I was on the phone this morning to my great friend Laine McDonald, who is an asbestos lawyer at Slater and Gordon. She and I worked for many years in the asbestos practice, and she has continued to advocate on behalf of clients. I rang her and asked what she would say if she were in Parliament. She said that the great thing about this legislation is that it will remove that heartbreaking choice. Perhaps the best way to describe Laine's position, or as I should call her, the then Hon Laine McDonald, member for North Metropolitan Region, as a member of the Legislative Council —

Mr T. Healy interjected.

Mr S.A. MILLMAN: All too short, member for Southern River. She should come back.

Ms C.M. Rowe interjected.

Mr S.A. MILLMAN: She made an incredible contribution, member for Belmont.

I refer to *Hansard* of 17 November 2016 during the debate on Hon Kate Doust's bill, when Hon Laine McDonald spoke in support of it. She was referring, of course, to the Law Reform Commission of Western Australia's report that I mentioned earlier. She said —

The final report recommends that the once-and-for-all rule be modified in Western Australia through the introduction of a provisional damages regime and that damages for gratuitous services that a plaintiff can no longer provide to others be introduced in Western Australia in the manner outlined in the report.

[Member's time extended.]

Mr S.A. MILLMAN: As I keep saying, I am very keen for the legislation to be passed. I feel as though I need to make a contribution on behalf of everyone so I will cover off everything. She continued —

It should also be noted that this report recommends that these types of damages should be permitted for all classes of personal injury.

She goes on to say that, as an asbestos lawyer, she wants to focus only on the asbestos aspect of the legislation. She then said —

The discussion paper released by the Law Reform Commission of Western Australia cites potential disadvantages regarding provisional damages, including court congestion due to an increase in claims and a potential increase in the cost of insurance premiums.

She then goes on to say —

These New South Wales statistics show that provisional damages can be used as a successful method to adequately and fairly compensate those suffering from a non-malignant disease and at the same time give them the peace of mind that an option of further compensation is available in the unfortunate event that the worst eventuates and they go on to develop a malignant disease. Statistics show that the number of plaintiffs who go on to pursue a claim for malignancy are modest, which should put to rest any arguments about the financial impost of these reforms, especially if limited to asbestos-related disease victims. The Law Reform Commission report also points out that provisional damages act to prevent both undercompensation and overcompensation, and this approach will deliver "the maximum benefit to the WA community as a whole".

The balance of Hon Laine McDonald's contribution was on gratuitous services, and I will come back to gratuitous services before I conclude my contribution. To Hon Laine McDonald, I say congratulations for the contribution she made as a member of Parliament and for her ongoing hard work as a lawyer acting on behalf of victims of asbestos-related diseases. I know that she has been very keen to see this legislation introduced. It is because of the work of people like her, her colleagues Tricia Wong and the late, great Luisa Dropulich, and the other lawyers involved in seeking justice for victims of asbestos-related diseases that we are at this point.

I think a further element of this legislation is incredibly important. Again, this is a testament to the activist nature of this Attorney General. In November 2018, about 18 months after I had been elected for the first time as the member for Mount Lawley, I raised a grievance with the then Minister for Industrial Relations, Hon Bill Johnston, whom I mentioned before. The grievance was as a result of the increasing incidence of silicosis among construction workers in Queensland. We saw a massive spike in Queensland of construction workers working with engineered stone and developing silicosis, which some described as the asbestosis of the 2020s. Subsequent to that grievance being raised and assurances being provided by the Minister for Industrial Relations, awareness of the dangers of silica dust, particularly from engineered stone, gained a great deal of traction within the community. I commend Zach Smith, the national secretary of the Construction, Forestry, Mining and Energy Union, and Mick Buchan, the

WA secretary of the CFMEU, for their work on the Killer Stone campaign. They raised awareness of the debilitating effects that silica-based respiratory diseases were having on young construction workers. Diseases that we had not seen since the 1950s and 1960s had become prevalent in Western Australia and Australia nationally. They lobbied the federal government and other state governments for a ban on engineered stone.

The current Minister for Industrial Relations has been in the chamber all morning and has just ducked out. I was keen to compliment her for her December 2023 announcement, together with the rest of the jurisdictions, the commonwealth and state jurisdictions, that there will be a nationwide ban on engineered stone from 1 July 2024.

This legislation picks up silica and silicosis and starts to treat this respiratory disease in a way that is equivalent to how asbestos and asbestos-related diseases are treated. That reflects and recognises just how dangerous silica is and is a testament to the advocacy that was undertaken, particularly by the CFMEU and by the union movement generally.

I will not take too much longer, but I want to cover off the contributions that people have made. I concentrate now on the Asbestos Diseases Society of Australia. I know that the current Minister for Mines and Petroleum and member for Balcatta, Hon David Michael, has the Asbestos Diseases Society in his electorate with its offices on Main Street. The work that Robert and Rose Marie Vojakovic have done, with numerous amendments to the Civil Liability Act, has always made sure that we are progressing and improving the provision of compensation to victims of asbestos-related diseases. They have worked hand in hand with brilliant scientists and doctors such as Dr Melvin Chin, the late, great Professor Barry Musk and Professor Anna Nowak.

The ACTING SPEAKER (Ms M.M. Quirk): I think it was Bill Musk.

Mr S.A. MILLMAN: Sorry; it was Professor Bill Musk. Anna Nowak is the deputy vice-chancellor at the University of Western Australia. As everyone knows from previous contributions I have made, there is a much higher rate of these diseases in Western Australia than in the rest of the nation. We have the most contemporary academic research on the health and medical effects, and we have great treatment for people who are suffering from these diseases.

I thank the advocates and the unionists: the Asbestos Diseases Society, the CFMEU and all the union movements, including UnionsWA and the Australian Council of Trade Unions. I also thank the people who are often recognised at the ecumenical service that is held by the Asbestos Diseases Society, the lawyers, many of whom I have already mentioned, and politicians like Hon Laine McDonald and Hon Kate Doust whose assiduous focus and tireless work on this issue have helped us to arrive at this position. We are now able to see this legislation introduced to provide compensation for victims of the fibrosis and asbestosis conditions in a way that does not prevent them from subsequently pursuing lung cancer or mesothelioma claims if they develop those malignancies. The combination of doctors, scientists, advocates, unionists, lawyers and politicians working in concert has allowed us to reach this position.

The final comment I make is this: when I was first elected to this place in 2017, in my inaugural speech I spoke about industrial manslaughter laws and the importance to me of work health and safety and just compensation for victims of asbestos diseases. I think about the fact that I will have about 30 days in this chamber before my retirement. I am not seeking re-election at the next election. I think about the fact that I feel incredibly blessed and gratified that one matter that I raised in my inaugural speech will be resolved by this Parliament before I ultimately depart. I think about the fact that the Attorney General has been in Parliament for 25 years. He was elected in 2001 and will retire at the 2025 election. I think about all the work that he has done and the number of times I have stood up and made contributions about the legislation that he has introduced. I am in awe of his 25 years; I cannot imagine doing something that goes on for 25 years. I am incredibly grateful that, after my short time as a member of this place, I am able to speak in support of this legislation.

I also note that, despite the tremendous effort that both he and his advisers have put into this legislation, it deals with half of what we were hoping to deal with. It deals with the provisional damages. There remains the unresolved question of damages for gratuitous services that was recommended by the Law Reform Commission. That makes me think of Hon Kate Doust, who I know will seek re-election in 2025 and will be returned as a member of the Legislative Council. I also think of the members for Belmont, Southern River, Churchlands, Nedlands and Kalgoorlie, all those advocates who stand shoulder to shoulder with victims of asbestos-related diseases, and the doctors, scientists, advocates, unionists and lawyers who stand with them. To all members who will be back after the 2025 election: keep your shoulders to the wheel. I very much look forward to seeing the next Attorney General introduce the next piece of legislation that deals with gratuitous services so that the justice, equity and fairness that the people of Western Australia deserve when it comes to compensation for asbestos-related diseases can be delivered.

I commend the advisers once again. I have probably two more pieces of legislation from the Attorney General to speak on before my time is done. I am incredibly grateful that I have the opportunity to speak on this one. I commend all the advocates, particularly Hon Kate Doust. I commend you, Attorney General. Once again Attorney, it is a great privilege to speak on a terrific piece of your legislation. I commend all of my friends, who I am sure are watching online. I commend the bill to the house.

MR R.S. LOVE (Moore — Leader of the Opposition) [10.40 am]: I rise to speak on the Civil Liability Amendment (Provisional Damages for Dust Diseases) Bill 2024 and advise that I am the lead speaker for the opposition, which will support the legislation.

This legislation has been quite some time in the making. In 2014, the Law Reform Commission of Western Australia was requested by the former Liberal–National government to examine the law and make recommendations in two areas: one, whether the once-and-for-all rule under the common law should be modified through the introduction of provisional damages; and, two, whether a specific head of damages for the value of gratuitous services, domestic or otherwise, provided by the plaintiff to others should be introduced. In November 2015, the commission released a discussion paper that set out several options in relation to these areas. In that paper the commission proposed that the once-and-for-all rule be modified in Western Australia through the introduction of a provisional damages regime in specific circumstances. The commission sought submissions on the proposed law reforms outlined in the discussion paper and received 26 submissions from stakeholders, including the Asbestos Diseases Society of Australia, the Law Society of Western Australia and various members of Parliament. Following an analysis of the submissions, the commission recommended that the once-and-for-all rule be modified in Western Australia.

Dust diseases related to asbestos have been understood since the mid-1960s; however, asbestos was not banned in Australia until as late as 2003, again, I think, by a Liberal–National government. Although asbestos-related diseases have traditionally been linked to workers who have had direct contact with the material, either through mining or working with asbestos in the workplace, with manufacturing processes referred to as the first wave of exposure, and construction workers, carpenters and other tradespersons exposed to asbestos fibres from building materials, referred to as the second wave, a third wave of exposure is currently occurring for do-it-yourself home renovators and handymen who have been exposed to existing asbestos products in the home. The long incubation process of mesothelioma and other asbestos-related diseases caused by exposure prior to bans on asbestos use means that these diseases are still increasing in Australia. We know that from the *Asbestos management review report—June 2012*.

More recently, silicosis has emerged, which is an occupational lung disease caused by breathing in small particles of silica dust prevalent in things like engineered stone benches that have become very common in houses in recent years. Silica dust is generated when silica-containing materials are cut, crushed, drilled, ground, polished, sanded, sawed or disturbed with force.

The ACTING SPEAKER: Attorney General, just keep it down, it is disturbing the person on their feet. Thank you.

Mr R.S. LOVE: I am sure that the Attorney General has a unique ability to listen and talk at the same time!

In 2023, WorkSafe Western Australia and WorkCover WA reported that the state had recorded 48 cases of silicosis since 2018, and 43 cases involved workers employed in the engineered stone industry. Persons at risk of contracting silica-related diseases include stonemasons, builders' labourers and carpenters who are engaged to fit premade kitchen benchtops containing engineered stone into private residences on site. I add that the workforce involved in many of these cases would have most likely been younger tradesmen, often young men employed in a factory unit or some such, and at the very beginning of the use of this material, we quite often heard stories of very few safety precautions being taken, so given the youth of many of the people involved, the results will play out for some time. On 13 December 2023, work health and safety ministers nationally unanimously agreed to ban the use, supply and manufacture of all engineered stone, which is mainly used in those kitchen and bathroom benchtops in houses.

Dust diseases are known to have a slow progression in the body. As such, the once-and-for-all rule, which means that damages are assessed at a single stage and cannot be subsequently enlarged, are calculated as a lump sum. If a claim for damages is caused by an act or omission, all the damages for past and future injury caused, or potentially caused, by the act or omission must be determined in the one award of damages. It is timely, then, to consider including provisional damages for dust disease in civil liability. Although we support the bill, its intent and the need to protect people who through no fault of their own have been exposed to potential disease, I would like to get more of an understanding, perhaps during consideration in detail, about whether there was consideration of the likely costs and implications to industry for workers compensation and to the state government in its own liabilities.

I asked those questions in estimates recently when the Treasurer had the Insurance Commission of Western Australia here and we discussed the ramifications of change with the Insurance Commission. I will run through a bit of that transcript for the benefit of *Hansard* so people can get an understanding of what I am talking about. I said —

I do not think it is in the budget, but it is on that line of increased risk to the state. The other change in workers compensation is occurring with the dust legislation and leaving payments to be provisional rather than final in certain circumstances. What effect on premiums is that thought to have?

The Treasurer referred to Mr Whithear, who said —

We have expressed concern about a potential change from full and final settlement to provisional settlement. We think it is a fundamental basis of common law that if one reaches a settlement with an insurer, it is final. Our actuaries would calculate a settlement and their outstanding liabilities when one does not know how many people will come back for a second bite. It is quite worrying. We have read the parliamentary

report. We are engaging with Justice at the moment and we see material costs coming to the government for some of these things. We think that the public perception is that when one changes some of these laws, it might be a concern for just some non-government organisations or faith-based organisations. Invariably, it is a far larger concern for the government, so we will be trying to do some work to, first, advise Justice and ministers about the risks of some of those mooted changes and, second, where we can, try to calculate an estimate of additional cost to government. Some of that is quite difficult to do because one has to predict the behaviour of people, and that is not always straightforward.

I went on to ask —

The government will be only one employer caught up in this. Presumably, a whole bunch of industry figures will need to do similar work. Is there a pooling of that effort or will the Treasurer consider, completely in isolation, how the government will see the premiums affected going forward because of that particular change?

The Treasurer answered —

I would have to get further advice on that, but we can get some advice from of course ICWA, and I suspect industry would give us some advice as well. I would probably need to get further advice from the Minister for Industrial Relations on that.

I wonder whether the minister has had any discussions about that. ICWA said it was going to engage with Justice and the Treasurer said she would engage with the Minister for Industrial Relations. I wonder whether there has been any progress on that. It has been a month or so now since that discussion.

But I go back to the bill. It is important for the community to understand the implications of the change in this bill, which essentially means that people can come back if their condition progresses through their life story. Is the proposition firm that a claimant can come back only once? We might talk about that in consideration in detail. I understand that the Attorney General is aware we will do that after question time if that is possible, as he will have advisers with him then. I understand that this bill seeks to strike a balance between the unique circumstances of asbestos and silica dust disease and other industrial ailments and injuries. It will improve on the present situation for people affected by those diseases. For that reason, the opposition will support the legislation, but we will have a discussion about some of the implications of those changes on the way through.

DR D.J. HONEY (Cottesloe) [10.50 am]: As indicated by the Leader of the Opposition, the opposition is supporting the Civil Liability Amendment (Provisional Damages for Dust Diseases) Bill 2024. I will make a few brief comments about it.

First, I thought the member for Mount Lawley made an excellent contribution in recognising various groups in response to the bill. I thank the Attorney General for bringing the bill before the house. It continues the work that was done in recognising silica as well as asbestos in the Workers' Compensation and Injury Management Act 1981. In this place, we sometimes see politics as sort of tribal; the Labor side is for unions and we are against unions. As I have made clear in this place on many occasions, I recognise the important role that unions have played in workplaces, and no more so than in the issue of worker protection, particularly in relation to the topic that we are talking about right now—the harm caused by asbestos, and, more recently, silica. I recognise that it is an important role. In my industrial experience, I had an extremely productive relationship with the industrial unions I dealt with in the mining industry. There was never an occasion that I had a safety issue brought to me that was not a safety issue or an issue that should not be resolved, so that was a very positive experience. The interaction of the unions with the Asbestos Diseases Society of Australia is very positive. My former employer Alcoa had a very positive relationship with the Asbestos Diseases Society as well. I think any responsible employer did that.

The industry that I worked in before I entered Parliament operated in very high-temperature, high-pressure conditions. Alcoa's refineries were built before the issues of, and concerns about, asbestos had been raised. Asbestos was very widely used in a range of applications for thermal insulation and for what are called "gaskets" in pipes in an aggressive chemical environment. It was even used as packing material in pumps and the like. There was ample potential for workers to be exposed to asbestos, even in unusual places such as lino on flooring and in sound-deadening applications. Excellent work was done in identifying those potential sources, and, where possible, removing those sources of asbestos contamination, and otherwise stabilising and noting where that asbestos is so that workers will not be exposed to it. That was a very positive thing. I recognise the important role that the unions have played in mitigating hazards to workers in the areas of asbestos and more recently silica. I think, in the waves coming through, we will see this occur for a long, long time.

Asbestos has been and probably still is ubiquitous in the environment. In fact, anyone in this room who is over about 40 years of age almost certainly has asbestos fibres in their lungs, because the exposure to asbestos was so widespread. Asbestos diseases are probabilistic diseases and many people have asbestos fibres. Some people who have had limited exposure, and some people with one exposure, have gone on to die from an asbestos-related disease. Some people have had extensive exposure, but go on to live a long life and their demise is caused by some other factor. Nevertheless, it potentially affects a very large percentage of the population.

The changes outlined in this bill are important. I will go through the clauses. It is important that the commencement date fits in with the workers compensation legislation, and recognises the complexity of the diseases caused in particular by asbestos and silica. The Leader of the Opposition outlined that in all matters of legislation, we have to think about the balance between the impact on the broader community and the impact on the cost to the community. What is the problem it is trying to solve and is there a correct balance? In this case, I think the bill strikes the correct balance in limiting those once-and-for-all provisions to asbestos and silica. The particular nature of the diseases caused by asbestos and silica is a strong justification for that approach.

These diseases have a massive life-altering effect on people. I note the bill will allow the potential for family members to gain compensation from the estate of someone who is affected by those diseases. When the family breadwinner loses their life, it does not affect just that person, but the whole family, and potentially has a severe financial impact. It is proper that they should be able to get compensation, and a key part of that is removing the limitation period. I note the bill, in terms of workers compensation, sensibly has an anti-double dipping clause in it. I think it is very complex and I appreciate that it must have been a difficult matter to go through to do this, but I think the Attorney General has done a very good job on a very important matter.

I take a couple of minutes to talk about the general issue of dust. The fact is that in any workplace, workers will have been exposed to that silica dust. Employers who have allowed workers to be exposed to silica dust have been negligent. The hazards of silica dust have been known for generations. This is not a new hazard and I am greatly concerned. This is a matter for any of us, just as people in the community, when we see it. All dust causes harm, whether it is grain dust, dust off roads, dust blowing off a paddock or dust blowing off a building site. All dust causes health harm and it should be minimised. For example, there is certainly an association between medium-density fibreboard in manufactured timber products and dust in those materials, and throat and other cancers. These materials bonded together with polymer material are hazardous. We all know of health hazards associated with flour dust—something that we eat—but, nevertheless, the dust causes significant lung damage if workers ingest that. In any space that dust is seen, it is causing harm to workers if they are not properly protected. The first thing in the hierarchy of control is to eliminate the need for the task, but if the dust cannot be eliminated, at least control it. The final hierarchy of control is personal protective equipment. It occurs in far too many occupations. If we walked out of this place today, we would see workers not wearing dust protective gear cutting into road surfaces that have crystalline silica in the aggregate material, and no water being applied to the cutting surface to eliminate or mitigate the generation of dust. This is an evolving area. I appreciate that the government has to focus on key areas.

As a whole society, we need a much stronger focus on workers in every industry, be it farmers, factory workers or people working on building sites. Exposure to all dust is harmful, some more harmful than others, and everything should be done to prevent it from being inhaled. If members see work going on with dust generated and workers not properly protected, I encourage them to raise that issue and, if they can, stop the work and ensure that proper controls are put in place. They should make sure that councils are doing this. There is generally far too relaxed an attitude to dust in workplaces. If workplaces had taken their existing responsibilities seriously, we would not have seen this dreadful plethora of workers and others affected by silica dust from engineered stone.

I wanted to make one other comment, just on a matter of history. I hear comments by members in this place criticising Hon Michael Mischin for not progressing certain matters in this Parliament. For the *Hansard* record, I think Hon Michael Mischin was very keen to progress a range of legislation that the Attorney General has subsequently progressed. For the public record, I do not believe it was for the want of him progressing the legislation; it may have been other cabinet colleagues. I will say that much when referring to some of that legislation.

Good on the Attorney General for bringing the bill to the house. It is a very worthy piece of legislation. I commend the bill to the house.

MR J.R. QUIGLEY (Butler — Attorney General) [11.01 am] — in reply: This is an occasion when, as happens from time to time, the Parliament is unified in a law reform measure. This law reform and some of the law reform I bring forward finds its genesis in ideology of, for example, the abolition of the Gender Reassignment Board of Western Australia and the commitment to equal opportunities reform, which the Premier announced will proceed given that we have all but finished that bill. Other measures of reform are not ideologically driven but are justice driven. On those occasions, the Parliament comes together. When I say “the Parliament”, the chamber comes together as one to see the legislation passed expeditiously. This is one of those occasions when everyone can recognise the absolute injustice afforded a person who has been compensated by insurers for early onset lung disease such as asbestosis only to develop a terminal disease such as mesothelioma or lung cancer. As members have pointed out, everyone can recognise the absolute injustice of that person being locked out from compensation for that terminal condition because they were compensated for a less serious consequence—the inhalation of dust—20 years ago.

It is a real privilege to stand here as the Western Australian Attorney General having introduced the Civil Liability Amendment (Provisional Damages for Dust Diseases) Bill 2024, which is embraced by all members of the chamber and doubtless will be—I expect it will be—receiving cross-party support in the other place, the leaders of the opposition parties having given it such strong support in this chamber.

Another example of this unity across the aisle is the reform to the Limitation Act 2005, which lifted the barrier preventing adults from seeking compensation for the dreadful sexual assaults and abuse they were subjected to as children years before. The statute of limitations debarred them from ever seeking compensation. It was quite something else to introduce that legislation and see it embraced by all members who spoke to it; not one member spoke against it.

Similarly on this occasion, no member has risen to speak against this legislation, for to do so would be to stand up and speak against justice. I know that all members of this place are committed to justice for the individuals who are either victims of abuse or, in this case, of a disease often contracted during their employment, as the Leader of the Opposition and the member for Cottesloe pointed out. The member for Mount Lawley certainly pointed out in detail the different waves of this disease: firstly, those involved in the extraction and processing of ore at Wittenoom; secondly, those in occupations using asbestos and other products that cause lung disease; and, thirdly, the wave of people who are either involved in home renovation or who have had casual contact with the products.

The member for Cottesloe was right when he said that all dust introduced into the body is dangerous and the dust from some product is lethal. The Leader of the Opposition was right in saying that an insurer expresses concern about the level of payments. I say to the Leader of the Opposition that as an incoming Attorney General, I was cautioned, warned and, even amongst some quarters, attempted to be deterred from lifting the bar for historical child sexual abuse actions. People said, “Attorney, we don’t know how many people are out there. The level of compensation could be large. It could be an unbearable impost upon the state to revisit these cases 20 to 30 years after the abuse. Don’t do it because there is an unknown number involved.” But we did it with the support of every member in this chamber. It was a costly burden. It remains a costly burden, but it is not one that a just society would squib on meeting. In meeting the damages claims, we have not denied other sectors of the community proper support. As a state, we have stepped up and seen those victims properly compensated and, as a chamber, we gathered in unity to support redress legislation to give victims another pathway, a non-litigious pathway. Yes, Leader of the Opposition, I expect questions around costings and that. The Leader of the Opposition is right that at the end we do not know how many people this might ultimately involve. We do not. It has to be a commitment either to do it or not to do it. We are committed. I was very proud of former Premier Mark McGowan, AC—that is, a Companion of the Order of Australia, which is the highest honour. When he was Premier, I went to him about the statute of limitations and he did not hesitate. He said, “What ticket price can you put on justice? You can’t. You’re either committed to delivering justice or you’re not.” It was during the first year of our first term that Hon Mark McGowan said to me, “You can’t put a ticket price on justice, Attorney.” We are at that inflection point again. We are committed to doing this for the victims. We cannot put a costing before the Parliament because we do not know how many people are suffering from asbestosis or silicosis who will not go on to develop a further disease, a terminal disease. As a community and as a Parliament, we are committed to delivering justice to those people.

I thank the members for Cottesloe and Mount Lawley and, importantly, the Leader of the Opposition for their support of this bill. I hope we can pass it today and get it the other place but we will see. I understand we will do consideration in detail after question time. May it please you, Acting Speaker.

Debate adjourned until a later stage of the sitting, on motion by **Ms C.M. Rowe**.

[Continued on page 3011.]

SPORTS AND ENTERTAINMENT TRUST BILL 2024

Second Reading

Resumed from 12 June.

MR T.J. HEALY (Southern River — Parliamentary Secretary) [11.13 am]: I rise to continue making some comments on the Sports and Entertainment Trust Bill 2024. I seek a brief extension.

[Member’s time extended.]

Mr T.J. HEALY: I would like to speak about some of the fantastic local sporting heroes and great sports in my community. Gosnells Archers have recently returned from a national competition with a historic 25 medals. Gosnells Archers currently play at Sutherlands Park. I commend the team members, their coaches and the people who supported them, and we were very happy to support them at their competition.

I also commend Cody Drew from Canning Vale, who returned very successfully from the Australian Junior League Championship for baseball. Cody recently joined the Central Firebirds in New South Wales. Hon Klara Andric and a number of upper house members and community members were very happy to support Cody and the team. I congratulate his dad, Scot, and all the coaches involved in that work.

I would also like to congratulate Southern River College Mechatronics. It is a fantastic sport. The team will be heading to Sydney soon to compete in the national championship. It is a great robotics program at Southern River College. I imagine we will look forward to members of the team probably working in the defence industry sector in time. It is a fantastic sport and a great group of about eight students. We wish you all the best for your competition.

I will also mention by way of congratulations some other great sports. Year 7 student Ivy Ricci from Harrisdale Senior High School has recently completed the state football trials. I congratulate School Sport WA on that. She will be in the WA girls under-12s AFL team and will very soon travel to Geelong, Victoria, to compete against the rest of the nation in the Australian championships. We wish her well for her competition.

I would like to congratulate Sophia Miller, who has been selected to this year's WA under-15s School Sport WA girls state netball team. We wish her the best. She is a member of the specialist netball program at Harrisdale Senior High School. She will be competing with the support of all of us here in Western Australia.

Young people travel for sport within the Perth metropolitan area, to regional Western Australia, interstate and internationally. I recommend to young people who are going to represent us competing in any sport that the first thing they should do is call Terry Healy's office because we have a great package of goods and cost-of-living services. I will run through them. These things are available to a young person who is competing. First of all, if they are a resident in my electorate and reach out to me, I will do my best to contribute towards their travel. I can offer a number of different things. We can offer some form of donation towards a raffle and I regularly host quiz nights. Yaz Mubarakai and I will be jointly hosting two quiz nights in the next month to help competitors going to two interstate competitions. We will host an entire quiz night for free to fundraise for competitors. We will provide the questions, public address system, answer books and everything else. We probably raise about \$2 000 or \$3 000. All the club has to do is find the venue. We can also work with the council to find a venue for probably no cost—hopefully. We will host it and all the club has to do is bring along its members and charge \$10 a head, and things like that. We can usually help with prizes. A dinner here at Parliament House is usually a very popular first prize. A quiz night like that run by some of the local members of the Legislative Assembly will be non-political; we will run it and entertain all the guests to help clubs raise a couple of thousand dollars for their costs.

I reside entirely within the City of Gosnells and congratulate it on what it does. We provide people who come to my office with links to the following grants. If a person is competing within Western Australia, Gosnells council has sponsorship of \$300 available. If it is in the eastern states, it is \$400. If it is an international competition, it is \$500. We can help students to get the forms and put in an application. That sponsorship is for each student. If it is a team that is competing, that is for each student. I find that these are mostly interstate competitions and that would be \$400 toward each student's costs. As well, I would also encourage people to write to their federal and state members. They should write to and ask every Gosnells councillor and every member of the Legislative Council and each senator for a \$50 donation.

I should also talk about the federal local sports champions grants. We will assist people to get that \$500 grant. That is another \$500 that each young person competing can get as long as they are aged between 12 and 18 years. There are quarterly rounds, and we can help people get the forms and applications in. Again, that is a \$500 base grant. Basically, if people are competing in Western Australia, that is \$500, as long as they are travelling over 800 kilometres. Most people, though, will be eligible for \$600. That is \$500 plus \$100 to travel over 2 000 kilometres, and that is, essentially, to the eastern states.

My office will also offer a link to the British Sausage Company. If people are looking to have a Bunnings sausage sizzle—again, this is a little cheat that every member of the Legislative Assembly should be aware of—the Bibra Lake British Sausage Company will provide 210 free sausages if people apply at britishsausage.com.au/sizzle. We can help them get the forms and applications in. If someone is going to have a Bunnings barbecue, they should definitely apply for that grant as support for their fundraising activity. I encourage all members of my community to reach out to us, and we will make sure that they are aware of and can have access to that gamut of support.

In conclusion, I would like to mention two good sports in my electorate. First of all, I would like to acknowledge Beryl Nilon, who, as a good sport, turns 100 on 1 July 2024. I would like to congratulate Beryl Nilon and her family. She was born on 1 July 1924. I congratulate Toni, Ben, Tina and Jimmy and all her family. I look forward to joining you for your 100th birthday celebrations, and we wish you the all the best for that celebration.

MS D.G. D'ANNA (Kimberley — Parliamentary Secretary) [11.21 am]: I rise today to speak on the Sports and Entertainment Trust Bill 2024. This bill marks a fundamental moment in the advancement of the Western Australian sports and entertainment landscape. It recognises the profound impact of sports and entertainment in our society and aims to modernise the governing framework for major venues, including iconic sites like Optus Stadium and RAC Arena. Through extensive consultation and a commitment to reform, the legislation seeks to empower the Western Australian Sports Centre Trust, being VenuesWest, with greater responsibilities, flexibility and accountability. By fostering a conducive environment for commercial activities and prioritising public safety, the bill not only enhances the state sporting infrastructure, but also reinforces its reputation as a vibrant and attractive destination for residents, visitors and investors.

In saying that, I, too, get excited to attend some of these venues. At this moment, I would like to mention the excitement felt by some people in my electorate when they come down here and have the opportunity to participate and enjoy these sporting venues—people like seven-year-old Jatarney Nandoo. For Jatarney and many other children and parents, playing grassroots Auskick football and being part of an opportunity to head down to Perth to play

Auskick at Optus Stadium is nearly a once-in-a-lifetime opportunity. She was incredibly excited when she called to tell me last week that she had been chosen to play during the half-time in the upcoming Port Adelaide and Dockers game. She said to me, “We get to see the big stadium, we get to be on TV, and we tell all our families to watch the Auskick half-time game because that’s more important.” In saying that, I would also like to mention that she is a Dockers supporter like me, and it should be a good game all round, considering I am a Dockers supporter and my husband and daughter are Port Power supporters.

Being excited is an understatement, especially for a Kimberley kid. Sport plays a pivotal role in enriching communities, in particular regional communities such as my electorate, the Kimberley. Beyond promoting physical health and wellbeing, participation in sports fosters cohesion by bringing people of all ages, backgrounds and abilities together, fostering a sense of belonging and unity within the community and providing common ground for individuals to connect and build relationships. Engaging in sports encourages regular physical activity, promoting better health and wellbeing among community members. Additionally, the mental health benefits of participating in sports are well known. It helps reduce stress, anxiety and depression. Being part of a team provides social support networks, resulting in boosted self-esteem and confidence. Sporting clubs are often the main focal point for small communities and provide social interaction and community engagement, forging strong bonds among residents. Sporting events and sporting facilities also offer an opportunity to stimulate local economies. They attract visitors and generate revenue for businesses. Participation in sports instils valuable life skills, such as teamwork, self-discipline, leadership, time management and resilience, which are essential for personal development and success both on and off the field. For residents, sports and community not only enhances their quality of life, but also contributes significantly to their vitality and unity. Communities within my electorate have been supported by this government time and again with funding and grant opportunities to provide engaging, targeted and beneficial programs, facilities and sporting events in the Kimberley.

Recently, the regional athlete support program delivered \$2.6 million to support regional athletes’ ongoing development close to home. Organisations or clubs such as the Broome Sports Association in my electorate, have been recipients through this program, which is designed to assist regional athletes who aspire to reach their full potential. At the time, the Broome Sports Association had 34 athletes participating in its Broome talent development program across 10 different sports. This talent development program is something that I am quite passionate about as before this role, I had the privilege of participating—not athletically, just so we are all clear; I am not athletic—but living vicariously through my child —

Ms C.M. Rowe: As we all do.

Ms D.G. D’ANNA: As we all do. I am digressing a bit. I come from two very strong proud big families up in the north quite known for their athletic ability, their cooking and their musical abilities. I say a lot that I think I am either adopted or born from an egg because I have not inherited any of those abilities. My Nanna, God bless her soul. I whinged to her once, and she said, “Divine”—because that is what she calls me—“All the family have the talent, but there has to be somebody who manages them, and that is you.” I will take that!

The talent development program highlighted or emphasised the best in each field, whether it be cricket, swimming, netball, basketball, football or badminton. It identified young people who had the potential to progress and wanted to be part of a program. My daughter participated a few years ago. It also taught other stuff like nutrition, time management and the importance of exercise. It is like a work readiness program but it is like “life ready” for athletes. That program also built some very successful netball teams, if I do say so myself. I had the privilege of coming down and participating or coaching—assisting—the teams at the Gold Netball Centre when we had the cadet cup and state cup. Lighting upgrades in my electorate have made a significant impact on participation in sports in the Kimberley. New lighting systems were delivered to Clarrie Cassidy Oval in Wyndham, Broome Tennis Club, Derby Outback Rodeo grounds main arena and the Nipper Roe Sports Field in Broome to name a few.

Last week I was up in Wyndham to see the buzz and excitement of the Port Wyndham Crocs Football Club—yay to them!—and its oval. The lights are so bright that people can see it 100 kilometres away in Kununurra.

Mr D.A. Templeman: You asked for those lights; I gave them to you. Can’t take them away now!

Ms D.G. D’ANNA: I did! The amount of pride that not only the football team, but also the community as a whole feels when they get to host their teams on the grounds and having night games is great. There is always competition in football. Not having to drive 100 kays to Kununurra to participate in their games, but also having the privilege of hosting their games under beautiful lights, is great. I said I would go back up there because there is a mental health round coming up. I have also heard on the radio that the new change rooms are partially complete, so the team is quite excited because I would not even call the ones they had there change rooms.

The government’s commitment to delivering meaningful sporting change is well demonstrated by the July 2022 announcement of a 50–50 partnership with the AFL to invest \$1 million annually for five years in community sport across the Kimberley region. The Kimberley implementation strategy has several football-focused initiatives, such as lighting upgrades, as discussed; ground improvements; female change rooms and amenities; travel subsidies to remove geographical barriers by supporting team travel; funding to bolster football pathways, because, I am just

saying, we have great footballers from the Kimberley football leagues; supporting regional-based coaches; and providing specialist expertise as well as additional full-time resources to implement the Kimberley football delivery strategy to create new local jobs to support football development.

Other great initiatives of this government include a mountain bike refurbishment collaboration between Dismantle and the Kununurra Waringarri Aboriginal Corporation to help young people in the Kimberley learn new skills, form social networks and explore local bicycle tracks. The community sporting and recreation facilities fund made a grant of \$900 000 available for the upgrade of the oval, lighting and change rooms at Looma community. Looma poses another strong football team that has to travel over 100 kays to get to games. I am just going to do a shout-out. When the Looma Lady Eagles made their debut, they smashed it. They came out firing, and that is what the grassroots football community does when they go into town.

In September 2022, the WA Labor government provided funding for additional sporting opportunities and second-hand sporting equipment for at-risk children and young people in underserved remote communities in the Kimberley region. The program is funded to run over three years, and is delivered by Fair Game Australia in partnership with the Department of Local Government, Sport and Cultural Industries along with local community organisations, agencies and local government authorities.

We have also seen the delivery of an amazing water playground in the East Kimberley in Kununurra. I had the pleasure to go down to the opening of it with Minister Templeman. It was quite exciting.

Mr D.A. Templeman: We had a good day that day.

Ms D.G. D'ANNA: We had a fantastic day.

Mr D.A. Templeman: I had to go and buy a pair of bathers from the store.

Ms D.G. D'ANNA: Yes, we did. We were debating whether to do it. Once we did it, we wanted to do it again!

Last week when I was in Kununurra, I saw how many kids and families were utilising that wonderful water play park. I think it is the best in the north. It is lucky that Kevin Michel is not here! I think it is the best in the north and Broome is very jealous. The water playground in the East Kimberley in Kununurra had funding of \$3.2 million plus an additional commitment for the stage 2 development of a new swimming pool and refurbished facilities at the Kununurra pool. Again, when I was in Kununurra last week, people were quite excited about the pool upgrade. We have a lot of waters in and around Kununurra that are not always the safest. They have animals with little eyes—crocodiles.

Ms L. Dalton: And with big teeth?

Ms D.G. D'ANNA: Some do. They do not need teeth to make damage, but, yes. I always say, “Are there crocodiles in that lake?” They are like, “Yeah—nah.” There are freshies but there are also salties. It is: enter the water at your own risk.

The importance of sport in regional and remote communities cannot be overstated. It is a catalyst for social cohesion, physical wellbeing and economic growth. While we are on the subject of the benefits of sports, I would also like to do a shout-out to some of the great talent. I would like to shout-out to Annabella Thompson. Last week, she was selected to represent the Australian team at the 2024 Oceania Athletics Championships in Fiji. This is the second time that she has been selected. Last year she travelled to Singapore to compete. I have watched this young girl participate in Little Athletics in the community, and it has done wonders for her and her family. The pride people feel when they get behind her when she travels to its large events is enormous.

Recently I went to Fitzroy where a 10-week night basketball program is run by a few volunteers and organisations. I shout-out to Rochelle Dolby from Marra Worra Worra. He picks up a lot of the kids around the Bayulu, Noonkanbah and Fitzroy Valley communities and brings them together twice a week on Mondays and Tuesdays. The kids are given transport to the basketball courts and are put in teams. They are given a feed and kept entertained, and there are volunteer umpires. They also have a sense of pride when they try to outdo each other in slam-dunk and three-pointer competitions. It is amazing. One kid, who is this big, can nail a three-pointer almost every time. I struggle to get one once in a lifetime!

I would also like to do a shout-out to Pearl Coast Gymnastics Club. I had the privilege of going to its tournament a few weeks ago. I have never followed gymnastics, except for the Olympics on television, but I went to see these kids. One of my cousins has their daughter and son in gymnastics, and they have such pride in their little glitzy and glamour suits and in being quite rigged. These little tournaments allow them to practice to challenge and compete down in the Pilbara. We are always competing with the Pilbara before we get to compete down here with all the “major players”. It is always fantastic to see how sports is good for the children.

[Member's time extended.]

Ms D.G. D'ANNA: Sports impacts not only the children, but also the families and communities. I know I am repeating myself, but I have seen this firsthand with a grade 5 class whose story I will share. This grade 5 class has a netball team that participates in the Saturday morning carnivals. A cohort in this class was very disengaged and

their parents did not really care. They would drop the kids off at school and then pick them up. There was not much interaction between the families and the school. A really strong teacher, M.J. Crutchley, who has long had netball skills, wrote to all the parents and said that she would like to enter their child into the Saturday netball team. These 10 girls had never played netball in their life. If they could do it at school, that was fine, but they had never been asked to do after-school activities. This teacher invested time into these children and the parents were quite interested. How do I know? It is because I am one of those parents. I had no time to go to the school, but I thought it was interesting. My children are all like me; they are not sporty, but this kid was. So, over time I watched this teacher invest in these kids. In the first year, they went from being kids that sometimes missed school and were not participating to their fullest extent in class, to really taking pride in being part of a team. In the three years that followed I watched them go from not knowing how to play netball, to being quite a strong team in the league, having a strong unified connection, and making their parents, families and friends come together and watch Saturday morning netball. We also took those kids across to Queensland to participate in the Australian Budgies Indigenous Netball tournament. We put it to the families and kids that if they wanted to go, they would have to come together, organise and fundraise, and they did, with pride. Anyway, I am waffling.

Mr D.A. Templeman: No, no; I call it passion.

Ms D.G. D'ANNA: I call it passion too. Sport is not for everyone. I am the prime example, even though I will mention that the only trophy I won for sports was for darts, and that is a sport. If anyone disputes —

Mrs L.A. Munday: Do not knock the darts!

Ms D.G. D'ANNA: Yes.

Mr D.A. Templeman: Do not get me onto darts.

Ms D.G. D'ANNA: Yes, well. We should start a parliamentary friends of darts. Anybody interested in a darts fundraiser?

I emphasise that sports, although not for everyone, can be seen as good for not only competitiveness, but also engagement. It is the hook to bigger things, just like the performing arts. I have had this conversation with the minister before, about how facilities that are funded through the sports trust bill always host events, whether it be sports, *Disney on Ice* or other engaging stuff, where people strive to be a part of and engage with the community.

I end by saying that this government's continued investment in sports initiatives is about not just building stadiums or funding programs, but also investing in the future of our communities. I wholeheartedly support the Sports and Entertainment Trust Bill 2024 and I commend the bill to the house.

DR K. STRATTON (Nedlands) [11.43 am]: It is great to follow the member for Kimberley who has more sporting awards than I do. When I was participating in sports at school, we did not get the participation ribbons like they do now. I do not even have that to show for my sporting participation. I have to say, I was the kid in my year group who was picked last. When I was left, a collective groan would go up. If this was a speech about study, choir, music and school band, I would be able to talk for hours about my personal experience, but sport? Not so much.

Ms C.M. Rowe: You are in good company!

Dr K. STRATTON: I believe I am in very good company in this place.

However, I have family history connected to sporting infrastructure. My great-grandfather J.P. Stratton was involved in the building of Gloucester Park and has a stand named after him. He also has a stand named after him at the Western Australian Cricket Association. He was also on the very first committee that established the TAB, so the family joke is that my social work career is about redressing some of the social contribution that my great-grandfather made. I think it is fair to say that the trots is not necessarily a participatory sport in that sense, so it is probably no surprise that that is my family history. I do, however, have great childhood memories of dad playing cricket. We spent many Saturday nights at the local cricket club where Chris Greenwood would play Father Christmas every Christmas and we would all line up at the cricket club Christmas party for our present, and play on the oval in the dark having all kinds of adventures. I also remember going down to watch dad achieve his one and only century in cricket. My sister was a state grade swimmer. I got the study prowess; she got the sporting prowess. At that time, I appreciated the really important role of volunteers in sport. They are in fact the sporting infrastructure for community sports. It also gave my sister some amazing opportunities for travel. Some of her peers went on to swim in the Olympics. It was an amazing experience for her. Our lounge room was often full of fundraising chocolates. That is my other memory of sport.

In all the engagement that I have had in many of the sporting clubs in my electorate, I appreciate that sport is now a much more inclusive space than I experienced it to be as a kid, and it therefore encourages a lot more participation. The seat of Nedlands is home to some of the oldest and biggest sporting clubs in WA. Being between and across the river and the ocean, it has a great diversity of sporting clubs and is also home to the University of Western Australia. There are a great number of sporting clubs based at UWA. We are home to many playing fields, including Subiaco Oval, which was established in 1908. It was of course the home to WA football, the home ground of the Eagles and Dockers until 2017. I had the good fortune to watch the last derby ever played at Subiaco Oval.

Subiaco Oval now has a really important place in my community. It is the playing grounds for Bob Hawke College and is then open to the community for its use for play and recreation outside of school hours. Of course, before Perth Stadium was built, Subiaco Oval was the largest stadium in Western Australia.

Going down the river front for a little while, the Nedlands Rugby Union Football Club, which plays at the Charles Court Reserve, is 90 years old this year. It is the largest rugby club in Western Australia and continues to grow. Its current focus is on growing its women's program and it is working towards having an all-abilities team that will play next year. It has won the premier grade premiership flag a record 18 times. It welcomes players at all levels from casual to elite players, and is focused on growing home-grown talent. The Nedlands Yacht Club, which the minister has been with me to visit, has been the recipient of a community sporting and recreation facilities fund grant to rebuild its change rooms in the training rooms. The existing change rooms are again an example of the role of volunteers and community in a club. The members of the club built the original change rooms. They are gorgeous in that way, but certainly, modern facilities are required. The club is very busy starting to implement its plans for that new club. A lot of children and young people train and sail and that club, and the rebuild, will make that club more accessible and available for people to participate in sporting on the beautiful Derbarl Yerrigan.

Mr D.A. Templeman: How did they go? They had a milestone celebration at the end of last year, didn't they, from memory?

Dr K. STRATTON: They may well have done, yes.

Mr D.A. Templeman: I think it was 100 years or 120 years.

Dr K. STRATTON: Yes, the club is over 100 years old as well. The Perth Dinghy Sailing Club in Nedlands holds the honour of being the only on-water club that is entirely volunteer run. It is the only yacht club or sailing club that does not employ any staff. It currently has a third-generation commodore. Again, the dinghy club really encourages children's participation and has a great family and community atmosphere.

That is just a handful of the number of clubs on the riverfront. If we go to the ocean, the Swanbourne Nedlands Surf Life Saving Club, which is actually in the electorate of Cottesloe, is the surf lifesaving club of choice for many in my electorate, and I know that choosing your surf lifesaving club is a choice you make for life. Last year, it won the Surf Life Saving Western Australia's 2023 club of the year at the excellence awards. That club is in its ninetieth year of service. Last year, it opened its new and improved change rooms, recognising the changing membership of its club as 50 per cent of its membership is now female. It was the recipient of a \$500 000 Lotterywest grant as well as local government, state government and federal funding to completely rebuild its women's change rooms. It went from having two toilets and an open shower area to having amazing state-of-the-art modern facilities that afford privacy, safety and accessibility. The club continues to go from strength to strength.

Nedlands is also home to National Premier Leagues football clubs; that is the round football. The women's clubs are Subiaco AFC football club and the UWA Nedlands Football Club. Of course, we have seen a huge growth in soccer participation by girls and women, building on the great success of the Matildas. When the Tillies were here last year, it was the only time that my teenage daughter has asked to go to a sporting event. The Subiaco AFC football club is 114 years old. My brother used to play there. When I introduced myself at the Subiaco football club as the new member of Parliament, a comment was made that everybody who lives in Nedlands and Subiaco has some kind of connection with the club.

My electorate is also home to the Matthews Netball Centre. Any parent of a child who plays netball will be familiar with the Matthews Netball Centre. They are more than likely familiar with the adventure that is parking there on a Saturday! If people google the Matthews Netball Centre, the first search option that comes up is "parking". It is home to the Perth Netball Association, located in Jolimont. It has 759 teams, 77 member clubs and 46 hard courts. If members manage to drive past it on a Saturday morning, they will see that it is abuzz and an absolute hive of netball activity.

As I started by saying, I think that sport has become a lot more inclusive and participatory since my experience of sport, primarily at school. That includes the LGBTQIA+ community. Nedlands is home to a number of pride sporting groups and activities. My electorate is home to the Perth Frontrunners, who set off every Saturday morning from Kings Park or Matilda Bay. Sometimes, hundreds of people participate in their walks and runs, and it offers a safe and inclusive space for the community to participate in activity. The Perth Spectres basketball club trains at Lords Recreation Centre but is based at the University of Western Australia, and the club is one of the organisers of the annual Pride in Sports athletics carnival, which is also run by Team Perth and the Perth Pythons Hockey Club. The athletics carnival is held during Pride Month in November at UWA. The club asked me to open the carnival. It is a reflection of how important it is that sport be inclusive and accessible. The teams get dressed up in all the colours of the rainbow, funnily enough. There is some friendly competition and the opportunity to participate in a safe way. UWA has a number of Pride in Sport ambassadors and is the home of a number of pride groups.

The other aspect of sport is community. I want to give a shout-out to the Friends of Mt Claremont Fields, who 18 months ago had a great win in this place by securing the zoning of the Mt Claremont playing fields so they will remain available for sport and recreation. The Mt Claremont playing fields are used a lot by the community for activities and casual engagement in sport.

My mum has become a regular at the Hollywood Subiaco Bowling Club. We delivered an election commitment of a new bowling green there in early 2022. My mum does not bowl; she goes to play cards. Like many bowling clubs, the Hollywood Subiaco Bowling Club has really diversified its offering to the community. It has a community garden and has converted one of its bowling greens into a croquet field.

Mr D.A. Templeman: We had a beer there.

Dr K. STRATTON: Indeed, minister, we have had a beer there! We went to check out the new bowling green.

Mr D.A. Templeman: If we had not had to get back for question time, we would have had two!

Dr K. STRATTON: That is right! It is, indeed, a very welcoming club. It has live music every week, mahjong and various other things. It has become a really important part of the community that people from all age groups can participate in. It has just installed a brand new playground, as well, to become a lot more family friendly.

As a demonstration of how much accessibility to sporting facilities means to the community, at the beginning of the swimming season last year, the Hollywood Primary School pool, where I used to swim as a kid, was under threat of being closed down, but the school community and the local community really rallied around. The school pool has been open for some 50 years. It provides keys to school and community members, and there was a threat of it being closed down. We worked very hard with the P&C, the principal and the Minister for Education to ensure that the pool could remain safely open and available for all the community. It took us a couple of weeks, but we got there, and it had an amazing season. It really brought home how important sporting infrastructure is to local communities and how passionately they will fight to keep it.

I want to acknowledge one local, Leo McManus, who was recently awarded the Medal of the Order of Australia. I worked with Leo.

Ms M.J. Davies: I know him well. I grew up with him.

Dr K. STRATTON: You grew up with Leo?

Ms M.J. Davies: He was very good friends with my dad, and they used to play cricket at Claremont Neddies.

Dr K. STRATTON: He has been a member of Claremont Neddies for 50 years, I think. He is also a good friend of my dad through the Lions Club, so there you go. Leo McManus is probably one of those people whom lots of families know.

Ms M.J. Davies: He has connections with lots of people. Mine was definitely through Claremont Neddies. We used to play.

Dr K. STRATTON: There you go. We could have been playing nearby. My dad was not a member of that club; he was a member of the Dalkeith Nedland cricket club. We can have words outside.

Leo was recently awarded the Medal of the Order of Australia. He is an amazing community volunteer. He has been involved with Lions since 1985, and that is how my dad knows Leo. He works with the St Vincent de Paul Society distributing food and meals to people in need, and he is also the chair of the Lions Alzheimer's Foundation fundraising committee. Leo often holds meetings at the Dôme Café opposite my office, and I say to Leo, "Whenever I see you, you are engaged in some kind of community service." His medal is very well deserved. It was largely in recognition of his self-described efforts as a lifelong cricket tragic. He joined the cricket club 50 years ago and is a life member. He has held every leadership role in the club and is currently serving as vice-president. He recently resigned as a City of Nedlands councillor, and I thank Leo for his service to the ratepayers of the City of Nedlands, including me. He represented my ward and I know that he fought the good fight for us. He will now have time to continue to make the amazing contribution he has made to our local community.

I started by saying that I am not a particularly sporty person, but in preparing this speech I realised how much sporting infrastructure, which is in fact community infrastructure, is almost taken for granted in my community. I started by saying that most of our community sport, and therefore most of our professional and elite sport, would not happen without volunteers. Many of those volunteers are of course parents. Sport is a great source of community connection. Many of the sporting clubs, like Hollywood Subiaco Bowling Club, become community hubs for people across generations. In that way, and through this bill, we can continue to build on the social community and health benefits of sport. I am happy to commend the bill to the house.

MR S.J. PRICE (Forresterfield — Deputy Speaker) [12.01 pm]: It gives me great pleasure to contribute to the debate on the Sports and Entertainment Trust Bill 2024. I start by acknowledging the great work from the Minister for Sport and Recreation, Hon David Templeman. He does an outstanding job in that role and certainly gets a lot of enjoyment out of his portfolios. It is great to see someone who is so invested in ensuring that our local community sporting groups and culture and the arts get the support from the government they all deserve.

I will touch on a couple of points about this bill raised by the minister in his second reading speech. He said —

The Western Australian Sports Centre Trust, which trades as VenuesWest, manages Western Australia's most significant sport and entertainment venues and precincts, including ... Optus Stadium and ... RAC Arena ...

VenuesWest also manages 12 other venues. I will touch on a couple of them a bit later in my contribution. This bill will create a new modern trust, and, as the minister said, the trust will continue to be the government agency responsible for asset management of the portfolio of venues and support high-performance sports, training and competition needs. An important aspect of the new trust is that it will have the ability to conduct commercial, retail and promotional and promotional activities and turn to account advertising opportunities. This broader definition of “venue” will allow for a broad portfolio of assets as well as the ability for the minister to declare places and leased venues, accommodating continued growth and flexibility within what the trust covers. I think that is really important going forward.

As we have heard from pretty much every member who has contributed to this debate, the importance of sport in our communities cannot be understated—how it gives people the opportunity to be part of something regardless of their situation in life. It creates connections between friends and helps people develop friendships that often last a lifetime. It makes people feel like they are part of something. It gives people that local connection. Of course, there are the physical and mental benefits of sport that we are certainly all aware of.

An important thing for my electorate and community is the sense of belonging. If we can make the children of our electorates feel part of something, make them feel connected, keep them involved, teach them about resilience, teamwork and the benefit of friendships and relationships, and keep them from making that one mistake that may impact the rest of their lives, we cannot do enough to ensure that we have the appropriate sporting facilities available in our electorates to facilitate that. As a consequence of the approach this government has taken to ensure we have adequate facilities, there has been significant funding throughout all the electorates across the state of Western Australia. Forrestfield has benefited from that extensively over the last couple of years.

I have three main sporting precincts in my electorate: Hartfield Park in Forrestfield, Scott Reserve in High Wycombe and Maida Vale Reserve in Maida Vale. All three reserves have received significant funding through either election commitments from me or the community sporting and recreation facilities fund over the years, which has resulted in significant improvements to the facilities available for the kids and adults who play sport. An extremely significant amount of money has been invested in improving the lighting on a lot of the reserves. An old, established electorate like mine is very limited in how it can expand its sporting capacity. One of the ways that can be done is to extend the time during which what we have can be used, so that is when lights become very important. The downside to that is that the surface begins to get overused, so there are issues with the quality of the playing field, which, depending on how bad that is, restricts the space available for people to use. It is a really difficult area.

One thing I would like to talk about is LED lighting. Like everyone, we are going to LED lighting these days, which is fabulous, although it is not cheap. I would like to raise the prospect that when lights are put up in sporting fields, they be futureproofed a little bit. The thing with LEDs is that the light heads are a bit heavier than the current ones, so as a result the towers they go on have to be replaced. We build them to take the lighting capacity installed at the time, so the weight and the windshear effect of the number of lights is taken into consideration, but there is a significant difference in the number of light heads required to go from 100 lux to 200 lux to 400 lux, or the number of towers. My suggestion is to futureproof a little bit and maybe put in stronger towers than needed for the lighting power being installed, so if there are upgrades in the future, there is a lesser cost burden to do so because it is only about adding more light heads as opposed to the towers and the foundations.

Like every other member has, I would love to recognise some of the sporting clubs I have in my electorate, and I will run through the ones that use different sporting precincts. At Hartfield Park in Forrestfield we have Forrestfield United Football Club, which is round-ball football. We have Forrestfield Football Club, the Rhinos, which plays AFL football with seniors and juniors combined into one club. We have the Kalamunda Bulldogs football club, which is a rugby league football club. We have Kalamunda Districts Rugby Union Club; Forrestfield Cricket Club; Kalamunda Districts Hockey Club; Forrestfield and Districts Bowling Club; Forrestfield Tennis Club; and the Forrestfield Flyers tee-ball club, which is a pathway club to Victoria Park Belmont Baseball Club and Western Cobras Softball Club. I am patron of the bowling club and we put a team into the corporate bowls competition held at the bowling club every year on a Wednesday night. Anyone who has ever played lawn bowls will know it is an incredibly difficult game, and the people who make it look easy are really good at it. Unfortunately, in the seven years we have been doing a corporate bowls we have not improved too much! But it is a fabulous night out. Roughly anywhere between 20 and 24 teams turn up and it is a wonderful community event and asset that we provide for people. Over the last two elections we have contributed to replacing both of the grass greens with synthetic greens, and that has transformed the club. It has significantly reduced the amount of work required by the volunteers to maintain the grass greens, and they are very appreciative of that.

In High Wycombe, the main sports reserve is Scott Reserve. Out of there, we have three clubs: the High Wycombe Cricket Club, the High Wycombe Amateur Football Club and the High Wycombe Junior Football Club. They have received money through community sporting and recreation facilities funding over the years, and at the last election, I committed \$1 million to upgrade the sporting pavilion and change rooms there. Like all our clubs, there has been a significant increase in young women playing football, or any sport. Unfortunately, the legacy assets that we have were never designed for that. They all involved only men playing sport, so there has been a significant investment to ensure that we have adequate facilities for males and females to play sport these days—as we should.

Maida Vale Reserve is the other main sporting precinct in my electorate. Kalamunda City Football Club—another round-ball football club—and Kalamunda Rangers, which is a T-ball, baseball and softball club, play out of there as well. Maida Vale Reserve also received a \$2.4 million commitment at the last election to improve its facilities and, recently, CSRFF funding to improve its lighting. Other sporting venues that we have are Rangeview Tennis Club, which has its own place in Rangeview, and Maida Vaida Tennis Club and Phoenix Netball Club play up at the Ray Owen Sports Centre in Lesmurdie.

I am fortunate to have two little athletics clubs in my area: the High Wycombe Little Athletics Club and the Forrestfield Little Athletics Club. There are also a number in the Eastern Hills and Lesmurdie, and they all compete at the Belmont Athletics Centre, of which the member for Belmont is a patron. I get out to the Gerry Archer Athletic Park—mainly the opening and closing ceremonies of the season—to have a look. Little Athletics is one of those sports that, to me, epitomises everything about sport—for example, the volunteers, as has been stated. All our sporting clubs rely on volunteers, and without them nothing would happen. Little athletics is one of those things that seems to have everything worked out. There are different forms of volunteering, such as setting up or packing down, and working at one of the sporting activities, whether it is measuring, controlling or managing the team. As a volunteer, there are a number of ways to get involved. The children who are taking part are competing only against themselves, so it does not matter where they come in whatever activity that they undertake; it is all about their own personal best. It is all about them trying to do that little bit better each time, and it is not to do with where they come in the race or how far they throw the discus or javelin. It is how they do personally. I think it is great in the way that kids can focus on trying to improve themselves each time and it does not matter in the overall scheme of things where they come.

Another important aspect of sport that has had a significant impact in my area is the KidSport voucher. I know that the cost of children playing sport is extremely high. From having four daughters who were playing netball together at one stage, I know the fees for that were quite significant. Not everyone has four kids, but it is still expensive whether it is one child or multiple children playing sport. Sport is very expensive, so KidSport becomes extremely important, and to double the value of the vouchers is even better. I suggested once that we should remove the amount of money that is allocated to KidSport—not remove the conditions for it, but let as many people as possible access it and see if there is an uptick in the amount of kids playing sport. As time goes on, the importance of sport is re-emerging. With the amount of screen time kids are having these days, and the detrimental impact that is being recognised as a result, the number of junior sporting participants is increasing, which I think we will see continue.

There are two VenuesWest venues I will specifically talk a little bit about. The first is the Sam Kerr Football Centre. This is a magnificent piece of infrastructure. I really appreciate and understand the fact that Football West needed a home to base itself out of. It was probably the only sporting code in WA that did not have a code. However, I have concerns about how that venue is being used to the detriment of all other community soccer clubs. Before the Sam Kerr Football Centre was built, whenever a national or international team visited WA, they would train at one of the community venues. That gave the local club the opportunity to promote it and the local schools would get involved. It would showcase some of the magnificent community facilities that we have. Back in 2018 or 2019, the Matildas came and trained out at Forrestfield. There were school buses lined up down the road for the kids to come along and see the Matildas train. It was magnificent. Not long after that, I think the Singapore under-18s played an international game there; it was really good. Ever since the Sam Kerr Football Centre has been built, pretty much all the international and big-name games that used to go out to the community are now centring there. I understand we have to use that place, but I do not think we should use it to the detriment of community football.

We had some facilities upgraded as training grounds for some of the teams in the Women's World Cup and we have good facilities out there. We need to continue to share some of the more important sporting events with some of the local communities. As a consequence, I would like to see Football West spend more time focusing on the community soccer and football clubs. It seems very focused on the A-League and National Premier League these days, even to the point at which I think maybe all the NPL junior finals were played there last year. Community football builds our elite sports, and without sharing their better interests and support to all the community clubs, they become detached. To focus on the NPL and the A-League predominantly—which in my view is what it is doing—does not help the success of the state league or the amateurs below that in growing the sport. The number of children and young people playing soccer is increasing significantly, as we all know, and is the fastest growing sport in the country. Football West needs to pay more attention to the community aspect of football in WA, in my view.

[Member's time extended.]

Mr S.J. PRICE: The other venue I will talk about is the Perth Motorplex. “Unusual,” I can see people thinking! I have an interest in cars. Many, many years ago, my dad, his dad and his brother had the Holden dealership down in Harvey. We were Price Motors in Harvey. Ever since then, I have always had an interest in cars. I used to go to the Bunbury Speedway, to the drag races at Ravenswood, and Claremont sometimes as well. When the Motorplex opened in 2020, I was living down in Dardanup, and a mate of mine Trevor Neaves—“Neavesy”, how are you, mate?—and I used to drive up to watch the drags on a Saturday night and drive back to Bunbury afterwards. It was a long haul. The Perth Motorplex is, in my view, an undervalued asset in WA. It is the best motorsport complex

in the country. There are two sides to it; if members are unaware, the speedway is on one side and the drag races are on the other side. It is highly regarded for both of its racing facilities. The speedway won the track of the year in Australia award for the second time running. Speedway is a very popular sport in my electorate.

Perth Motorplex is a VenuesWest venue. It is leased by the Australian National Drag Racing Association, which has an operating arm named Evolve Facility Management. It runs both sides of it.

Forrestfield used to be home to the Forrestfield Speedway and the Wattle Grove Speedway. A lot of my constituents grew up with local speedways. I am often regaled with stories from people who as kids used to ride their bikes to the speedway, watch the races all weekend and ride home again. Over time, the local speedways have dropped off a little but the interest has not. There are quite a number of speedway participants in my electorate, whether they be drivers, sponsors, engine builders or spray painters. The interest in this sport is amazing. The motorplex is quite unique given that people can access all the racing teams in the pits area. They can wander around on the grass and talk to everyone. Every time I go to the races or the drags, I see a significant number of my constituents. That is great. But if people do not like speedway racing, they do not like speedway racing.

One of the businesses in my electorate is synonymous with the speedway; we do not hear one name mentioned without the other. I am talking about Scardifield's Smash Repairs. Frank Scardifield has been a significant supporter of speedway in Western Australia for many years. His boys run the repair shop in High Wycombe.

On the other side of the motorplex is the drag racing strip. Drag racing is a popular pastime. I think everyone has keen drag racers in their community. Once again, there are people who race drag cars, build engines or paint drag cars. The number of people interested in motorsport in my electorate is extremely large.

The recent introduction of a couple of types of racing categories—they are not new; they are just different formats, with the Australian Top Fuel Championship and the Aeroflow Outlaw Nitro Funny Cars—has created a really enjoyable spectacle for people to enjoy the top level of racing in Australia and the world.

The motorplex is a world-class venue. Going forward, a couple of things need to happen. For example, the speedway needs new lights. It runs on the old sodium lights. It would be amazing if the government put some money in to change those lights to LEDs so that another level could be added to the spectacle of speedway racing. The main thing is that the motorplex needs to stay where it is. Consideration has been given to what we will do with motorsport in the future. One possibility is to move the motorplex. I cannot see anywhere else in the state where we could rebuild the two facilities—the speedway and the dragway—together. To be honest, there is no need to. The motorplex is in a perfect location. It does not have close neighbours, apart from one person, who continually reminds everyone that they are there. The other part of it is the cost. The motorplex opened in 2020, but the WA speedway was specifically designed by the people involved at the time, and their knowledge. That information was passed to Sydney a few years back. A new track was built at Eastern Creek, which has just been renamed the Sydney International Speedway. It cost \$110 million to rebuild the speedway in Sydney. The design of the drag track was shared with South Australia. A new drag track has just been built at Tailem Bend in South Australia at a cost of \$35 million. It was privately funded. Collectively, we are looking at close to \$150 million to build what we currently have somewhere else.

Pressure is coming with the potential future requirement of the new outer port. It may or may not be needed at some point. I strongly urge the government to give the motorplex and all the racing fans a bit of certainty about its future by basically leaving it where it is.

Dr D.J. Honey: It is probably the premier example—the best example in the world—of re-use of a retired residue area. It is a fantastic example of a really useful purpose for an old, retired residue operation.

Mr S.J. PRICE: Absolutely. For those who are not aware, it is built on Alcoa residue land. Finding a use for that land is quite challenging. As the member for Cottesloe just said, globally, it is the best example of what can be done with that land.

I would like to finish by acknowledging the importance of all the volunteers and everyone in our sporting groups. They often go unrecognised. Everyone appreciates those people, especially members in this place. We certainly value what they do and acknowledge the benefit of all their work.

I will just touch on the speedway aspect again. The Sprintcar Entrants Group recently held its hall of fame awards. For the first time, it inducted three inaugural members into the hall of fame—Geoff Kendrick, Con Migro and Des Ferris. I would like to congratulate them all. Geoff is heavily involved in speedway racing, particularly sprint car racing at the moment. Con Migro is Mr Speedway; we have heard his voice over the years. We still hear him doing the ads. I also congratulate Des, of course.

We have the option of participating in all sorts of sporting activities in Western Australia. It is great to see them funded through government programs. It is important that we continue to ensure they are funded and give people the opportunity to undertake a sport that may interest them because we all recognise and appreciate the importance of being active. The old “act, belong, commit” saying certainly rings true and these days, more than ever. On that note, I would like to say thank you. I commend the bill to the house.

MS M.J. HAMMAT (Mirrabooka — Parliamentary Secretary) [12.28 pm]: It is great to have the opportunity to talk about the Sports and Entertainment Trust Bill 2023. How good is sport? I really enjoyed listening to members' contributions. I have not heard them all; there have been a number. I enjoyed hearing members reflect on sport in their community—grassroots sport and community sport. A wide variety of things are going on. We see a fantastic strengthening of community whenever we come together to play some kind of sport. I am really delighted to have the opportunity to also talk a little about some of the things happening in my community. I wanted to start my contribution today by thanking the Minister for Sport and Recreation and acknowledging his work.

We are delivering night lights to the Balga Soccer Club. I have already spoken about this matter in this chamber. I was so delighted when the last round of community sporting and recreation facilities grants were announced. Balga Soccer Club, located on Princess Wallington Reserve, is one of those clubs whose lights will be upgraded. I wanted to thank the minister because I have already spoken in this chamber about the club and the incredible work it is doing. The minister took the time to come out to the Balga Soccer Club and meet with the president, Ken Shorto, and some of the other committee members, and really see firsthand the incredible work that that club is doing in our community.

One thing that is quite unique about the Balga Soccer Club is it offers fee-free soccer to juniors. Kids are able to play soccer without having to contribute the significant fees that often go with the game in return for their parents signing up to volunteer a certain number of hours. It is formalised as part of an agreement; whether the parents volunteer with the teams or in the clubhouse or kitchen, washing jerseys or whatever it is, that is the agreement they enter into with the club. The fees are reduced for the kids playing but, in return, parents have to contribute a certain number of volunteer hours. Not surprisingly, the club's junior program is going gangbusters. It has a huge number of kids in the local area who play, largely kids who might not otherwise be able to afford to play—that is the reality—so it is doing a terrific job. The state government is contributing \$325 000 to the lighting project, with the other two-thirds of the funding being delivered by the City of Stirling.

I acknowledge the advocacy of the local Balga ward councillors at the City of Stirling and also Mayor Mark Irwin for their commitment to the club. I particularly acknowledge Ken Shorto. Without his advocacy and passion, along with the other members, this is a result that the club perhaps would not have got to. It is a great outcome for the club. Not only will it enable the club to continue to facilitate its growth for the junior players, but also the club is doing a terrific job extending the women's teams, and this lighting project will allow the club to continue to do that at its home ground on Princess Wallington Reserve in Balga. I am very excited about that development.

I use this opportunity to also talk about some other great local clubs in my community. There are a number. I have chosen a few to talk about today. Another club I want to spend a bit of time talking about is Northern City Football Club, again a soccer club. We call soccer "football". Football is football where I come from; AFL is a different game entirely! Northern City is another of the great local community clubs in my electorate of Mirrabooka. It started its life as a club in Dryandra–Pendula Reserve in Mirrabooka and quickly outgrew that space, because it had not only an adults team, but also a rapidly growing junior program, so a few years ago it negotiated to also use part of the Mirrabooka regional open space, or the Herb Graham Centre, as everyone knows it. There are some playing ovals adjacent to the Herb Graham Centre and it uses that for its juniors to train on. Northern City Football Club is an incredible success story. The club has grown very rapidly. That is why it has outgrown its original ground. I know it has been an ongoing challenge for the club to find the space it needs, but as many other members have said in their contributions, access to lighting allows clubs to use the space they have for longer periods, particularly on training nights. There are only a certain number of daylight hours in winter, so having high quality lights allows those clubs to train much later into the evening and further grow their junior programs. Northern City is also interested in upgrading the lighting and facilities it has access to at both Mirrabooka regional open space and also Dryandra, where many of its senior games continue to be played.

A week or two ago, I had the opportunity to visit Northern City at one of its training nights. The juniors were out training. I had the opportunity to catch up with Dini, Yahye and Sauda, who are part of the committee at Northern City. It was really great to be there to see all the kids out training. They absolutely have gone through a significant amount of growth in their junior program this season. Year on year, they continue to grow. It was great to see all those fields being well utilised and to hear from those community members about the incredible growth they are experiencing. One thing that they have experienced and many other clubs are reporting as well is the growth in the number of young girls in particular signing up and playing.

Like many of the sporting clubs in my electorate, this club is proudly multicultural. Northern City in particular has a large number of Somali families who play at the club. One reason the people behind the club are so passionate about it, and one reason it is growing so well, is that the club is really committed to providing a culturally appropriate place for largely Muslim families to be able to engage in the world game. I know that some of the players are very passionate about being part of Northern City because the club has a strong prohibition on alcohol. I think people will understand that a lot of soccer clubs have licensed premises as part of their club arrangements. For many Muslim families in my community, that does not sit with their culture. Northern City is very proud of and committed to its prohibition on alcohol, and I applaud it for that. It also observes religious festivals and occasions like Ramadan,

so it is not unusual, if the players are training during that period, to see them stop training to participate in prayers. It is a great club that is really attached to its local community, providing training and playing facilities that meet the needs of the particular cultural groups that play with them.

One thing I loved so much about being at that training session was seeing the incredible number of young girls who had come down to sign up and were playing for the first time. Some of them were quite young at only six or seven years old, many of them were wearing a hijab, and many of them were getting stuck in as well as the boys. They are going to be great soccer players and I was incredibly excited to see that, really demonstrating once again that huge untapped potential for girls in particular to get into the game. It was really great to see the passion and skill that those young players bring. I congratulate Northern City for the great work it is doing. One reason behind its growth is its commitment to the culturally appropriate circumstances, but another is its passion for its community and for the game.

I give a shout-out to Sauda, the young woman I mentioned earlier. She has been on the committee of Northern City for some years. She is really passionate about football and continues to play a leadership role in the whole club, and she is no doubt a great inspiration for many of the young women and girls in that community who are looking to get involved. She is a great young leader in our community. I always love having the opportunity to catch up with her because of her passion for not only football, but also our community at large. She is really making a great contribution, along with other people like Dini, the president of that club. They are keen to continue to grow their club, bring more women and juniors into the game and keep them engaged.

I noticed that a number of members have talked in their contributions about the importance of sporting clubs as providing social cohesion and building an appropriate avenue for young people, particularly teenagers, to progress through their teenage years. They can be years when people are making a whole range of choices and of course we would like to see our young people make good choices about their futures. I know that one reason Dini and his team are so passionate about their club is because they understand the importance of keeping young people, particularly teenage boys, engaged in community activity, making sure that they are involved in building a strong and cohesive multicultural community and that they have access to sport and sports clubs that not only provide those real life lessons in leadership and team work, how to have a plan and build for success, but also allow kids to shine—maybe kids who do not perform as well at school but are guns on the sporting field. It gives them an opportunity to shine and provides them with a really safe space to make friends, often to find adult mentors, and to learn how to be part of a community and a team. I know—it is very true in all communities, but I am particularly conscious of it in my community—that having strong sports clubs is one of the most important ways we can make sure we are building a strong and cohesive multicultural community. A number of organisations are using sport to do that in and around Mirrabooka, and Northern City is part of that story, as well. I want to continue to support its work so that it can continue to build its club, making sure it has access to the facilities it needs, to keep bringing more young people into the game and keep them engaged right through their junior years, through their teenage years, and then on into the adult game, as well. I extend an invitation to the minister to come and see the great work that Northern City is doing. He is mad about sport. I know that he loved visiting the Balga Soccer Club, and I know that he would love to come and visit the team at Northern City as well.

I also want to give a shout-out to another great local soccer club—Westnam United Football Club, which is based in Koondoola. It is a fantastic multicultural club with strong links to the Vietnamese community, but it welcomes players from all around the world, particularly people from the Chin and Karen communities who live locally in Koondoola. It is another great club that invests in junior games, and it sees significant growth. It had its first women's team last year. Congratulations to all the women who signed up to play with that team. Many of them had not played football before, but they gave it a go, and that is what sport is all about. I want to give a shout-out to the president, Ted Nguyen, who has a strong passion and vision for how he wants to grow that club as not just a successful football club, but also an important part of the community. He is having great success and doing great work doing just that.

Westnam is also keen to see its lighting improved. It is a common story that the size of the grounds is constrained because of the location of the electorate. The club has a couple of pitches but has reached capacity, and it is very difficult to extend training into the evening because it has only 50 lux lighting, which is not a standard that allows them to play night games. One of the things that Ted recently spoke to me about was that the club had a deferred home game that had to be rescheduled and became a night game. It was a home game that they had to play in Mindarie because of access to the nightlights. If one lives in Koondoola that is a fair hike, and so it seems to me that providing great quality lighting is such an important part of allowing these clubs to continue to do the great work that they are doing, particularly in growing their juniors. There is a huge demand for young people to get involved, but it is often constrained by the size of the pitches and lack of lights to allow them to play into the evening.

Westnam does not play just the winter season; it plays all year round, and it runs competitions. One of the great competitions that it runs is the Asian cup, which is a round robin event wherein teams participate on the basis—loosely—of the members' country of origin. There is a bit of latitude in that, so people obviously get sucked into a whole range of different teams. The Asian cup has a range of different Asian countries play against each other

in a round robin-style event over four or five weeks in summer, and it is pretty hot on a lot of the occasions that they play. Again, having access to lights would allow them to play those games into the evening, and under much better conditions. People come from all over the metropolitan area to be a part of the Asian cup as it is quite a big event. Again, it is about not just the sport, but also celebrating cultural diversity and building social cohesion. Having access to night-lights would allow them to play those games much more comfortably and extend the number of teams that could join. Lights are such an important part of clubs being able to grow and do events like the Asian cup. Maybe it is a bit unusual, but it is really important to bring teams together and celebrate how great sport is.

I also take this opportunity to record my thanks to the Minister for Tourism. All the clubs that I mentioned had the opportunity to attend the recent Roma v Milan game at Optus Stadium. Westnam was there as part of the parade, and the junior players just loved it. It was so great and such an exciting opportunity for them. Other clubs were able to access tickets to attend the game, which was amazing. All those clubs have thanked me, and I want to take this opportunity to pass on my thanks to the minister for allowing that to happen. For many people in my community, it is very difficult for them to take advantage of getting to those games. Maybe it is the cost of the tickets, having access to transport or their parents are working, which makes it difficult. This was a huge opportunity for those people to go to Optus Stadium, see a world-class game and be a part of all that excitement. It really was a fantastic experience. I know that the Minister for Tourism is mad about sport, as indeed are so many of us, and she is also committed to the grassroots aspect of the game, which is a great way to light passion and excitement amongst young people for any sport.

A number of speakers have touched on this, but it is important, so I wanted to also include it in my comments today—namely, KidSport vouchers. It is excellent news that the value of those has been doubled. This program is very important in my community.

[Member's time extended.]

Ms M.J. HAMMAT: Time has gotten away from me. I am so excited; I cannot believe I have spoken for that long already!

The KidSport program makes an incredible difference to the participation of young people in sport in my community. Debate adjourned, pursuant to standing orders.

LIVE EXPORT — FEDERAL GOVERNMENT POLICY — KEEP THE SHEEP CAMPAIGN

Statement by Member for Roe

MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition) [12.45 pm]: I take this opportunity to commend the effort and actions of local shires and many people in my electorate for their vocal opposition to the ban on live export by sea, and for their awareness-raising campaign of the impact this ban will have on their regional communities. Buoyed by a huge turnout of nearly 3 000 farmers, community members and business owners, along with hundreds of trucks and vehicles at the peaceful Keep the Sheep rally in Perth on 31 May, many regional communities are getting behind the campaign to save the live export industry and to say no to the Albanese government ban.

The Shires of Katanning, Kojonup, Broomehill-Tambellup, Gnowangerup, Cranbrook, Woodanilling and Jerramungup have joined forces to create the Southern Link Voluntary Regional Organisation of Councils. Southern VROC commissioned the *Live sheep trade by sea policy—Impact on the upper great southern economy* report. A final statement of that report is that given the importance of the sheep industry to the Southern Link economies and the high level of interrelationship between live export, sheep meat and wool segments, the proposed live export ban is expected to have a negative economic impact on the region.

I applaud the Katanning shire president, Kristy D'Aprile; shire CEO, Peter Klein; and shire councillors for their ongoing efforts and for being the main drivers behind this report. The Shire of Wagin has been very positive in its advocacy of the live export industry in the past few years. Shire president Phil Blight has written to the Prime Minister and the media to highlight the importance of the industry to that community, and Kenneth Parker, the shire CEO, has been steadfast in his support of the local sheep industry.

Earlier this week, the iconic landmark and tourist attraction “Bart the Ram” in the Shire of Wagin was adorned with banners bearing the messages “Stand with Our Farmers”, “Keep the Sheep” and “Save Rural Communities”. Even the Shire of Williams has shown its support by having “Keep the Sheep” on its electronic road signs for weeks. I thank every shire, individual, business and community for their support of this important industry.

STRONGER FAMILIES — PEEL

Statement by Member for Dawesville

MRS L.A. MUNDAY (Dawesville) [12.47 pm]: I rise today to draw attention to the invaluable work done by the Stronger Families foundation in the Peel region. Established in 2021, this not-for-profit organisation is dedicated to breaking the intergenerational cycle of violence and ensuring the safety and wellbeing of children by supporting

mothers and engaging fathers in responsible parenting. Family and domestic violence is a very difficult and complex issue costing the Peel region approximately \$150 million annually, with over 2 000 incidents reported to the police between January and April 2024 alone.

The Stronger Families foundation delivers the Caring Dads program, the only evidence-based men's behavioural change program in Western Australia. This 17-week group-based intervention targets fathers who have been abusive, neglectful or violent, working to transform their behaviours and ensure the safety and wellbeing of their children. This program also systematically reaches out to children's mothers and coordinates case management to enhance child safety.

The member for Mandurah, David Templeman, the member for Murray–Wellington, Robyn Clarke, and I co-shared a local election commitment of \$110 000 to trial this program for 12 months in our region. Its success has been far greater than we could ever have hoped for due to the hard work of this amazing team of people. Led by a dedicated board and employing 10 part-time staff, the Stronger Families foundation has grown rapidly since its founding by Geoff and Jackie Hart-Davies. With esteemed patrons like the Governor of Western Australia, Chris Dawson, and other Peel community stalwarts, the impact has been profound. The Caring Dads program has already reached 94 fathers, making 140 mothers and 276 children safer. This has directly impacted 510 people and indirectly benefited thousands of others in our community. In light of these achievements, I would be very happy to welcome the potential expansion of the Caring Dads program to the Dawesville Community Centre upon completion of its build in 2025. This would significantly benefit our local community and further support the vital mission of the Stronger Families Foundation.

FASCINE ENTRYWAY — CARNARVON

Statement by Member for North West Central

MS M. BEARD (North West Central) [12.49 pm]: I rise today to address the \$7 million fascine entryway project in Carnarvon. The project was undertaken by the Department of Transport and was completed in March 2024 after a seven-year wait. The fascine is the focal point of our central business district and a key drawcard for tourism and locals, and it is vital to the economic and social fabric of Carnarvon.

In April 2017, access to the fascine waterway was blocked as a result of a major weather event, washing Pelican Point into the channel. The blockage had devastating effects on the community. Each day the fascine remained closed, potential revenue sailed past, severely impacting local businesses, tourism and community members and making it difficult to attract new families.

It has been seven years since the people of Carnarvon asked for a permanent solution from the state government. A \$7 million promise in late 2020 was welcomed. The inclusion of 16 floating pens in the harbour is no substitute for year-round access to the fascine and the Carnarvon Yacht Club, which is critical to our tourism and recreation sectors. The government's choice of remediation has not provided the permanent and robust fix our community needs and expects. A failure to find a permanent fix will again have a devastating effect on our resilient community at a time when the town needs support.

At a time when businesses and the community need support more than ever, it is staggering that the remediation solution the government chose is seemingly already failing at a rapid rate and is the cause of enormous angst within our community. The remediation of the waterway is not only a local concern; it is a fundamental part of our town's water-based tourism and recreation offering. If this issue had occurred in Perth, I have no doubt it would have been addressed immediately and with a permanent solution. The government needs to step up and take responsibility for what is seemingly a failed project that has now been left to a shire with a very small rate base. With an alarming rate of erosion and significant changes occurring at Pelican Point and the surrounds each day, we need action now. This devastating situation needs to be urgently revisited by the government to avoid what will be a disaster for the community, the Shire of Carnarvon, the businesses and the surrounding coastal area.

MICHELLE WARREN — WEARABLE ART

Statement by Member for Kalgoorlie

MS A.E. KENT (Kalgoorlie) [12.51 pm]: I am wearing this T-shirt today to raise awareness about the great cause of wearable art for mental health. It is by Kalgoorlie–Boulder artist, Michelle Warren, who has painted more dogs on murals than she can count. She has now turned her signature work into wearable art in the hope that it might make someone laugh and, importantly, start conversations about mental health. Michelle says that the work is close to her heart, having suffered from depression and anxiety from a young age. She said —

I've always felt like I was the oddball, my siblings always did sport, and I was good at art. I found that became my happy place ...

When I don't do art, I go off on tangents or I go into a real deep depression.

She first turned her dog murals into wearable art as a work shirt, but she quickly had to make more. Before long, Michelle said that every man and his dog wanted a shirt, so she decided to sell them for a good cause. Proceeds from selling the shirts supports the work of mental health and suicide prevention charity Mates4Mates Goldfields–Esperance

as well as the Goldfields Women's Health Care Centre. Mates4Mates is an important group in the goldfields, encouraging people to go for a motorbike ride while also offering support and mental health resources. I was very pleased that one of my election commitments was to provide Mates4Mates with its own mental health support van in 2021. It acts as a safe space for locals seeking resources or support for their mental health. The other group that I have talked about many times in this place is the Goldfields Women's Health Care Centre. CEO Gloria Moyle said the T-shirts were about more than raising money. She said —

We know that women and children are affected by mental health in so many ways.

What we all love about [the T-shirts] is the movement, people see the T-shirts and it starts a conversation. Those interested in buying a shirt can visit Michelle Warren via her Facebook media page.

COTTESLOE SKATE PARK

Statement by Member for Cottesloe

DR D.J. HONEY (Cottesloe) [12.55 pm]: I rise today to acknowledge and celebrate the opening of the new Cottesloe skate park. This outstanding facility is the successful culmination of efforts initiated by a group of young locals, led by Andrew Dewar, who brought a petition for a skate park to the council in 2017. Although Andrew has since grown up and moved out of the area, his vision and determination have left a lasting legacy for the community.

I had the pleasure of attending the opening ceremony last weekend alongside the local community, the member for Nedlands, who was representing the Minister for Sport and Recreation, and the Town of Cottesloe Mayor, Lorraine Young. Many attended with their skateboards and bikes. I extend my gratitude to the Town of Cottesloe for its dedication and hard work in turning the local kids' vision into a reality.

The town's commitment to engaging with local residents and considering their input regarding the park's location is a testament to the importance of local councils being actively involved in local planning decisions. By doing so, the Town of Cottesloe has ensured that the right decision was made for the community's benefit.

I would also like to thank Lotterywest for its generous contribution to the funding of this project. Its support has been instrumental in bringing this project to fruition, providing a space where young people can gather, exercise, and engage in healthy outdoor activities. The new skate park, constructed by the local Perth company Phase3 Landscape Construction, stands as a great facility that we can all be proud of. I now look forward to lending a hand to my friends at Cottesloe Coastcare Association, a brilliant local environmental group that has been entrusted with the important task of revegetating the surrounding John Black Dune Park. I am eager to support its work.

I once again thank everyone involved in making this skate park a reality. Their efforts have provided the community with a valuable asset that will be enjoyed by residents and visitors alike for many years to come.

VOLUNTEERS — ROCKINGHAM

Statement by Member for Rockingham

MRS M.R. MARSHALL (Rockingham) [12.55 pm]: Rockingham is home to so many wonderful volunteers and recently, as part of National Volunteer Week, we celebrated and acknowledged some of the outstanding locals who give so much to our community. If I were to list all the amazing volunteers in Rockingham, we would be here all week. Instead, I would like to celebrate those from my electorate who were recognised through awards at the City of Rockingham's volunteer recognition event.

The Community Volunteer Organisation of the Year award went to Story Dogs, which creates a safe, fun and supportive environment for primary school children who need assistance with literacy. I want to thank its Rockingham coordinator Lynn Locke and all the Story Dogs volunteers for giving their time and fur babies to support our local kids. Naragebup, or the Rockingham Regional Environmental Centre, is a not-for-profit group run by volunteers that is focused on providing educational resources to our community and supporting our local environment and wildlife. It is a wonderful group, and I was delighted for Pauline Dilley, the secretary, who won the Senior Volunteer of the Year award. Pauline has been volunteering at the centre for over 10 years and has worked tirelessly to contribute to the aims of the centre.

The Rockingham Young Volunteer of the Year award went to Jasmine Noorman of Secret Harbour Surf Life Saving Club. Jasmine joined the club in 2009 as an under-6 Nipper and she continues to volunteer as a lifesaver. Jasmine is a positive role model and mentor for youth members who will hopefully follow a similar pathway. Finally, the Volunteer of the Year award went to Jan Thair from Switched on Seniors, a wonderful local group that provides tech help for seniors. Jan has contributed to our community for several decades and volunteers her time with many other local groups, including Wasarians, Legacy WA and the Rockingham Respiratory Support Group. More than 30 years ago she established South Costal Health and Community Services in Rockingham, which continues to service our community today. I thank Jan for her tireless efforts over many decades. There were many more volunteers recognised, and I thank them all for the work they do in making our community a better place for everyone. Congratulations to Jan, Jasmine, Pauline, and Lynn from Story Dogs for receiving these awards, and I thank them for the service they provide to our community.

TELSTRA OUTAGE*Statement by Member for Moore*

MR R.S. LOVE (Moore — Leader of the Opposition) [12.57 pm]: I rise to highlight the anger, frustration and anguish experienced by many of my constituents in the past week as numerous communities were left without Telstra mobile reception. Affected towers within my electorate included Dongara, Mingenew, Irwin, Walkaway, Morawa, Kalannie, Kalannie North, Goodlands, Cadoux, Manmanning and Burakin. Newcarlbeon and Badgerin Rock in the electorate of the Central Wheatbelt were also affected.

Mobile reception should be considered an essential service, but this communication black hole that has extended to seven continuous days in some areas has been exacerbated by the absolute lack of communication, empathy or understanding shown by Telstra. It has made no attempt to contact local governments or communities to explain the outage. Ambulance, fire and rescue emergency services volunteers and the State Emergency Service could not be contacted. I want to make it very clear that lives could have been lost. This is a disgrace.

There has been no ability to contact elderly persons or for them to call family for health reasons or companionship. Not everyone has wi-fi available for wi-fi calling. We have heard from many people with the SOS Live Life alarm, which depends on the 4G network but has been rendered useless, causing the elderly and their families immense stress. Businesses with no way of using EFTPOS facilities have missed out on trade, medical appointments involving video calls have been missed with patients having to go back on waiting lists, fly-in fly-out workers waiting for calls have missed swings and tourists have left the region, commenting that communications in a third world country are more reliable. Mobile reception in Dongara was lost last Friday at 10.20 am. Seven days on, the Telstra outage page lists an unplanned service interruption with the estimated restoration time unavailable. Getting any sort of information out of Telstra has been a nightmare. I demand that Telstra front a town hall meeting in Dongara and other communities to explain this ongoing outage.

SCHOOL VISITS — KIMBERLEY*Statement by Member for Kimberley*

MS D.G. D'ANNA (Kimberley — Parliamentary Secretary) [12.59 pm]: In April, I headed to Fitzroy Crossing to connect with nearby communities in the valley. My first stop was Wangkatjungka Remote Community School, where I had the pleasure of meeting Hamish, the dedicated principal who had recently taken a cohort of students to explore educational opportunities in Broome. While I was speaking with Hamish, an eager young girl asked him for an application form for Broome Residential College as the trip had sparked her interest and she was excited about opportunities for high school next year. Hamish is not only committed to providing high-quality education to his students, but he also goes out of his way to support them as they transition to different schools for their senior education. His dedication to ensuring that every student has the opportunity to thrive and succeed is commendable. Following my school visit, I then set up a mobile office in Wangkatjungka to meet community leaders and members to discuss their aspirations for the community as well as to remind people of the WA student assistance payment and ways to help apply.

We had some great conversations with community members, and I gained valuable insight into issues and achievements in this remote community. Next stop was Bayulu Remote Community School, where I met another remarkable principal, Martin, whose unwavering dedication to his students and the community is admirable. Luckily for us, the school had Garnduwa on site that day and it was running activities for the students. I must say, it was a truly enlightening experience. We spoke about the challenges that the kids face when transitioning from remote community schools to senior education in either Fitzroy, Broome or Perth. Martin and his team's insights were invaluable.

I finished off my school visits by meeting with the principal at Fitzroy Valley District High School, Janette. Janette is a dedicated and hardworking individual who goes above and beyond to ensure that the students under her care receive the best possible education and support.

This trip highlighted how regional educators are truly exceptional in their dedication and commitment to providing high-quality education to students in remote communities. They go above and beyond to ensure that every child has access to a meaningful and engaging learning experiences. I thank all regional educators for their dedication, hard work and commitment to our students.

*Sitting suspended from 1.01 to 2.00 pm***VISITORS — BASSENDEAN PRIMARY SCHOOL PARENTS AND CITIZENS ASSOCIATION
JULIE SYPEK, PETER SYPEK AND SISTER BERNICE TONKIN***Statement by Speaker*

THE SPEAKER (Mrs M.H. Roberts) [2.00 pm]: I have a couple of acknowledgements to make. On behalf of the member for Bassendean, I acknowledge the Bassendean Primary School Parents and Citizens Association all stars.

On behalf of the member for Churchlands—I was looking for the member's guests but I can now see them—I welcome to my gallery the member for Churchlands' family members visiting from Adelaide, Julie Sypek and Peter Sypek, and her aunt, Sister Bernice Tonkin. You are very welcome here today.

QUESTIONS WITHOUT NOTICE

NICHELIVING — HOME CONSTRUCTION DELAYS

386. Mr R.S. LOVE to the Premier:

Welcome back, Premier; it is good to see you in rude, good health.

I today raised a grievance with the Parliamentary Secretary to the Minister for Commerce regarding the dire situation faced by hundreds of Western Australians due to the situation with builder Nicheliving. I have to say that the response from the parliamentary secretary was quite dismal, especially given that several affected Western Australians were present in the gallery. Considering that the Premier's own constituents have written to him about this issue, why has the government taken no action after this length of time, and why did it take immense pressure from the media and the opposition for the Minister for Commerce to finally schedule a meeting with Nicheliving for this week?

Mr R.H. COOK replied:

I thank the member for the question. Obviously, we are all disturbed by the disruption to people's lives that has resulted from the constraints and difficulties we have been experiencing in our residential construction sector. It has left people in limbo and created a very distressing circumstance. Anyone who has been involved in building a home knows how stressful that can be, so we can imagine the incredible distress these people must be feeling when they see their home projects delayed for so long as a result of the issues impacting our residential construction industry. We take very seriously the issues that are confronting the customers of Nicheliving and the issues that Nicheliving is experiencing at the moment. We know that it is because of the difficulties in residential construction that are being experienced right across our nation. That situation is improving. It is improving slowly. The supply constraints are now easing, and the workforce is coming back into the sector, boosted by the work that Minister McGurk and her team in workforce development have done by providing support for apprenticeships and early apprenticeships to make sure that we have as many people on the job as possible.

In fact, more houses are being completed than started, which will help ease the construction delays. Our most recent statistics show a 25 per cent increase in quarterly completions, so we know that we are making progress. One reason we are making progress is that we have a whole range of programs and facilities to ensure that we get there. I mentioned the work done by the Minister for Training and Workforce Development. Obviously, the government has worked on bringing more housing stock into the market, whether that is the buying market or the rental market. Members will have seen the work that we have done with short-term residential accommodation; that incentive has led to an extra 200 homes coming into the market. We also recently introduced our vacant home scheme that encourages the owners of vacant properties to bring those properties onto the market through incentives. Of course, we have our home builders' support facility to fast-track the completion of home builds that have been stranded for more than two years. We have new land tax exemptions so that people who are constructing or refurbishing their homes are not charged land tax due to construction delays. We are doubling the cap on individual payouts through the home indemnity insurance scheme to protect homebuilders. We are smoothing the pipeline of government projects to free up skilled labour for the private sector. As I said, we are investing in a range of measures to make sure that we have more skilled workers, and that more effort can be put into this area.

Our home builders' loan facility is not designed for a big company like Nicheliving; by its very nature, it is limited to five homes per firm. Of course, in this case, we have many more than that. It is not true to say that the Minister for Commerce has arranged a meeting with Nicheliving next week as a result of the work of the Leader of the Opposition. It is in fact the case that she and her team have been working on this for some time now. One need only look at the work going on in the State Administrative Tribunal at the moment to know that there is tension in that system. Building and Energy, the division responsible for oversighting this, has engaged extensively with both Nicheliving and its customers to try to find a way through the current impasse and the difficulties that have been experienced. The Minister for Commerce has been active on this issue for some time now, and I suspect she will continue to be active for some time to come. The next step of her work is to meet with Nicheliving, which had already been scheduled for early next week. I look forward to seeing the outcomes of that meeting so that we can get a good program to see whether we can resolve these issues.

NICHELIVING — HOME CONSTRUCTION DELAYS

387. Mr R.S. LOVE to the Premier:

I have a supplementary question. Will the Premier be instructing his minister to keep careful minutes of this meeting and to provide an outline of the results of the discussions?

Mr R.H. COOK replied:

One thing I will not be doing is taking advice from those opposite on housing. In my previous answer, I went through the extensive range of programs, incentives and funding that we are providing to make sure that we support the residential construction industry. Only one group has criticised every element of those things, whether it was our home builders' support facility, our short-term residential accommodation incentive scheme, the incentives around —

Mr R.S. Love interjected.

The SPEAKER: Order, please!

Mr R.H. COOK: Everything that we have done, those opposite have criticised. All of a sudden, they now want to come into the debate and be on the side of providing support to those who have been doing it tough. We have been doing that for months, member—months! It is a bit late for him to come in here and start criticising us when everything he has done has been to criticise every effort that we have made in this area.

Mr R.S. Love interjected.

The SPEAKER: Leader of the Opposition!

Mr R.H. COOK: We are seeing progress being made. There is a long way to go, but we are making progress. That is no thanks to those opposite, who have criticised and, quite frankly, opposed everything that we have brought to this program, which is actually meeting with success.

STATE ECONOMY — DIVERSIFICATION

388. Mr D.A.E. SCAIFE to the Premier:

I refer to the Cook Labor government's commitment to diversifying the economy and creating local jobs for Western Australians.

- (1) Can the Premier update the house on what this government is doing to create new industries across the state?
- (2) Can the Premier outline to the house how this work is creating record levels of employment in Western Australia?

Mr R.H. COOK replied:

- (1)–(2) I thank the member for the question. It is a really important one because once again we see that Western Australia is providing the economy and the workforce that is powering the nation's economy. Labour force data for May shows that our growth in employment was the strongest in the country. In fact, employment increased by 1.8 per cent, equating to over 28 000 jobs for Western Australians, who continue to participate in the economy and live rewarding lives. It is the strongest monthly growth since March 2021, when hiring resumed after the onset of the pandemic. Although jobs growth was the highest in the nation, our unemployment rate was the lowest at 3.6 per cent. The national average is four per cent and we have the lowest in the nation, so we are immensely pleased with the proof that has been shown of Western Australia's status as the nation's economic powerhouse.

My government recognises that economic success does not just materialise from thin air. History demonstrates that our gold, iron ore, and oil and gas industries take vision and investment. Resources do not just jump out of the ground onto a waiting ship; they take risk and important policies that encourage private investment. Government is crucial to facilitating business and industry, and just like iron ore in the 1960s and liquefied natural gas in the 1980s, critical minerals and downstream processing are a pathway our nation needs to take to continue to prosper. The state has invested hundreds of millions of dollars towards this aim, as well as having led reforms in regulation and oversight to clear the path to make Western Australia a renewable energy powerhouse.

Until now, the guiding plan for this vision has been the 2019 future battery industry strategy for WA, which was, of course, auspiced by the member for Cannington during his time as a minister. WA is the first state to have a strategy of this kind. Members might ask why we are renewing this strategy in 2024 when it was only just put in place in 2019. A lot has changed since then. There are greater sovereign capabilities, a new investment pipeline and increased competition. In 2019, critical minerals—copper, cobalt, nickel and lithium—represented \$6.1 billion in sales. In 2023, they represented \$22 billion in sales. Given the industry's meteoric rise, we recently released a refresh of our 2019 plan. *Western Australia's battery and critical minerals strategy 2024–2030* outlines my government's vision to support this industry, to capture more value onshore and to work our way up the value chain to ensure that we continue to drive the manufacturing and processing jobs that come with this work. Importantly, the commonwealth's vision is now aligned with WA's, and its critical minerals production tax incentive represents a crucial opportunity for Western Australia. The production tax incentive scheme is vigorously opposed by the Liberal Party, a Liberal Party that we now see is quintessentially anti-Western Australian.

Our efforts to build this industry are attracting international attention. Indeed, Chinese Premier Li will make his way to Kwinana, one of the few stops during his three-day visit next week. You might be asking why Kwinana, Madam Speaker.

The SPEAKER: Why not Midland?

Mr R.H. COOK: Why not Midland, indeed? Apart from Kwinana being the centre of the universe, it is because it has one of the most advanced, rising major globally significant industry hubs in the world. It is because it is home to two of our three lithium refineries in WA and because of Kwinana's role in WA's quest to become

a renewable energy powerhouse. Western Australia enjoys strong trade relationships with China, and the visit by Premier Li will be an important opportunity to continue to demonstrate that we are a strong trading partner—but not just that—we are a provider of precursor products for battery manufacture, and we can be relied upon as an important partner in that process.

Diversifying our economy is a key and central pillar of our economic strategy. That is a strategy we are putting in place every single day. It is producing jobs and opportunity, diversifying our economy and making sure that Western Australia remains the economic powerhouse of this nation.

HOSPITALS — PERFORMANCE

389. Ms L. METTAM to the Premier:

I refer to the litany of issues plaguing our health system under the Premier's watch, with hospitals failing to listen to parents' concerns, with tragic outcomes; patients being forced to lie on floors in regional centres or in corridors because of the rain; ambulance ramping hours up 936 per cent since May 2017 —

Several members interjected.

The SPEAKER: Order, please!

Ms L. METTAM: — a 60 per cent increase in the number of people waiting for elective surgery, equating to 30 000 patients; and constant code yellows and ambulance bypasses.

How can the Premier seriously claim that his Minister for Health is doing a good job and the health system is performing so well when, according to every available measure and his own commentary in opposition, it clearly is not?

Mr R.H. COOK replied:

One thing that we can always be guaranteed is that health will always be better under a WA Labor government than a Liberal–National coalition. We know that under the previous government we had a reduction in the health workforce of the state, so the system went backwards. We had fewer nurses, fewer midwives, fewer doctors, fewer paediatricians —

Mr R.S. Love interjected.

The SPEAKER: Order, please!

Mr R.H. COOK: — and worse outcomes. That is why we are proud of our record, which has seen the annual budget for health increase by 33 per cent since 2017. Importantly, one statistic I am very proud of is that mental health funding has increased by 57 per cent, and Western Australia has the highest per capita spending on our hospitals of any state; it is 15 per cent above the national average. We have also seen the significant investment in our health workforce, with more than 4 000 new nurses and over 1 600 additional doctors. That has been a growth in the health workforce of 30 per cent, compared with the growth of Western Australia's population of just nine per cent.

Yes, we have a really, really good health minister. In fact, she is someone who is delivering for the people of Western Australia. We have seen a significant reduction in ambulance ramping since the COVID-19 experiences, which is down 21 per cent in 2023 compared with 2022. We saw ambulance ramping go down by 44 per cent in December 2023 alone, compared with December 2022. We are seeing fundamental reform in the way we are delivering health care. We have virtual emergency departments, and we are doing ongoing work to digitise our healthcare system through the electronic medical record. They are life-changing and life-saving reforms that we are making to our health system.

Is it perfect? No, it is not. We understand that there is always more work to do, but I know that under a WA Labor government that work will be done, and under a Liberal–National government it will go backwards.

HOSPITALS — PERFORMANCE

390. Ms L. METTAM to the Premier:

I have a supplementary question. How bad do things have to get before the Premier passes the reins on to a minister more capable of delivering good and better outcomes?

Mr R.H. COOK replied:

I should say that I did hand the portfolio on to a better health minister—the current one!

I am very proud of the work we are doing in health care. We will continue to make sure that we do everything we can to maintain our status as the best healthcare system in Australia. It is a status that we enjoy today and it is one that we jealously protect, and we will continue to make sure we do that. As I said, health care will never be perfect, but we know that our health system is world leading. We know by every metric that it is performing better than

those of other states. That is all because we have a great health minister who is backed by great funding and a health workforce that is second to none and is doing an amazing job on behalf the community day in, day out, making sure we provide world-class health care to every Western Australian wherever they live.

PUBLIC TRANSPORT

391. MR S.J. PRICE to the Minister for Transport:

I refer to the Cook Labor government's commitment to delivering accessible and affordable public transport services.

- (1) Can the minister advise the house how this government continues to make improvements to WA's public transport network?
- (2) Can the minister advise the house whether she is aware of anyone who does not share the government's strong support for public transport?

Mr D.T. Punch: Who could that be, I wonder?

Ms R. SAFFIOTI replied:

- (1)–(2) Jeez, I do not know who that could be! I thank the member for the question.

Today was another big milestone in the transformation of our public transport network around the state. The Premier and I visited our first new electric bus to come out of the Malaga depot.

As members would all recall, there was a commitment from this government to help start the transformation of our buses to electric, and there was a key commitment of the Albanese opposition and now government to support us in that quest. We started a trial and, member for Joondalup, we saw the electric central area transit bus running around Joondalup. We measured a couple of things, including whether we had the charging infrastructure right, understanding the energy that was required to run air conditioning throughout the peak of summer, and a number of other key tests. The tests and the trial were very successful. Since then, we have started transforming the Malaga depot to become the manufacturing place where our new electric buses will be made. Today, the first electric CAT bus made in WA came out of that facility. Some key facts since the trial began are that the Joondalup CATs carried more than 440 000 passengers and covered more than 380 000 kilometres, saving about 350 000 tonnes of carbon dioxide emissions in the process.

Our investment will see the production of the new buses and the conversion of the depots and facilities to have the necessary charging infrastructure. We are starting by transforming the charging infrastructure at Elizabeth Quay to support electric city CATs. We are also about to embark on significant upgrades to the depots at Malaga, Karrinyup and Claisebrook to support charging our bus network. Importantly, although purchasing electric buses costs more initially, it saves money over time. It is estimated that the cost of running an electric bus will save about \$1 million over 18 years. Basically, it saves the amount the fuel would cost. This is a very good initiative that will save money over the long term and also contribute to combating climate change.

As I said, by the middle of next year, 18 electric CAT buses will be in service, and we will continue to transform the depot. We met a lot of workers at the depot today who are very happy to be part of this transformation. The depot has over a hundred workers, including apprentices who are learning about and training on electric vehicles. It is about not only making sure that we get a quality and cheaper product in the longer term, but also training Western Australians. The feedback from one person to us was "Thanks very much for the jobs." The depot employs adult apprentices and younger apprentices who are learning to manufacture and build our buses, particularly electric vehicles and the technology that comes with that. It is a very proud achievement. When members see the first one—I thought it would be out there tomorrow, but we are still licensing it, so it will be a few more weeks—it will be the most stunning bus members will ever see. It is an incredible bus. It is too good to use; I wanted to keep it there! That is the first of many, as we keep transforming.

Our plan for public transport is cheaper and more affordable fares, new technology and servicing the state. What is the opposition's plan? Apart from the National Party being able to use our CAT bus system, what is its plan? It is higher prices and higher fares. That is what the Liberal Party has committed to. The good people of Dawesville and Mandurah who are currently getting capped fares would not get capped fares under a Liberal–National government. Every time opposition members get the chance, they criticise the public transport subsidy that we are providing. The only alternative is to not subsidise public transport, and that would mean higher fares. We know where the Leader of the Opposition and the Leader of the Liberal Party stand. They stand for higher fares for people living in Western Australia, reducing or eliminating the subsidy, and increasing public transport fares for Western Australians. We are very proud of the transformation we are making, whether it be our Metronet plan, our buses or, of course, our new plan for ferries that we are still working on, and of the work we are doing around regional WA to support affordable and accessible public transport.

LIVE EXPORT — SHEEP INDUSTRY

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

Just under two weeks ago, thousands of Western Australian farmers gathered to support the live sheep export industry. Despite claiming to back this industry, not a single Labor MP, including either the Premier or the Minister for Agriculture and Food, attended the rally.

- (1) Did the Premier direct Labor caucus members to avoid the rally and withhold support for our farmers?
- (2) What event was so crucial that it prevented the Premier and his minister from attending the rally to show their support?

Mr R.H. COOK replied:

- (1) No is the answer to the first question.
- (2) I think I was coming back from Geraldton.

LIVE EXPORT — SHEEP INDUSTRY

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

I have a supplementary question. Given the Premier's supposed support, will he attend the live export rally at Muresk tomorrow?

Mr R.H. COOK replied:

No, I will not be attending the rally. I think a parliamentary committee is holding a hearing at Muresk tomorrow, and it will have an opportunity to hear from members of that rally. Our support for farmers on the issue of live sheep exports is on the public record.

Mr P.J. Rundle: Where were the Labor MPs at the rally?

Mr R.H. COOK: The member might throw a party, but we do not have to come. The Minister for Agriculture and Food and I have been working with the farming industry on these measures for some time. We made our views on live sheep exports very well known to the federal government. The federal government's decision will have an impact on that industry of around \$123 million a year, with the loss of 400 jobs. No state government would celebrate that. That is a key reason we oppose the measures that will be put in place. Another reason that we oppose them is that we had already put in place measures that we thought would safeguard the welfare of the animals that were subject to long-range export. Some of those measures did not work over the course of the northern summer, and that was very regrettable. I am sure the federal government considered that and also that it has a mandate. It went to the election and said that this was something that it would do. I respect that the federal government has that mandate, but I have an even greater respect for the farming community, the work it does and the prosperity it generates for the state. People in that industry work in one of the toughest industries. They work in an area in which there are untold levels of concern and anxiety as a result of the unpredictable elements to which they are subject. It must be really hard. That is one of the reasons a key element of our dry summer support package was mental health support. We understand the stress that these sorts of changes put on the farming community.

The federal government has indicated that as of 1 May 2028, which is some time away, it will look to phase out this industry. We will support the industry to make sure that it can manage the transition as best it can. We understand the impact that it will have, and we will support it to make sure that it can manage as best it can. The commonwealth government has already put \$107 million on the table as part of the transition package. I am on the record as saying that I think that is probably a bit skinny. We need to understand more about that and, obviously, we would like the commonwealth government to commit to extending and growing that amount if that is what is required. I know the federal government is committed to doing what it can to make sure that this transition is as smooth as possible. I will continue to work with the industry to make sure that I understand its needs, aspirations and concerns, and we will make sure that we put those things in place.

HOUSING AND HOMELESSNESS — INITIATIVES

394. Mrs L.M. O'MALLEY to the Minister for Housing:

I refer to the Cook Labor government's efforts to support households and vulnerable Western Australians.

- (1) Can the minister outline to the house how this government's laws to ban rent bidding and limit rent increases, along with the government's \$3.2 billion investment in housing and homelessness services is supporting Western Australians?
- (2) Can the minister advise the house whether he is aware of anyone who does not support this assistance?

Mr J.N. CAREY replied:

- (1)–(2) I thank the member for her question. As we know, every housing and rental market in the country is facing incredible pressures. The Premier, the Deputy Premier and this state government are very cognisant and acutely aware of those pressures. That is why members have seen an unprecedented number of measures

to assist with the rental market in Western Australia. I want to go through the list. Clearly, we have done our reforms around short-term rentals. To date, our incentive scheme has brought nearly 200 homes back to the rental market. That is critically important. Even a single home in a small regional market matters. But, of course, our tougher regulations around Airbnb will start to come in from 1 July this year, with a central register and planning approvals. We have our build-to-rent exemption—a tax incentive to help grow that sector by reducing land tax. We have our latest new scheme from the budget—a \$5 000 grant to encourage people to put vacant homes back on the market. We have our rental relief scheme, a fantastic scheme that is helping people in need from becoming homeless by providing a grant worth up to \$5 000 through not-for-profit services to arrange and negotiate with landlords to facilitate a longer tenancy. Of course, we have our rental reforms, which are really about providing a fairer system, a balanced system and greater certainty in the rental market. That includes not only enabling renters to make their houses feel like a home, but, critically, also stopping landlords and agents from encouraging and facilitating a rent-bidding atmosphere and only enabling a rent increase once every 12 months. We should not underestimate how important that is for a renter. It provides greater certainty about their tenancy.

This is an enormous package of reforms and measures on top of our unprecedented increase in homelessness and housing funding. That is where we stand on this issue. Where does the opposition stand? Where do the Liberals stand? Where do the Nationals WA stand? As I have said repeatedly, we know that the National Party, despite feigning concern for home builders and consumers, has a policy platform to make it harder to build homes in regional Western Australia, making it harder for small and medium builders located in the regions to build.

Several members interjected.

The SPEAKER: Order, please!

Several members interjected.

The SPEAKER: Members!

Mr R.S. Love interjected.

The SPEAKER: Leader of the Opposition. I call the minister.

Mr J.N. CAREY: You are a very sad, grumpy man. I feel very sorry for you.

This is the truth, because the opposition does not even understand its own planning policies. It is putting forward more red tape —

Ms M.J. Davies interjected.

Mr J.N. CAREY: Member for Central Wheatbelt, you are retiring. Out the door!

The reality is this: firstly, the opposition is putting forward a platform that will make it harder to build housing in regional Western Australia. Industry is deeply concerned by its changes; it did not even bother to consult the industry, and I know that.

Secondly, the Liberals and Nationals feign concern about the rental market. When they have an opportunity —

Mr R.S. Love interjected.

Mr J.N. CAREY: The Leader of the Opposition is very angry.

Several members interjected.

Point of Order

Dr D.J. HONEY: Point of order, Madam Speaker.

Several members interjected.

The SPEAKER: Order! I am taking the point of order.

Dr D.J. HONEY: If the Minister for Police is going to interject, he should be using the proper titles for members of the opposition, not making gratuitous childish insults.

The SPEAKER: I did not hear the interjection from the Minister for Police but there have been quite incessant interjections from the Leader of the Opposition, which I do understand because some of your remarks, minister, have been very personally directed at him. I ask you to move towards concluding your answer.

Questions without Notice Resumed

Mr J.N. CAREY: Thank you, Madam Speaker.

The point I am making is that the opposition feigns concern about the housing and rental market, yet at an opportunity right here in this Parliament, when it could have voted for greater basic protections for tenants and renters in the market, the National Party and the Liberal Party voted against it. They are very clear reforms to provide greater protections and certainty for tenants and to stop rent bidding, which is exploiting tenants in Western Australia.

What did the Nationals do? What did the Liberals do? They voted against it. Let us be very clear. This government, on this side, is driving a package of reforms and measures to assist the housing and rental market. The other side, when it has an opportunity, does not care and votes it down.

HEALTH — INFRASTRUCTURE INVESTMENT

395. Ms M. BEARD to the Minister for Health:

I refer to the Minister for Health's statement on 8 May 2024 that regional health infrastructure remains a high priority for this government, seemingly in conflict with the fact that \$25.5 million of the \$32.8 million does not appear in the budget until the 2027–28 financial year for the Tom Price Hospital redevelopment.

- (1) Can the minister outline exactly how the small amount of \$77 000 in the 2024–25 financial year will be used?
- (2) Will funding required for the Tom Price Hospital be brought forward to the 2024–25 financial year?
- (3) If the total estimated project costs increase, will funding be provided, as has been done with other regional health infrastructure projects?

Ms A. SANDERSON replied:

- (1)–(3) Funding will be finalised as the tender is finalised—I forgot the last part of the member's question—and will be brought forward. This government has funded cost increases in all our health infrastructure facilities, and Tom Price Hospital will be no different.

HEALTH — INFRASTRUCTURE INVESTMENT

396. Ms M. BEARD to the Minister for Health:

I have a supplementary question. When will the tenders close and will the minister start listening to the Tom Price community and not delay the project?

Ms A. SANDERSON replied:

There is no intention to delay the project. As we have outlined many times in this house, we are in a unique situation when it comes to infrastructure delivery in regional Western Australia. In fact, we just announced the sod turning of Geraldton Health Campus and we have announced Bunbury Regional Hospital —

Several members interjected.

The SPEAKER: Order please, members!

Several members interjected.

The SPEAKER: Leader of the Opposition and Deputy Premier, please desist—and the member for Perth.

Ms A. SANDERSON: I will make a couple of comments around the so-called community campaign that is being run by the Shire of Ashburton. The claim that I heard recently from the shire president is that it was a community-run campaign. It is a community-run campaign from a consultancy based in Perth, with pro forma —

Ms R. Saffioti interjected.

Several members interjected.

The SPEAKER: Minister, please take a seat for a moment. Deputy Premier, it is not your role to interrogate the Leader of the Liberal Party while your Minister for Health is on her feet. Please desist from that.

Ms A. SANDERSON: Again, it is claimed that it is a community campaign but it is run by a consultancy in Perth, handing out bumper stickers in Perth, funded by ratepayers in the Shire of Ashburton. This is the shire that spent around \$7 million on consultancy fees. I think the shire should think very carefully about how it spends ratepayers' money.

GERALDTON HEALTH CAMPUS — REDEVELOPMENT

397. Ms A.E. KENT to the Minister for Health:

I refer to the Cook Labor government's commitment to redevelop Geraldton Health Campus.

- (1) Can the minister outline to the house how this important redevelopment will improve healthcare services for the Geraldton community and provide midwest residents with safe and efficient care closer to home?
- (2) Can the minister update the house on this Labor government's record of delivering better services and infrastructure for people living in the regions?

Ms A. SANDERSON replied:

- (1)–(2) I thank the member for Kalgoorlie for this question. There is no doubt that regional health care is one of the Cook government's major priorities in health. We have seen a record investment in health infrastructure in regional Western Australia. The redevelopment of Geraldton Health Campus is an important part of that redevelopment. It is no secret that there have been construction challenges particularly in the midwest.

We have seen a disrupted construction environment, a heated construction market and the impacts of cyclone Seroja, and government projects are not immune to those impacts. We have made significant progress towards the redevelopment of Geraldton Health Campus, working closely with Multiplex to ensure that the project is delivered as quickly as possible. It is a busy health campus; it is a busy regional hospital. It does fantastic work. We saw stage 1 completed with the brand new car park and new ambulance entry and main entrance, and stage 2 will include an expanded emergency department, new intensive care unit and a high-dependency unit.

[Interruption.]

Ms A. SANDERSON: Someone is emptying their empties. Someone had a party last night!

Ms R. Saffioti: It was a National Party preselection party!

Ms A. SANDERSON: We know it was not the Nationals WA in the upper house, because none of them got preselected!

Ms R. Saffioti: They will be drowning their sorrows.

Ms A. SANDERSON: Yes.

Multiplex has worked incredibly hard with the local contractors to ensure there is a huge amount of local content, and this really creates local jobs. It is working to progress this project. This is on top of significant investment by this government in regional health care, including the already delivered Newman Health Service, with a \$61 million investment delivering more beds, a new emergency department, a new medical centre and dedicated space for a dental clinic. We delivered radiation oncology in Albany. We have upgraded birthing suites at Broome Health Campus and delivered upgrades to Dongara Health Centre. There are the incredible Collie Hospital upgrades, with its new surgery suites, and upgrades to Plantagenet, Cranbrook, Boddington, Dalwallinu and Wongan Hills Health Services. We have added 30 more beds to Bunbury Hospital, and we continue to support the increase in training of psychiatrists by increasing psychiatrists in regional Western Australia by 300 per cent. We are doing the work to support regional health care. There is no question that there are challenges in delivering all infrastructure around the world, but we are absolutely committed to doing that, and Geraldton is just one example of that.

LIVE EXPORT — ROYAL SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

398. **Ms M.J. DAVIES to the Premier:**

I refer to the Royal Society for the Prevention of Cruelty to Animals and its ongoing advocacy against the live sheep export industry.

- (1) Given it is a registered charity that receives funding from the state government, will the government cease all funding to the organisation so no further taxpayer dollars will be used to attack a legitimate industry —

Several members interjected.

The SPEAKER: Order, please!

Ms R. Saffioti interjected.

The SPEAKER: Order, please! Minister, questions are heard in silence.

Ms M.J. DAVIES: I will start again. Thank you, Madam Speaker.

- (1) Given it is a registered charity that receives funding from the state government, will the government cease all funding to the organisation so no further taxpayer dollars will be used to attack a legitimate industry that the Premier says his government supports?
- (2) Has the Premier or any of his ministers met with Lynne Bradshaw to discuss the RSPCA's attacks on an industry that he says his government supports?

Mr R.H. COOK replied:

- (1)–(2) All things bright and beautiful!

Dr A.D. Buti: They've had a long campaign against the RSPCA—since 2006.

Mr R.H. COOK: Madam Speaker, I take on board the interjection just then from Minister Buti in relation to the work that the RSPCA does. It is one of the oldest organisations, providing incredible work in the community to protect animals, to make sure that there are people out there in the community who are basically watching animals, in industry and also in domestic or pet arrangements, to ensure that those animals are looked after, and that, to the extent they can, they stop animal cruelty. I am dumbfounded that the member for Central Wheatbelt would actually believe that that is something my government should do. The RSPCA does so much good work in the community. It is working with people right throughout the community to make sure that we uphold our humanity, and that we do the very level best we can to care for the pets, the ponies, the —

Several members interjected.

Mr R.H. COOK: Dogs—all manner of animals!

The member makes reference to the RSPCA's charitable status. That is not something over which my government has any jurisdiction, so I will leave that aside. But I will say that the RSPCA continues to do wonderful work in our community, upholding a value that we all hold dear, which is the maintenance of animal welfare in our society. In this context, the RSPCA has always rallied around the issue of live animal exports, both from a point of view of playing a role of advocate for its ultimate phase-out—we know this; it has been forever thus—but also working with government and industry to improve animal welfare in that context. I referenced earlier in my remarks that we have significantly improved the welfare of animals associated with live sheep exports. I am sure that the RSPCA was part of that policy discussion.

Several members interjected.

The SPEAKER: Order, please!

Mr R.H. COOK: Madam Speaker —

Several members interjected.

The SPEAKER: Order, please!

Mr R.H. COOK: I take from this question that the policy announcement from the Nationals WA and its alliance partner the Liberal Party is that they will defund the RSPCA.

Several members interjected.

The SPEAKER: Order, please! There is still the opportunity for a supplementary here, can I just say.

Mr R.H. COOK: The last thing I would ever have thought is that someone would get up, particularly from the opposition, to say “Will you defund someone who's criticising us?” This is one of the key tenets of democracy—that we fund the voices in the community to make sure all those voices are heard in all these debates. But at the end of the day, the RSPCA is about protecting puppies. It is about protecting all manner of animals, all creatures great and small, to make sure that we see the very values that we believe uphold our humanity—that is, that acts of cruelty are not perpetrated—right throughout our community. Quite frankly, I am appalled by the question.

LIVE EXPORT — ROYAL SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

399. Ms M.J. DAVIES to the Premier:

I have a supplementary question.

Several members interjected.

The SPEAKER: Order, please! Just pause for a moment, because we have way too many people in here who would love to answer the question themselves, and I am going to ask you not to comment. We will have a supplementary and then we will have a response from the Premier.

Ms M.J. DAVIES: Thank you, Madam Speaker.

Can I take from the Premier's answer that he therefore confirms that he supports using taxpayers' dollars to continue to fund an organisation that is destined to hurt our farmers and our regional communities and, ultimately, result in a downgrade of animal welfare outcomes —

Several members interjected.

The SPEAKER: Order, please!

Ms M.J. DAVIES: — in the international live export supply chain?

Several members interjected.

The SPEAKER: Order, please! Members, please let the Premier respond on all your behalf.

Mr R.H. COOK replied:

I take it the reason the member for Roe did not ask this question is that he has indicated he wants to continue in the Parliament! Can I ask the member for Roe: does he endorse the sentiments from the member for Central Wheatbelt?

Mr P.J. Rundle: You're the one asking the question.

Several members interjected.

The SPEAKER: Order, please! Premier, you need to sit on that side of the house to ask the questions. I suggest you stay where you are!

Mr R.H. COOK: It is a question that I think is on everybody's lips, because the Nationals WA policy is that it will defund the RSPCA. The RSPCA does so much good work in our community. We are not just talking about working with pet owners; it works throughout industry and the state to make sure that we uphold the values that we hold dear. This is the most appalling question that I have heard since coming into this role. I wonder whether the member raised this question when they had their party meeting earlier this week. I wonder whether the Nationals members considered this question in their party room meeting earlier on Tuesday.

Ms M.J. Davies: Are rhetorical questions fine?

The SPEAKER: Yes; rhetorical questions are fine.

Mr R.H. COOK: We have heard questions and stories that they have stopped meeting as a party, so now it is just the lone ranger out the front, the member for Moore, who will take to the next election the policy that they will defund the RSPCA.

Mr P.J. Rundle: Point of order.

The SPEAKER: There is really no need for a point of order. Premier, it was a supplementary question. They need to be direct questions, so they need to be fairly direct answers as well. I think you have strayed, and you have well and truly answered that question.

WARMUN AGED-CARE FACILITY

400. Ms D.G. D'ANNA to the Minister for Regional Development:

I refer to the Cook Labor government's investment in Western Australian remote communities.

- (1) Can the minister update the house on the remediation of the Warmun aged-care facility, which was neglected by the former Liberal–National government?
- (2) Can the minister advise how the remediation project will provide long-term prosperity and employment opportunities for the Aboriginal residents of that community?

Mr D.T. PUNCH replied:

- (1)–(2) I thank the member for her question, and I want to acknowledge her care and persistence for all the communities in her electorate, both large and small, and her persistence in getting a solution to a long-held injustice for the people of Warmun. This injustice goes back to 2011 when the people of Warmun experienced a sudden flash flood. They lost everything. They lost their houses, belongings and even their pets. It was a major event in the lives of the people, and they still talk about it today.

The then Liberal–National government promised a rebuild, and it started the rebuild. The only thing is that the government forgot the people of Warmun, and nowhere is that more crystallised than in the construction of the Walumba elder care centre. This care centre was completed in 2014. It won an architect's award and sustainability awards, but it never opened. The members of the National and Liberal Parties were there to cut the ribbon, and then, as the Minister for Transport alluded to, all they ever did after that was fly over the top of Warmun and wave to them. They forgot the people of Warmun. That building stood as a symbol of a building that they could not use because it was not fit for purpose and did not meet aged-care criteria and, importantly, there was no operating framework for the people. They were left with a building that was slowly decaying in front of their eyes.

What does that say to a community? What does that say about the value of a community? It was an appalling set of circumstances, but our member was there, and she spoke with the previous minister, and she spoke with me. She has had those conversations with the people of that community about what the future opportunities should be. The people have spent a lot of time thinking about how they can best use an asset built by the Liberals and Nationals that was not fit for purpose and was wasted money. They have been very creative. They have come out and developed a concept based on workers' accommodation, which is something that Warmun vitally needs to support a workforce within that community. They have come up with options to use the commercial laundry. They have come up with options to use the commercial kitchen for revenue raising, and they have new hope thanks to our member for Kimberley.

We have come to the party. The Cook government has come to the party and made \$2.9 million available to address the faulty plumbing and power supply issues and to make that building fit for the use that the community now want it to be used for, and that is thanks to the member for Kimberley. This was because members of the previous government did not sit and talk with the local people. For all the talk about localisation and the importance of local communities, they ignored Warmun—probably because there were not a lot of votes there for them. They did not have the conversations. They were happy to take credit for a building that was an architect's dream, but they were not taking any responsibility for the people of Warmun, and that summarises the attitude of the Liberal–National government to regional WA. It will take the pickings when it can, and it will leave the hard yards to somebody else. It is a Cook Labor government that has addressed and fixed the issue. It is a symbol of Warmun and how the community can go forward.

When I was up there with the Premier and cabinet ministers, there was a real sense of energy in the East Kimberley. There was a sense of vibrancy. There was a sense of hope. Everywhere we went, people were talking to us about the future and about the collaboration they have with the Cook Labor government. Therefore, members, when it comes to the current leadership of the National Party, it is certainly a love affair that WA simply cannot afford to have.

The SPEAKER: I call the member for Cottesloe with the last question.

NICKEL INDUSTRY

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

I refer to comments made by the federal Minister for Resources, Madeleine King, that she would be doing nothing significant beyond the possibility of production tax credits in 2027 to keep the BHP Nickel West refinery operating and preserve the 3 300 jobs employed in that business.

Several members interjected.

The SPEAKER: Order, please!

Ms J.J. Shaw interjected.

The SPEAKER: Order, please, member for Swan Hills!

Ms J.J. Shaw: She didn't say that!

The SPEAKER: Member for Swan Hills, I just asked you not to interject, and the first thing you did was interject.

Dr D.J. HONEY: Minister King also criticised BHP for not investing in that business despite the fact that BHP had in fact invested \$4.5 billion in Nickel West over the past five years.

- (1) Given that BHP is considering the possible closure of the Nickel West business in August this year, will the minister make sure that Minister King is fully informed of the facts about the efforts that have already been made by BHP to modernise and maintain its nickel business?
- (2) What steps is the minister taking to ensure that this critical business does not close down at the cost of over 3 000 jobs in his own electorate?

Mr R.H. COOK replied:

- (1)–(2) As the member knows, I was not at the breakfast. I have just consulted with the Deputy Premier, who was there, and I understand that Minister King said no such thing. What Minister King said is that the production tax credit is an important sign that the commonwealth government knows the importance of downstream processing —

Dr D.J. Honey: In 2027.

Mr R.H. COOK: — for creating jobs and prosperity in Western Australia.

Dr D.J. Honey: They are closing this August.

The SPEAKER: Order, please!

Ms R. Saffioti: The Liberal Party opposes it.

The SPEAKER: Deputy Premier, can I ask you to desist. Member for Cottesloe, if you would like to have the opportunity of a supplementary question, I suggest you do not continuously interject.

Mr R.H. COOK: I am not sure why the member would criticise bringing in the production tax credit in 2027 when the member's own party opposes the production tax credit outright. If the member had his way, he would not have the production tax credit at all, because his national leader has outright opposed it. It was almost the first thing he said when it was announced. He did not believe it was an important part of backing Western Australia's contribution to the national economy. Peter Dutton is the most anti-Western Australian national leader that we have had in a generation. He is the man who wants to drag our economy down. He is the man who wants to kill Western Australian jobs. He is the man who wants to hold Western Australia back. As the saying goes, and we hear it all around the community, Minister Madeleine King gets it. She understands what makes this state tick. She understands what the important opportunity that critical minerals represents for the state and the national economy in relation to the downstream processing and the value added in terms of those products and the increase in value of those exports. There is only one person in the entire country who does not get that, and that is the federal Leader of the Opposition—the federal leader of the member for Cottesloe's political party.

What is writ large about the Liberal Party is that it is opposed to Western Australia's prosperity. It is opposed to Western Australian jobs. It is opposed to Australia reaching the new peak opportunity, which is critical minerals. We want to be a renewable energy powerhouse, which requires the mining, processing, refining and production of critical minerals that are part of the battery energy supply chain. We need companies like BHP to stand up and be with us in this important area. We know that BHP has benefited from extraordinary prosperity as a result of the support of successive governments over many years and, of course, its own wit and investments.

We know that nickel, along with cobalt, copper, lithium, vanadium and magnesium, will play an incredibly important part in not only our prosperity, but also the prosperity of the world as it moves to a renewable energy future. Madeleine King gets that, which is the reason we saw a production tax credit in the federal budget. It will be an important part of not only incentivising industries to invest to create great successful companies, but also making sure that Australia plays its role of moving to a renewable energy future.

NICKEL INDUSTRY

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

I have a supplementary question. Given that this will be the third major industry to shut down in the minister's electorate since he has been in government, when will he take meaningful action to prevent the complete destruction of existing downstream manufacturing in Western Australia?

Mr R.H. COOK replied:

I ask the member: when will he stand up to his national leader and publicly denounce his position on the production tax credit? When will the member publicly come out? The member has already been dumped as a member of Parliament—I think disrespectfully so. Now is the member's opportunity. I will appeal to the Leader of the House to suspend standing orders so the member can stand and condemn Peter Dutton for being anti-Western Australia, anti-Western Australian business, anti-Western Australian jobs and anti-renewable energy industry based on critical minerals.

The SPEAKER: That concludes question time.

LEGISLATIVE ASSEMBLY CHAMBER — BELLS

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [3.02 pm]: It is important that I have members' attention for a moment, please. I advise members that the Assembly bells are not working or are not working properly.

Mr R.H. Cook: Does that mean we can go home?

The SPEAKER: You can always move that way. You are the government.

If any divisions are called before the bell system is repaired, an announcement will be made over the public address system that a division has been called and that members are to return to the Assembly chamber. The bells probably will not ring and there will probably be an announcement over the PA if a division is called. We seem to be having a day of it, because the microphones at my desk and the clerks' desk have not been working today.

On a housekeeping matter, I also note that in the last couple of weeks we have had the bar of the house back in place, which some people forget to close as they walk through. We left it open as a COVID measure so we did not have people continually touching it. As a COVID measure at one point, we had both sets of doors wide open all the time to reduce people having to touch things. If you do not want to touch the bar of the house, perhaps walk through the door behind me where you do not have to touch anything.

**CIVIL LIABILITY AMENDMENT
(PROVISIONAL DAMAGES FOR DUST DISEASES) BILL 2024**

Second Reading

Resumed from an earlier stage of the sitting.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

*Consideration in Detail***Clause 1: Short title —**

Mr R.S. LOVE: I will take the opportunity at clause 1 of the Civil Liability Amendment (Provisional Damages for Dust Diseases) Bill 2024 to discuss provisional damages. In my second reading contribution, I indicated that we may talk about some of the implications of the discussions that the Department of Justice may have had with the Insurance Commission of Western Australia and other bodies about the likely implications to that organisation. Have there been any discussions about quantifying the costs to ICWA and the state from this change?

Mr J.R. QUIGLEY: I have not got figures back from the Insurance Commission itself. There is a long lead time before we expect there to be provisional claims because of the nature of the disease. The government had its own advice for cabinet, which is cabinet-in-confidence actuarial advice. We do not believe that there will be any significant cost to government as opposed to insurance companies.

Mr R.S. LOVE: Has there been any discussion with other insurers about their concerns or is there any idea of what the quantities or costings may be from their point of view?

Mr J.R. QUIGLEY: The government has not entered into discussions with the insurance industry to work out what it anticipates its costs might be. We do not believe that the regime will substantially affect the quantum of compensation paid, but it should apportion it more fairly at appropriate times and mitigate the risks of overcompensation and under-compensation under the current law, because under the current law, in striking a damages award, the courts

take into account the risks of a person developing further disease. They might be overcompensating because the disease does not develop, or they might be undercompensating because they are compensating only for the injury or condition at the time of the litigation only to then have a subsequent development that these provisional damages will take care of. We have not engaged with the insurance industry to work out its costings, but the Governor has actuarial advice for cabinet, and the cost to government will not be significant.

Mr R.S. LOVE: Has there been any advice on the potential number of Western Australian workers who may have come into contact with this and may potentially become claimants under these provisions?

Mr J.R. QUIGLEY: We do not know exactly how many people will develop a subsequent disease, but we have some statistics. As I said, this is a complicated issue as there is no one dataset that answers this exactly. We cannot do that. A key component of this reform is to provide sufferers of non-malignant dust diseases with a fairer pathway to seek damages. In 2022–23, Western Australia saw 27 WorkCover claims for asbestosis and 37 for silicosis, both non-malignant diseases, as the member recognises. Although I cannot predict how many of these cases will progress to a malignant disease, the Australian Institute of Health and Welfare reported 392 mesothelioma diagnoses in the state between 2019 and 2022. We also know that asbestos and silicosis increase the risk of lung cancer or mesothelioma due to the confirmed presence of asbestos or silica dust in the lungs. WorkCover data from 2022–23 suggests that at least 64 Western Australians could have benefited from this reform, not including those outside of the workers compensation system. As an example, recent data from New South Wales, where the provisional damages regime has been in place since 1989, indicates that in 2023 there were 160 new claims, with 149 claims related to non-malignant asbestosis. In the same year, there were also 235 new and 151 mesothelioma claims. That is in New South Wales. I do not know what the current population of New South Wales is, but it is in the order of four times Western Australia's population. The member can divide those figures by four, perhaps. It is an inaccurate calculation, member.

Clause put and passed.

Clause 2: Commencement —

Mr R.S. LOVE: I just want to get a little bit of information. This clause is on the commencement dates. It is quite a complicated process. I note that clauses 13 and 14 refer to the Workers' Compensation and Injury Management Act 1981 being amended. I wonder why that is not mentioned in any of the commencement date provisions.

Mr J.R. QUIGLEY: The apparent complication arises from the touch points between this bill and the Workers' Compensation and Injury Management Act 1981, as the member has identified. The member will recall that the Workers Compensation and Injury Management Bill 2023 was passed by Parliament last year and is due to commence on 1 July 2024. For this reason, the commencement clause of this bill has been drafted to ensure that the correct amendments will be made to the Workers Compensation and Injury Management Act 2023 depending upon when the various pieces of that legislation commence. It was a matter of meshing it in with the amendments to the Workers Compensation Act.

Mr R.S. LOVE: It is presumed that this act will come into play after the introduction of the Workers Compensation and Injury Management Act 2023. Is that the case?

Mr J.R. QUIGLEY: That is correct, Leader of the Opposition.

Dr D.J. HONEY: I think I understand most of it, but the one that had me a little bamboozled, I will be honest, is clause 2(2). It sort of almost seems to be a circular argument. I wonder whether the Attorney General could explain the subtlety of that provision. The bill refers earlier to when clause 12 will come into effect and so on, and then this subclause says that despite what we have just talked about —

... if the *Workers Compensation and Injury Management Act 2023* section 625 comes into operation on or before the day fixed under subsection (1)(d), section 12 of this Act —

- (a) does not come into operation; and
- (b) is deleted ...

I am sure there is a good answer, but it is not obvious.

Mr J.R. QUIGLEY: Thank you—not!—for that question. It is a complex situation because we still have the old workers' compensation act and the new workers compensation act to come, and it depends upon the proclamation of those amendments. Both contingencies have to be covered. To explain the mechanics of that complication will probably require me to bring before the chamber the Parliamentary Counsel himself, who has assured us over and over that this covers both contingencies. Reading it on in the same position as the member, I have to go back to the Parliamentary Counsel. That is the explanation.

Dr D.J. Honey: They have to draw a flowchart, Attorney General.

Mr J.R. QUIGLEY: That is the explanation.

Clause put and passed.

Clauses 3 and 4 put and passed.

Clause 5: Part 2 Division 5 inserted —

Mr J.R. QUIGLEY: I move —

Page 5, lines 19 to 24 — To delete the lines and insert —

A *dust disease* means a pathological condition that is either or both of the following —

- (a) a pathological condition of the lungs, pleura or peritoneum that has resulted from the inhalation of asbestos or silica;
- (b) a pathological condition specified in the Table (whether or not of the lungs, pleura or peritoneum) that has resulted from the inhalation of asbestos or silica.

Mr R.S. LOVE: I take it that this amendment is just to make it crystal clear that provisions (a) and (b), which are virtually identical to proposed section 15AB(1) and (2), are either/or, and that it does not have to be both. Is it just to make that abundantly clear? Is that the reason for this amendment or is there another reason? It seems to be a very subtle change.

Mr J.R. QUIGLEY: That is correct; it will not have to be both. During its preparation for Parliament, the Department of Justice formed the view that this was likely to be read as limiting the diseases in the table to instances of those diseases that occur in the parts of the body referred to in proposed section 15AB(1)—that is, the lungs, pleura or peritoneum. Given that the definition of “dust disease” is a component of eligibility for the provisional damages claims and to avoid any interpretation of this proposed section being narrower than intended, I decided that it would be prudent to move this amendment to remove any doubt. The two-pronged definition of “dust disease”, which the Leader of the Opposition has pointed out, will include a general provision at proposed section 15AB(1) that includes any pathological condition of the lungs, pleura or peritoneum that has resulted from asbestos or silica inhalation and, under proposed section 15AB(2), a table of the most prevalent dust diseases with scientifically accepted causal relationships between asbestos or silica inhalation but without a specified link to proposed section 15AB(1). Given that both the International Agency for Research on Cancer and Safe Work Australia’s list of deemed diseases in Australia, published in 2024, recognise that asbestos causes not only mesothelioma and lung cancer but also cancers of the larynx and ovary, the intention of the definition is that these will be covered in item 2 of the table, “Asbestos-induced carcinoma”. Further, the government considers that a minimum provisional damages regime must apply to the list of presumptive diseases covered by the statutory workers compensation regime. The Workers Compensation and Injury Management Act 2023 will replace the 1981 version of the act on 1 July 2024 and will expand the definition of “mesothelioma” to include mesothelioma of the pericardium, whereas the current act includes only mesothelioma of the pleura and peritoneum. The intention of this bill is that pericardial mesothelioma will be covered in item 5 of the table, “Mesothelioma”. The intention is not to allow this to be narrowed down by interpretation but to be any lung disease caused by asbestos or silica dust.

Mr R.S. LOVE: Why is it necessary to have two such definitions instead of just having an expanded list in the table?

Mr J.R. QUIGLEY: It will be either a pathological condition of the lungs, pleura or peritoneum that has resulted from the inhalation of asbestos or silica, or a pathological condition specified in the table, whether or not of the lungs, pleura or peritoneum, that has resulted from the inhalation of asbestos or silica. The reason for that list is that at the time of issuing the original writ, the plaintiff will have to specify what consequent conditions might arise. If a plaintiff chooses one out of that list, they will be covered; they will not have to think about what might go wrong with their body as a result of having asbestosis. That list will help guide plaintiffs to choose the conditions that they believe might subsequently develop and for which they will be seeking further damages.

Mr R.S. LOVE: My question is in two parts. What will be the process to add to this table? Will it be a legislative process and will it have to come back for an amendment of the act? The Attorney General has confirmed that with a nod. If there is such an addition, what effect will the addition of a new condition or disease have on a person’s circumstances? Will that open up an action that has already been sealed or agreed on to potentially further, consequential compensation?

Mr J.R. QUIGLEY: The list will have to be expanded by way of legislation. The list will be helpful for plaintiffs. If a plaintiff, on advice, apprehends that they may develop a further disease that is not covered in that list, they will claim under paragraph (a). The definition of “dust disease” in the amendment states —

... a pathological condition that is either or both of the following —

The plaintiff will go for the “either” option because it is not in the list. Paragraph (a) states —

a pathological condition of the lungs, pleura or peritoneum that has resulted from the inhalation of asbestos or silica;

The plaintiff will have to specify the danger of the disease developing, but they will not be helped by the list because it is not in the list.

Mr R.S. LOVE: The clause we are discussing amending will mean either/or, so a person can either be under paragraph (a) —

Mr J.R. Quigley: Which is general.

Mr R.S. LOVE: — or paragraph (b). But presumably there could be things in paragraph (b) that are not necessarily contained in the definition of paragraph (a). Is that a fact?

Mr J.R. QUIGLEY: I am worried! I can remember as a child that my parents had the playroom insulated by having asbestos sprayed over the interior ceiling. The answer to this question is worrying in that regard because it could be something in the list under paragraph (b) that is a pathological condition specified in the table, and one of those things specified in the table is mesothelioma of the testes, not of the lungs, pleura or peritoneum. A person could identify that one of future conditions they might have is mesothelioma of the testes, which does not fall within paragraph (a).

Mr R.S. LOVE: This takes me back full circle to what I asked before. If a disease is added to the table that is not covered by the definition of paragraph (a), appears under paragraph (b) but was not in the table at the time the person commenced their damages claim, or they may even have taken a settlement, what is the effect on that person's ability to make subsequent claims?

Mr J.R. QUIGLEY: This legislation will not open up old settlements now and it is not retrospective. If another disease is added to the table under paragraph (b), it will not retrospectively apply to old settlements or actions.

Mr R.S. Love: Even if the action was taken after the commencement of this legislation?

Mr J.R. QUIGLEY: That is right. But when something is added to the list, it will be by legislation with transitional provisions and I do not want to pre-empt what a Parliament might do in relation to those transitional provisions. If the member is here as the Leader of the Opposition at that time, he will no doubt ensure that they are covered.

Dr D.J. HONEY: Following up, I understood from the rest of the bill that someone could commence new actions in any case, but that was not my point. I do not claim any expertise in this, but I have obviously worked in industries, as I have said, in which asbestos was used and have followed this issue a bit over time. I understand that there are some asbestos-related diseases—I was just googling to reaffirm my anecdotal knowledge—that can be caused by ingesting asbestos, so workers ingest asbestos and they get oesophageal cancer, stomach cancers, gastrointestinal tract cancers and the like. I could not see how they fitted in the bill. There are the lungs, the pleura and the peritoneum, which is the thin lining of the stomach. Maybe the legislation deliberately avoids those other cancers because there is not certainty about them; otherwise, if it is accepted that those other diseases could be caused, how are they covered by this clause?

Mr J.R. QUIGLEY: It is covered in the list in proposed section 15AB(2) on page 5 of the bill. Item 2 is asbestos-induced carcinoma.

Mr R.S. LOVE: The Attorney General said earlier that none of these provisions would open up any actions that have already been completed and that a settlement that has been granted will remain sealed and will not be broken open and have provisional conditions attached to it. What if a condition was not included in the original claim—if it was not something that was apparent at that time? Is there an ability to then commence an action? A person may not have realised that in a workplace they had come into contact with asbestos but they have already had a claim settled.

Mr J.R. QUIGLEY: If it is settled on a once-and-for-all basis, the door is closed. For provisional damages, a person has to identify something at the time of their initial statement of claim—or it has to be done during the initial action; they might have amended the statement of claim—but during that initial action they would have to identify what further disease might occur. It could just be item 2, asbestos-induced carcinoma, or it could be silico-tuberculosis or one of the other diseases on the list. As I said, if they are changed, the accompanying legislation will be by legislative instruments that will have transitional provisions.

Mr R.S. LOVE: On the matter of the change to the table by legislation, is there a standing process that would be used for there to be consideration of that? Is there a method other than someone just writing to the Attorney and saying they want a disease included on the table and to please amend it? Is there a standing group that continually reviews what is appropriate and makes those recommendations?

Mr J.R. QUIGLEY: No, there is not a set process. If the member wrote to me asking for another disease to be included, the government would consult with the professions—the Australian Medical Association and the Royal Australasian College of Surgeons et cetera. Additionally, Safe Work Australia publishes a list of diseases that can result, so we would look at that as well. It is a matter of the government taking advice from the medical profession that sufficient work has been done to establish that the newly identified disease is causally linked to the inhalation of asbestos or silica dust.

Mr R.S. LOVE: Previous claims now cannot be re-enlivened to pick up these provisional changes. Can the Attorney General give me some information on how many people in Western Australia were involved in a settlement on one of these dust diseases in the past?

Mr J.R. QUIGLEY: We have no idea because so many claims are settled out of court. That is all done in private, so we would not know.

Mr R.S. LOVE: I turn to proposed section 15AE, “Settlement agreement in initial action”. I am trying to get an idea of the intersection between proposed section 15AE(a) and proposed section 15AE(b). Proposed section 15AE(b) states —

whether or not the defendant admits liability for —

- (i) the dust disease; and
- (ii) if a subsequent dust disease is specified ...

How could an initial action be settled if the defendant did not admit liability? I wonder how that would work.

Mr J.R. QUIGLEY: The first point I would like to make is that actions can be settled, and often are, without admission of liability: “We will settle this by paying you \$100 000 and we make no admission as to liability.” That is very common in defamation cases: “I apologise. I will offer you money but I make no admission that it was defamatory.”

Mr R.S. LOVE: But is that the case for workers compensation?

Mr J.R. QUIGLEY: It is the same. People can settle without an admission of liability. They will be able to settle regardless of whether they admit the liability for the dust disease or any other disease specified in accordance with proposed section 15AE(a). We go back to proposed paragraph (a), which states —

any subsequent dust disease that the plaintiff claims they may develop, wholly or partly as a result of the act or omission giving rise to the cause of action;

It is any subsequent dust disease that they identify. We covered that earlier, in the table. They can help identify that, or the lung disease in proposed section 15AB(1); that is, any disease of the pleura, peritoneum or lungs are covered. Proposed section 15AE(c) provides —

whether or not the plaintiff is barred from commencing a subsequent action in relation to a subsequent dust disease specified in accordance with paragraph (a).

That is whether the settlement is a settlement barring them from a future claim.

Mr R.S. LOVE: That is what I wanted to ask about. Although there are provisions that will enable a subsequent claim to be made in general, would it be possible for a settlement to be reached between the two parties that bar that from occurring? Presumably, it was envisaged that there could be a way for insurers to settle once and for all, but consideration would have to be taken into account of the further matters of the claimants.

Mr J.R. QUIGLEY: Yes, the Leader of the Opposition is right again. One other little variation is that the settlement may include provisional damages for a specified disease in that list but not others in the settlement. The parties can come to whatever agreement they like in relation to future damages. They might say that a particular carcinoma will be debarred from future matters.

Mr R.S. LOVE: The Attorney General just said that the settlement itself could reflect a provisional clause that would specify those damages that would occur if the condition were to progress.

Mr J.R. QUIGLEY: The settlement draws a double line under it. We do not put a clause in a settlement that says someone can come back for a future settlement. Insurers do not want to settle on that basis. They might say, however—this is what the Leader of the Opposition observed in the previous question and answer—that they will compensate the plaintiff now for the prospect of one of these future diseases in the table or under proposed section 15AE(a).

Mr R.S. LOVE: I turn to proposed section 15AG, “Award of subsequent damages”. Proposed section 15AG(5) states —

... , a plaintiff cannot commence a subsequent action in relation to a subsequent dust disease that has already been the subject of a subsequent action.

That means people will have only one go at coming back for a second settlement.

Mr J.R. Quigley: That is right.

Mr R.S. LOVE: Having confirmed that, could the Attorney General explain why that was deemed appropriate?

Mr J.R. QUIGLEY: The matter will come to finality sooner or later. People cannot be compensated twice for the same thing. If a person brings on a provisional damages claim, it would be for the lung diseases under proposed new section 15AB(a) or(b). Once a person is compensated for that, that is it.

Mr R.S. LOVE: I want to look at some of the matters around the court process. Does the court itself have to seal any settlement? Does it have to go through the Supreme Court to be registered in some way? What is the actual process of the settlement? I am looking at proposed section 15AH. I am wondering what all that means—that is, what is the court process? Can the Attorney General explain how that will work?

Mr J.R. QUIGLEY: There are two bases of settlement. A matter can be settled on a bare claim without issuing a writ. The employee can write to their employer, saying, “I’ve contracted a disease, asbestosis, and the medicos are telling me that I am at high risk of developing one of the diseases on the list.” The employer might call them in, look at their medical reports et cetera and want to settle there and then, and that is it. A deed of settlement is then entered into between the parties. As the Attorney, on behalf of the Western Australian government, I am presented with several of these matters being settled by negotiation a month. They send me a deed to sign.

Alternatively, the sufferer may have commenced proceedings. If the sufferer has commenced proceedings, during the course of those proceedings the court always, or 99 per cent of the time as far as I can observe, orders court-ordered mediation between the parties. A settlement might occur during that process. Usually, a judgement is then entered reflecting the terms of the settlement.

I am helpfully reminded that to come within the provisional damages regime—I have explained the two methods of effecting a settlement—a person will have had to commence a cause of action by writ of summons. Proposed section 15AE on page 7 of the bill, which we were just interrogating, states —

- (a) any subsequent ... disease that the plaintiff claims they may develop, wholly or partly as a result of the act or omission giving rise to the cause of action;

To come within the provisional damages regime —

Mr R.S. Love: It does have to go through court.

Mr J.R. QUIGLEY: — the plaintiff would have to go through the court.

Mr R.S. LOVE: I turn to proposed section 15AJ, “One award of subsequent damages for each subsequent dust disease”, on page 11 of the bill. We have just discussed the fact that a person can come back for one subsequent action, but what if multiple dust diseases manifest? Can they come back for an award for just one or, according to this proposed subsection, one for each actual disease? It is not actually sealed off in totality; there is the possibility of damage from a different dust disease. Is that a correct analysis?

Mr J.R. QUIGLEY: You are having a good afternoon, Leader of the Opposition.

Mr R.S. Love: No, I am not.

Mr J.R. QUIGLEY: No, you are. You have posed the answer yourself, and that is three correct answers in a row. You are 100 per cent correct.

Mr R.S. LOVE: I turn to page 12 and the proposed section relating to costs. I am sure the Attorney General knows much more about costs in legal actions than I do.

Mr J.R. Quigley: I have a faint memory of them. I used to charge them once.

Mr R.S. LOVE: I am sure he has a very good memory of them.

I refer to proposed section 15AN(b). What does a duplication as a basis for costs mean? I want to understand how this ties into, I assume, the initial action and then the subsequent action.

Mr J.R. QUIGLEY: Considering legal costs incurred in the first action when awarding costs in the second action is a means of encouraging parties to narrow the issues down as to what the claim is. The intention is that everything is out in the open in the legislation. All parties concede that the legislation contemplates that a lot of the evidence and the time it took for the proceedings in the initial action will not be required in the subsequent action. For example, if a child had been playing in the playgrounds of Wittenoom and contracted asbestosis, a lot of evidence would have been given and court time taken up proving the period of time that they were in Wittenoom and the frequency of going to the oval to play on the compacted tailings and the like. That would all cost money. It was found, for the plaintiff, that the asbestosis was causally linked to their attendance on the playgrounds made of asbestos tailings in Wittenoom and, at that time, it was specified that there could be a subsequent disease of mesothelioma. When coming back to court for the second time, the court says, “You’re not going to get costs for proving what you proved in the first case—that is, calling people to give evidence that you were in Wittenoom at the time and that you went to the playgrounds with compacted tailings at the time. You have done all that once.” The court, when looking at costs on the second claim—the subsequent claim—will narrow the issues down. When considering the second claim, the court would say, “This is mesothelioma. Look at the medical reports from 15 years ago. We had that trial. The asbestosis was caused by the attendance at the playground of compacted tailings. Let us not go there. Let us only deal with the narrow part.” If a plaintiff tries to run the case by proving everything all over again, they will not necessarily get their costs because the court will deduct costs attributable to duplication.

Mr R.S. LOVE: I am not sure what a schoolchild would claim by way of workers compensation.

I move on to page 13 and proposed section 15AO. I am looking at the interplay between proposed subsections (2) and (3).

Mr J.R. Quigley: Where are we?

Mr R.S. LOVE: Proposed section 15AO on page 13.

Mr J.R. Quigley: I am sorry; yes, the transitional provisions.

Mr R.S. LOVE: From my bare reading of it, proposed subsection (2) states —

If an action in respect of a dust disease suffered by a plaintiff for which personal injury damages are claimed is commenced before the proclamation day, the claim may be amended to specify —

(a) that provisional damages are the remedy required; and

It goes on to refer to the subsequent diseases. Proposed subsection (3) states —

Despite subsection (2), this section does not apply if, before proclamation day —

(a) the hearing of the action has commenced; ...

One proposed subsection states that if someone has commenced an action, they can add the provisional damages; the other states that they cannot. That looks to be completely contradictory, so perhaps the Attorney General can explain it.

Mr J.R. QUIGLEY: It is a fair question. The answer is this. Prior to the court proceedings being underway, someone can amend their statement of claim to include a claim for provisional damages. One cannot change the rules of the footy game once the game has commenced. Once the trial has commenced, because the parties have gone into trial on the law, we cannot change the law once the umpire has the game underway.

Mr R.S. Love: That explains it.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 6 put and passed.

Clause 7: Section 4 amended —

Mr R.S. LOVE: I want to gain an understanding of the situation in which somebody passes away, presumably from the disease. What effect will that have on trying to quantify the damages for the estate as opposed to the injured party? Is there a difference in the way that the damages will be assessed? Obviously, the claim has reached another step in the journey, but what will be the process in quantifying damages for the estate?

Mr J.R. QUIGLEY: Under section 4 of the Law Reform (Miscellaneous Provisions) Act 1941, this is already the case. There are limitations under section 4 on the types of damages that may be awarded. Section 4(2)(d) of the Law Reform (Miscellaneous Provisions) Act 1941 limits damages for pain or suffering, bodily or mental harm, or curtailment of life expectancy. Currently, these damages are allowed for asbestosis claims. Clause 7 of the bill will amend this section 4 to treat silica claims in the same way that asbestosis claims are currently treated. It will bring silica dust disease into the legislation.

Existing causes of action survive to the estate, but pursuant to section 4(2) of the act, the damages that may be awarded in respect of any such action may not, with one significant exception, include damages for pain and suffering or bodily or mental harm, curtailment of expectation of life or future loss of earnings. In short, in most claims, an estate claim is limited to pecuniary loss and the value of gratuitous services to the date of death. If a citizen has died, we are not compensating the citizen for the pain; we are compensating the estate for the economic loss of the breadwinner or for the gratuitous services that that person provided to the family. The exception referred to, introduced by the Law Reform (Miscellaneous Provisions (Asbestos Diseases)) Act 2002, is that the estate of a person who has died from a compensable asbestos-related disease caused by negligence is entitled to recover categories 1 and 2—that is, damages for pain and suffering, or bodily or mental harm, or the curtailment of expectation of life. Ordinarily, damages for personal injury can be recovered only in actions resolved whilst the plaintiff is alive, because they are being compensated for their personal injury.

The rationale for this exception was said to be the removal of any incentive for defendants to seek to delay the resolution of live claims on the basis that upon a claimant's death, the defendant's liability for the payment of claims for general damages and curtailment of life expectation would be extinguished. There cannot be compensation for pain and suffering for a person who has died, but there can be compensation for economic loss.

Dr D.J. HONEY: Just to be clear on that, if someone earlier commenced an action and received provisional damages and that person subsequently dies, and it is determined that that person has died because of a subsequent disease that goes beyond the original provisional damages, does that person need to have launched an action for those subsequent diseases or can the estate launch an action because the death was caused by those subsequent diseases?

Mr J.R. QUIGLEY: The estate cannot launch an action. The person has to have launched the action. For provisional damages to apply or be open to be claimed, in launching that action whilst they are alive, the plaintiff has to identify a subsequent disease that may occur, being either proposed section 15AB(a), disease of the lungs—we went through that—or one of the diseases in the table. But if they have been awarded provisional damages and then they die, the estate cannot institute new proceedings.

Dr D.J. HONEY: I think I understood what the Attorney General said, and I think it was clear. But just to be very clear, if someone has been awarded provisional damages and has identified that they are concerned about these other subsequent diseases, unless they have initiated another action for further damages for those subsequent diseases, the estate cannot initiate that action.

Mr J.R. QUIGLEY: That is correct. That will be a new cause of action that this legislation will facilitate. It has to be done during their lifetime.

Clause put and passed.

Clause 8 put and passed.

Clause 9: Section 6B inserted —

Mr R.S. LOVE: I have one very simple question on page 16. I refer to proposed section 6B, “Special provisions for subsequent action in respect of subsequent dust disease: no limitation period”. I am looking at proposed subsection (2), which states —

This section applies regardless of whether the action is brought in tort (including trespass), in contract, under statute or otherwise.

I am just trying to understand that. I understood that all these cases would have been brought forward as a tort, but perhaps the Attorney General can explain the import of that particular proposed subsection.

Mr J.R. QUIGLEY: The hint of this is in the last two words of proposed section 6B(2), “or otherwise”, so the Leader of the Opposition is right. Again, this afternoon, the Leader of the Opposition is seeing the ball as big as a melon. The fact of the matter is that 95 per cent of the cases will be torts. There is a catch-all here to make sure that nothing can slip through the cracks. We anticipate that they will be torts, but someone might want to plead something else. Good on them—“or otherwise”.

Mr R.S. LOVE: Why is the inclusion of “including trespass” necessary in this provision? I am struggling to think how someone could be in a workplace where they have trespassed. Are we talking here about professional thieves? What are we talking about? When could we see somebody trespassing and qualify for any of these provisions?

Mr J.R. QUIGLEY: I am scratching my bald head to try to give the member an example. These catch-all provisions are used elsewhere in legislation. It is very hard because I do not know of an instance, and that is why I am scratching my head to think of an example. It is hard to think hypothetically where a person who is a trespasser has the cause of action. It may be that they have exceeded their licence to enter, and so there is a technical trespass afoot but nonetheless the dust is there and they have inhaled it. It is very hard. This is copying a catch-all provision used elsewhere in the statute book to make sure that no possibility is foreclosed on for a plaintiff who gets one of these terrible diseases. An example of what I am saying is a provision in the Limitation Act 2005 that deals with child abuse. The same provision applies here as the catch-all provision in the Limitation Act. The section 6A(4) provision relates to child abuse; it states —

This section applies regardless of whether the action is brought in tort (including trespass), in contract, under statute or otherwise.

Therefore, it is a catch-all provision to make sure that plaintiffs are not shut out because the provision might have otherwise been too narrow in the pleading.

Clause put and passed.

Clauses 10 to 14 put and passed.

Title put and passed.

As to Third Reading — Motion

MR J.R. QUIGLEY (Butler — Attorney General) [4.13 pm]: In view of the fact that we had to amend clause 5, we cannot proceed to the third reading. In which case, I move —

That the third reading of the bill be made an order of the day for the next day’s sitting.

Question put and passed.

House adjourned at 4.14 pm
