



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2021

LEGISLATIVE ASSEMBLY

Thursday, 21 October 2021



# Legislative Assembly

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

## PARLIAMENTARY SITTING DATES 2022

*Statement by Leader of the House*

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [9.03 am]: I rise to inform members of the parliamentary sitting dates for 2022. As is the usual practice, the dates are divided into autumn and spring sittings. Next year, 20 sitting weeks are scheduled for the Legislative Assembly, with one of the autumn sitting weeks to be vacated for budget estimates hearings. Generally, the house is scheduled to sit for two or three weeks followed by a one-week or two-week recess, sitting around scheduled school holiday periods. There will be a six-week break from late June to early August. Autumn sittings will commence on Tuesday, 15 February 2022 and conclude on Thursday, 23 June 2022. Spring sittings are scheduled to take place from Tuesday, 9 August 2022 to Thursday, 1 December 2022. For the information of members, I table the 2022 parliamentary sitting dates.

[See papers [734](#) and [735](#).]

## NET ZERO EMISSION MINING WA CONFERENCE

*Statement by Minister for Energy*

**MR W.J. JOHNSTON (Cannington — Minister for Energy)** [9.04 am]: It is with great pleasure that I stand today to inform the house of the success of the Minerals Research Institute of Western Australia's inaugural Net Zero Emission Mining WA conference. Representatives from across industry and academia met last week to discuss how they can reduce their carbon footprint, lower energy costs and improve energy efficiency. My colleagues Hon Amber-Jade Sanderson, Minister for Environment; Climate Action, and Hon Alannah MacTiernan, Minister for Regional Development; Hydrogen Industry, also attended. The ministerial panel discussion was chaired by Professor Peter Klinken, WA's Chief Scientist.

As the world rapidly shifts towards decarbonisation, demand for mineral resources to support new energy technologies places Western Australia at the forefront. Cleaner energy solutions such as wind, solar and new battery systems are already calling on our state's mineral resources. Since 2010, the average amount of minerals needed for a new unit of power generation capacity has increased by 50 per cent, as the share of renewables has risen. The International Energy Agency anticipates mineral demand to support clean energy technologies will rise by at least four times by 2040. An electric car requires six times the mineral inputs of a conventional car. An onshore wind plant requires nine times more mineral resources than a gas-fired power plant. The energy transition will have a significant impact on mining and the demand for minerals. The McGowan government is focused on positioning our state at the forefront of innovation so we can take advantage of global market trends.

Our world-class resources industry is already responding to this thematic. I note an increase in nickel exploration activity and other minerals in the battery space. We are supporting the mining sector by allocating an additional \$6 million in funding for MRIWA over the next four years to continue to support minerals research. I am particularly excited by research into sustainably processing Western Australian iron ore to create green steel. This million-dollar investment honours the commitment we made before the election, and it will help put us at the forefront of innovation in the industry. An energy industry development team will be established to work with local manufacturers and mining companies to accelerate the transition to renewable energy supply on mine sites. These investments strengthen our state. They support our transition to net zero by 2050. They diversify our economy, and they help create the WA jobs of the future. On behalf of the McGowan government, I thank everyone who participated in the inaugural MRIWA Net Zero Emission Mining WA conference.

## FUTURE BATTERY INDUSTRY

*Statement by Minister for Mines and Petroleum*

**MR W.J. JOHNSTON (Cannington — Minister for Mines and Petroleum)** [9.07 am]: It is with great pleasure that I rise to update the house on several recent achievements relating to Western Australia's battery and critical minerals industry. The McGowan government has a strong vision to move further down the battery value chain, as outlined in our *Future battery industry strategy Western Australia*. Recent industry advances demonstrate we are leveraging our strengths and capitalising on our resources to become a world leader in producing advanced battery materials.

On 1 September 2021, Covalent Lithium commenced construction of its lithium hydroxide refinery in Kwinana. A joint venture between Wesfarmers and Chilean company SQM, Covalent Lithium's refinery is expected to create 1 000 construction jobs and 350 operational jobs. Once complete, the refinery will have the capacity to support the

production of batteries for up to one million electric vehicles per year. It joins the Kwinana refinery of Tianqi Lithium and IGO Ltd and the Kemerton refinery of Albemarle and Mineral Resources Australia. Tianqi and IGO marked their first lithium hydroxide product in August 2021.

On 1 October, 2021, I attended the opening of BHP Nickel West's nickel sulphate plant in Kwinana, an Australian first. When the plant is fully operational, it will produce over 100 000 tonnes of nickel sulphate, which is enough to make 700 000 electric vehicle batteries. The event came after BHP Nickel West signed a supply agreement with Tesla, the world's largest manufacturer of electric vehicles and battery storage systems. Also this month, I welcomed the signing of the binding high-purity alumina, or HPA, joint venture term sheet between Alcoa and FYI Resources. The term sheet aims to develop a demonstration plant and primary production facility to produce and supply HPA to meet growing global demand. HPA is used in LEDs, mobile phones, television screens and battery components. In other good news, yesterday Lynas Rare Earths' \$500 million processing facility in Kalgoorlie was recommended for environmental approval by the Environmental Protection Authority, subject to conditions. Lynas' proposed facility will process rare earth concentrate from its Mt Weld mine to produce rare earth carbonate for export from Fremantle port. The suite of rare earths are essential ingredients in electronics, wind turbines, catalytic converters, and electric and hybrid vehicles.

It is expected Lynas' project will require a workforce of 290 people during construction and 120 during operation. The company has already started to build its team in Kalgoorlie. These projects are laying the foundation for precursor cathode active materials manufacturing. The McGowan government has allocated a \$13.2 million financial incentive through the WA recovery plan to attract a P-CAM project to Western Australia. The Department of Jobs, Tourism, Science and Innovation is actively engaging with several companies to progress this investment opportunity.

### HOUSING OPTIONS STRATEGY

*Statement by Minister for Housing*

**MR J.N. CAREY (Perth — Minister for Housing)** [9.10 am]: I am pleased to inform the house that the Housing Options strategy has been implemented and has been offered to clients seeking housing assistance since Tuesday, 28 September. Housing Options is a new comprehensive assessment that will provide clients with a guide to the most suitable housing products for their circumstances; it will transform the way that the Department of Communities delivers its frontline services and the way clients apply for housing assistance.

Housing Options will determine the client's housing need, taking into consideration their income, assets, household structure, desired location, any disabilities in the household, risks that they are experiencing in their current accommodation and the barriers they experience when accessing alternative accommodation. Instead of clients applying for specific products, they will undergo one integrated assessment. This will address some of the limitations in the current process, reducing repetition and identifying priority needs up-front. Clients will be able to consider their housing options based upon advice provided to them about availability, affordability and suitability. Through this system, the Department of Communities will be able to better track the journey of its clients, what products they apply for, how long they utilise that assistance and whether they return for additional assistance. This will enable the department to better identify the needs of clients and develop policies, products and programs to better respond to these needs.

As the new Minister for Housing, I have been looking at any opportunity to drive reform and improve the way that we deliver public housing and associated support services across the state. Housing Options delivers the type of reform I want to see. It will streamline and integrate several separate application processes into one comprehensive assessment. People will no longer need to know what support is available and will not have to provide the same information multiple times when seeking different types of assistance. I look forward to these changes to helping the way people apply for housing, ensuring those with the highest need are housed and supported in a timely, appropriate way. I look forward to the changes so that we really do provide critical assistance to those most vulnerable. Housing Options is an innovative measure that supports our overall reform strategy of housing delivery.

### MAKING A DIFFERENCE AWARD

*Statement by Minister for Local Government*

**MR J.N. CAREY (Perth — Minister for Local Government)** [9.13 am]: I am pleased to inform the house that last Friday I attended the Awards Australia Western Australian Community Achievement Awards at the Hyatt Regency Perth where I presented the Department of Local Government, Sport and Cultural Industries Making a Difference Award. The community achievement awards are designed to encourage, recognise and reward the valuable contributions individuals, communities, local governments and businesses are making throughout regional and rural Western Australia. In 2019, the Department of Local Government, Sport and Cultural Industries developed the Making a Difference Award and has sponsored this award since its inception.

The Making a Difference Award recognises local governments that are driving activities, programs and initiatives that promote positive outcomes and make a difference in regional communities. The winner of the 2021 Making a Difference Award was the ripper local small council, the Shire of Bruce Rock. I love Bruce Rock! In March 2020, at the height of the COVID-19 pandemic, a fire tragically destroyed Bruce Rock's only supermarket and hardware

store. With elderly residents and community members isolating and in need of delivered supplies to the town, this vital community service was gone. The shire acted swiftly and established and ran a temporary supermarket in the shire hall. I have visited the Shire of Bruce Rock and was amazed at its community spirit, can-do attitude and the shire's positive culture and dedication to community. Indeed, all the nominees are examples of local governments that are trying to do things differently, innovating and rising to meet the unique challenges they were faced with in what was a difficult year due to the pandemic.

I applaud the nominees and in particular the Shire of Bruce Rock for creating a positive culture that values a sense of community. This is what we want to see in local government. The Shire of Bruce Rock is an outstanding example of the best of what local government can be. Thriving local governments understand that a sense of community and social connection has a profound impact on people's lives and the liveability of the town or city. I would like to again congratulate the Shire of Bruce Rock for its achievement in being awarded the Making a Difference Award for 2021.

### DRINK SPIKING

#### *Statement by Minister for Racing and Gaming*

**MR R.R. WHITBY (Baldivis — Minister for Racing and Gaming)** [9.16 am]: I inform the house that on 18 October I was joined by Germaine Larcombe, executive director of Racing, Gaming and Liquor, and Bradley Woods, CEO of the Australian Hotels Association, to launch a new awareness campaign on drink spiking in licensed venues. The campaign was developed in collaboration between the Department of Local Government, Sport and Cultural Industries and the Australian Hotels Association.

Drink spiking is an insidious and evil crime that patrons, entertainment venue staff and licensees should be conscious of. The "Not Everyone is Your Mate" campaign is aimed at patrons visiting licensed premises and encourages them to be alert and aware of drink spiking, to report any suspicious behaviour to staff and to never leave their drinks unattended.

Everyone seeking to enjoy a night out deserves to do so safely and the thought that somebody would seek to take advantage of another by drugging their drink is reprehensible and has no place in our community. Not only should patrons be aware and alert to drink spiking, but staff of licensed venues also play an important role. Staff working behind the bar or anywhere in a venue can play their part by reporting suspicious behaviour, removing unattended glasses, recognising rapid changes in behaviour and declining requests to add alcohol to a person's drink. Appropriately, the campaign was launched at the Subiaco Hotel, one of the finalists in the upcoming 2021 AHA Hospitality Awards for Excellence in the responsible service of alcohol category. It was a pleasure to meet Dane Oddy, the venue manager at the Subiaco Hotel, and I commend him and his team for that nomination. I commend the agency and the AHA on this campaign and I encourage all licensed venues to get behind it. I also acknowledge Minister for Women's Interests, Simone McGurk, and her team for their ongoing work in this area.

### GOVERNMENT REGIONAL OFFICERS' HOUSING — COLLIE

#### *Grievance*

**MS J.L. HANNS (Collie–Preston)** [9.18 am]: I rise to grieve to the Minister for Housing this morning, regarding social housing in my electorate of Collie–Preston and in particular the suburb of Collie. I thank him for taking my grievance. I would like to thank the minister for personally visiting my electorate towards the end of August. The minister and I attended the great southern Western Australian Local Government Association zone meeting before visiting a number of social housing developments, including the Government Regional Officers' Housing properties that I will mention in a minute. It is very clear when spending time with the minister that his absolute focus is on solving issues and accelerating housing delivery across Western Australia. We also visited the home of my constituents Brent, Jess and Arin White from White Building Co, which recently took out a number of awards in the Housing Industry Association's south west awards, including one for sustainable and energy efficient design. Their house is stunning. I knew before we visited that the minister would be impressed by some of the innovation that is being driven by constituents like Brent in the Collie–Preston electorate to achieve passive solar and energy efficient design.

I digressed from the real reason for this grievance, which is in relation to a block of six two-bedroom flats in Collie, which were designated as Government Regional Officers' Housing for government workers such as teachers and police officers. The flats have been sitting vacant for some time due to them no longer being needed or not suitable for the needs of the Government Regional Officers' Housing tenants. Indeed, I experienced this myself when I first moved to Collie in 2005 with my husband. The GROH properties on offer simply were not suitable for a growing family, so we purchased a home, as did many other government workers in the region. These vacant flats in Collie have been vandalised and squatted in, as is often the case with vacant buildings. This caused quite a bit of angst amongst neighbouring residents. I am thankful to the local community for raising this matter with me, as they were able to get an outcome, which, essentially, is the conversion of these GROH flats into social housing. Although the demand for social housing in Collie is not as great as I know it is in other areas, there still is demand. In fact, around 19 people are on the wait list in Collie, and I am grateful to the minister and his agencies in the Department of Communities for their hard work in getting this outcome for my community.

Social housing can transform lives and build strong resilient communities such as Collie, which has shown time and again that it is strong and resilient. We need all types to make up that community. Looking after our most vulnerable, who may have had difficulty getting into or maintaining a private rental tenancy, is an investment in social and community resilience. Today I was pleased to hear the minister mention the Housing Options strategy, and I thank the minister again for his focus on housing, and his hard work and dedication to delivering positive social outcomes in Western Australia.

**MR J.N. CAREY (Perth — Minister for Housing)** [9.22 am]: I thank the member for Collie–Preston for her grievance and her advocacy for both social housing and Government Regional Officers' Housing in Collie. As the member indicated, I visited Collie in my capacity as the Minister for Housing and also the Minister for Local Government. I visited this Western Australian Local Government Association zone because not only was it an opportunity to have a great chat about local government reform as part of my work in that space, but also I take every opportunity, obviously, for getting out to the regions, looking at our public housing stock and our GROH stock to see how we can be more creative and innovative in what we do.

As I have stated before on the public record, these are incredible times. If members remember, when the COVID pandemic began, there was doom and gloom about the potential impacts on our economy and there were some very dire predictions. Instead, we face the opposite. I would rather face this scenario—a booming economy, but with a very hot construction sector and 27 000 building approvals in the metropolitan region and 4 000 in the region. That presents challenges to us. But with challenges there is also opportunity for reform. As the new Minister for Housing, I am seizing every opportunity to drive a reform program, to try to think outside the box and to make our agency more agile in how we deliver housing, and that includes Government Regional Officers' Housing. That is what we have done in Collie. As the member outlined, one example that was highlighted by the local paper, a resident and the member for Collie is that a block of six two-bedroom flats was sitting vacant in Collie under the GROH program. It became very obvious to me that this was a real opportunity for surplus or vacant GROH stock that was not meeting the needs of GROH to be transferred across as social housing. That is what we are doing. We are using refurbishment funds to bring those properties up to standard so that we can boost that housing stock. As members know, a huge proportion of the demand for social housing is from singles and couples, so we need stock of one and two-bedroom units, and that is what we are doing.

This is not only a significant investment, but also a record investment in social housing from this government, with an injection of \$875 million into housing this financial year, and a total of \$2.1 billion over the next four years. The government is also investing nearly \$100 million in Government Regional Officers' Housing, which may be used for capital works, new builds or spot purchases. I have set up a forecasting group around GROH so that we can better predict that future demand. I put on the record the glib attacks by the opposition. When we came into government, we had a significant debt associated with the GROH program of \$180 million. That is the former Liberal–National government's financial success, its financial brilliance that it left us to clean up and fix. Members opposite have the audacity to criticise this government about the sale of GROH properties. I will give members an example of the former government's success! The largest sale of Government Regional Officers' Housing in the regions in any one year since the program started was in the time of their own government. That is a fantastic achievement that the current Leader of the Opposition can claim. She criticises us about the sale of GROH properties, yet the largest sale of GROH homes in the wheatbelt region was under the Leader of the Opposition's watch while she sat around the cabinet table. That was on her watch!

**Mr V.A. Catania** interjected.

**The ACTING SPEAKER (Mr D.A.E. Scaife)**: Member for North West Central, I call you to order for the first time.

**Mr J.N. CAREY**: Of course, we know the member for North West Central is a great champion of the Leader of the Opposition—always hovering in the background waiting for his turn.

**Mr P. Papalia**: Sarcasm doesn't work in *Hansard*!

**Mr J.N. CAREY**: I am joking. He is always waiting in the background for his leader. She could never have a finer person to back her in, could she? I am being sarcastic.

We are making significant investments across the state. We also have an \$80 million regional program for modular housing. We are trying to make the agency more agile to respond to the support and housing initiative for families in transition program. The agency is using timber-framed construction. This week I discussed how we pumped out timber frame homes in five months, which is extraordinary given the current heated construction market. Originally, they would have been double-brick construction and taken up to 12 months to complete.

We have other investments in Collie with five public houses scheduled for completion as part of a major refurbishment under the social housing economic recovery package. We are also building six one-bedroom, one-bathroom properties, which are also being funded under the SHERP program. Significant investment is occurring in the regions, including Collie.

Of course, we are also looking to the future. That is why we have set aside \$12.8 million towards our ageing public housing stock. A critical factor we face is ageing stock and we need to better plan ahead. That \$12.8 million will

provide detailed assessment of the 10 000 units of ageing public housing stock and GROH assets, so that we can plan for the future to ensure that we keep as much public housing stock in the system. I thank the member for Collie–Preston for her grievance. I am proud of the reforms we are making and the changes we are implementing such as converting those six two-bedroom units from GROH to social housing to provide much needed social housing to some of the most vulnerable in the Collie community.

### POLICE — EXMOUTH AND CORAL BAY

#### *Grievance*

**MR V.A. CATANIA (North West Central)** [9.29 am]: My grievance today is to the Minister for Police in relation to a lack of resourcing in the regions, particularly in policing. Despite the minister’s continual rhetoric that his government is funding policing far better than his predecessors and that he understands how these under-resourced communities feel in these regions, inaccurately accusing me of scaremongering just last month for telling it how it is, while constituents continue to plead with me to do something, I fail to see how these critical situations that I raise with the minister continue to be glossed over. The minister fails to acknowledge and address the enduring levels of anxiety and risk, both emotionally and physically, experienced by many police officers, volunteers and communities.

This grievance should not about what the government is doing, going to do or how much better it is than the last government; it should be about the situation as it is today. It is about the wellbeing of our police, volunteers and communities and having the courage to acknowledge that there is an issue and a deficiency in resourcing, which is exacerbated by an influx of travellers. No-one denies there may be things happening, but the need for action is not only critical, but also urgent, and immediate changes are needed now with policing in regional WA.

More police are needed in nearly every station, such as Exmouth. Some days, police in Exmouth look after 25 000 people and another 5 000 to 10 000 people across the region, including the Coral Bay tourist hot spot, the Ningaloo coast and many stations with numerous tourists. They do this with only four police officers, and six in total, to cover seven days around the clock across an enormous remote geographical area. I say six police officers, but, of course, there are always police officers away on leave or attending other matters. Therefore, the Exmouth Police Station has only four police officers to cover operations seven days a week right across the region.

Communication I received in late September from a long-term Coral Bay resident—a business owner, and overstretched volunteer for St John Ambulance, fire and emergency services and marine rescue—highlighted and confirmed some issues such as the enormous pressure and strain that a lack of resourcing numbers is putting on our police, nurses, Department of Biodiversity, Conservation and Attractions rangers, shires, volunteers and communities. This places everyone at risk, physically and emotionally. This is the communication that was provided to me. In Coral Bay, over the past three to four weeks, volunteers have been called out to incidents of alarming proportion involving domestic violence at stations, caravan parks and liquor outlets. On occasions the police in Exmouth have been called, but, with limited resources, the police have only been able to attend either a few hours later or in one incident the next day. In one incident, the front door of the Coral Bay Nursing Post was damaged when someone smashed it with a rock and the nurses were forced to call family members to assist. No security in Coral Bay puts increased strain on the locals and visitors. With no police presence in Coral Bay, a number of travellers have caused disruption within the community, knowing that they can get away with it as there are no police. A few years ago there was a police presence in Coral Bay during school holidays, on other regular occasions, and visiting randomly during the month. This no longer occurs and it is very disturbing for everyone concerned. I plead with the minister to address the situation with the Commissioner of Police and to deal with it before it escalates and something serious happens.

Recently, I raised issues relating to the Kimberley region, including Derby and Fitzroy Crossing and the need for more police. The minister said that he was at a loss as to where I had sourced my questions from and that he had recently visited and seen many new graduates there. However, there is an article in today’s paper titled —

Top cop warns of tragedy as kids target his officers  
TEENS IN STOLEN CARS HUNT POLICE

The article quotes Superintendent Craig Parkin —

“These kids, 12 or 13 years old, are stealing the keys to 200 series LandCruisers, then hunting police cars ...  
...

“There is a real danger here for our policing community and I keep saying that it’s only a matter of time before there’s a real tragedy and ... we are trying to avoid that.”

That is in today’s paper.

As I have brought up in this place previously, crime is out of control in Carnarvon and Broome and we have seen examples of cars being stolen in Fitzroy Crossing. People will start taking action into their own hands. Police right across this state have told me about the government’s target to reduce Aboriginal incarceration rates, and so they are avoiding, as much as possible, charging youth under the age of 15. Police are at the pointy end and have no programs

to help these young offenders and their families. The minister's failure in previous answers to questions in this place can only mean that he is not being provided with correct information through his police channels or he does not care or is incompetent. The regional communities have had enough. Police are at breaking point and some are considering quitting. As the minister has said, jail is not always the answer, but with no programs or support and with government departments under-resourced and the need for more police, tell me and the communities that I represent, minister, what are you doing to help? We hear about all the police that the government is recruiting, but the minister's officers on the ground and in the community are not seeing this at all. Would the minister accept that the Kalgoorlie population of 29 000, Bunbury population of 43 000 and Geraldton population of 32 000 have only four police officers? Why is the minister allowing the Exmouth Police Station, an area with a notional population of 50 000, mainly tourists, to be covered by only four police officers? Why is the Commissioner of Police and the minister not providing more police officers during these peak periods?

At the end of the day, minister, will it take a serious injury or death of a police officer, victim or perpetrator before you hear my calls for help and action on behalf of the officers and communities that I represent?

**MR P. PAPALIA (Warnbro — Minister for Police)** [9.35 am]: I will not thank the member for his contribution. It was embarrassing and very much devoid of content. I refute categorically any suggestion that the member made a contribution today on behalf of any police officer in Western Australia. The suggestion that the member for North West Central cares about police officers' wellbeing is without any evidence. The member has done nothing and did nothing in eight and a half years as a member of the previous government for the welfare of police officers. He showed no interest in the welfare of police officers. Since becoming the police minister, I have been to the member's electorate, the Kimberley electorate and many other police districts across Western Australia, and have spoken to literally hundreds of police officers. I can assure the house that the last person those people would care to talk to or seek assistance from is the member for North West Central. He is an embarrassment to the office.

Crime in Western Australia is always concerning. It is an unfortunate feature of society. However, the overall crime in Western Australia is 22 per cent down on the peak under the previous government. That must be stated. It must be observed every time —

**Mr V.A. Catania** interjected.

**Mr P. PAPALIA:** — the member for North West Central rises in this place and claims that crime is out of control and that there is some crime wave —

**Mr V.A. Catania** interjected.

**Mr P. PAPALIA:** — confronting —

**The ACTING SPEAKER:** Minister for Police, just take a seat for a moment. Member for North West Central, I call you to order for the first time. You were heard in complete silence, despite using some very strong language about the Minister for Police. You will afford the same courtesy to him or I will continue calling you to order.

**Mr P. PAPALIA:** Thank you, Acting Speaker.

This is despite the claim made by the member that somehow there is a crime wave striking at the heart of Coral Bay, one of that state's most beautiful and loved tourism destinations. I remind the house that this is the member who only last year demanded that the government of Western Australia blockade the town of Exmouth to prevent people from Perth going to Exmouth.

**Mr V.A. Catania** interjected.

**Mr P. PAPALIA:** That is a fact.

**Mr V.A. Catania** interjected.

**Mr P. PAPALIA:** He asked that the roads —

**The ACTING SPEAKER:** Minister for Police, pause again, sorry. Member for North West Central, I call you to order for the second time.

**Mr V.A. Catania:** Point of order.

**The ACTING SPEAKER:** I will hear the point of order.

*Point of Order*

**Mr V.A. CATANIA:** The Minister for Police is misleading this house by saying that I called for a blockade of Exmouth, which is totally incorrect. I backed the Premier's call to prevent people travelling to the regions.

**The ACTING SPEAKER (Mr D.A.E. Scaife):** Member for North West Central, I receive your point. You have made your point. There is no point of order. If you do that again, I will call you to order for the third time.

**Mr V.A. Catania** interjected.

**The ACTING SPEAKER:** You are getting close to four times and you will be out before question time if this continues.

*Grievance Resumed*

**Mr P. PAPALIA:** It is a fact that the member wanted the town of Exmouth blockaded from the people of Western Australia to avoid them going there and supporting the local economy. He does not care very much at all for most of his electorate, as evidenced by his behaviour. He insists on making divisive and dangerous statements in this place and publicly, like the one he just made in this contribution. He suggested that vigilantism is a good thing and that that is a natural consequence of people being concerned about crime.

The member for North West Central is a member of Parliament. He has a responsibility as a member of Parliament to act in a responsible, thoughtful and considerate way when discussing crime, such as vigilantism. That is a crime. It would be inappropriate, wrong and dangerous to engage in vigilantism. It is the last thing police ever want. I have never met a police officer who would advocate for vigilantism. In the same contribution, the member suggested he is advocating for police officers' welfare. He did nothing for the welfare of police over eight and a half years in government, so to encourage people or to suggest that vigilantism is a natural consequence of being concerned about crime is criminal in itself.

*Point of Order*

**Mr P.J. RUNDLE:** I thought the grievance was about police numbers and crime, but all we seem to be hearing is a personal attack on the member for North West Central. I would love the minister to come back to the subject matter.

**The ACTING SPEAKER (Mr D.A.E. Scaife):** Member for Roe, there is no point of order. I am going to make the further point, which I have already made, which is that the member for North West Central used some very strong language in his grievance about the Minister for Police. That was heard in silence and I expect the same courtesy to be afforded to the Minister for Police. I am satisfied that the answer he is giving is relevant.

*Grievance Resumed*

**Mr P. PAPALIA:** In respect of numbers of police, the authorised strengths for the midwest–Gascoyne police district in 2017, when we came to office, was 248; today it is 259. There are more police now than there were under the previous government. That was never the point of this contribution from the member.

I want to visit his reference to the story in today's *The West Australian* with regard to the Kimberley. I again note that I do not think the member has been to Fitzroy. I know with certainty that he has not talked to the officer involved in the story—I have; I rang him and talked to him immediately after that incident. The member for North West Central is not acting on behalf of that police officer when he makes divisive comments. I will tell the member what that police officer said in respect to that incident and the juvenile who was driving the car that hit his car. It was extraordinary, actually. This police officer is one of those incredible country police officers that people encounter when they are out there. He spent most of his career in the Kimberley in remote communities. He cares deeply for the wellbeing of Aboriginal communities. Sergeant Neville Ripp would never have engaged in the sort of language that the member threw around this chamber today. I asked Sergeant Ripp whether he knew the individual who was driving the vehicle that ran into the back of him. He said yes. He also said that it is not in his nature to conduct himself that way. He actually cares about the young bloke, whose behaviour, I thought, was appalling. But this sergeant, lying in his hospital bed, was more concerned about the driver and the consequences; the way this will impact his life and the unfortunate fact that he had gone down this path. The member is not helping. What the member does counts. The member for North West Central is a member of Parliament. When he engages in divisive, misleading and dangerous language, it counts. There are more police now than there were when we came to office. There will be more police—950 are being recruited above attrition; the biggest growth in police numbers in Western Australian history. These are complex matters, they are challenging, and it is not just police who have to respond to them; we are doing a cross-government response. That is what is required. The former government did nothing in eight and a half years in office to address the problem.

**CORONAVIRUS — ANTI-VACCINATION CAMPAIGN***Grievance*

**MS C.M. COLLINS (Hillarys) [9.44 am]:** I rise to grieve to the Minister for Health regarding the dissemination of anti-vaccine propaganda materials by certain organisations. I thank the minister for taking this grievance. Recently, I have been contacted by a number of Hillarys residents regarding junk mail that they have been receiving. I, too, have received the same material in my letterbox. I note the member for Darling Range has said the same. I am sure all members of this house have received unwanted spam and junk mail over the years despite investing in those little signs that say we do not wish to receive such mail. However, the complaints that I have been receiving recently from constituents regarding unwanted junk mail refer to a particular and rather more insidious variety that I feel is worth noting today. The sole purpose of these mail items is to spread fear, misinformation and distrust about the efficacy of all COVID-19 vaccines. It therefore actively undermines and harms our state's public health response.

Yesterday, the government announced there would be mandatory vaccination for several sectors of our workforce. This is obviously because of the nature of certain jobs, or the workplace environment has been identified as putting vulnerable Australians at an unacceptable amount of risk if they come into contact with the virus. To work in these

industries, people simply have to get vaccinated. Some of the more lurid claims made in this particular brochure from the No Mandatory Vaccination Party is that Western Australians will be taken from their homes, restrained by police, stripped naked, then forcibly administered the vaccine. They make an unsubstantiated claim that the Public Health Act 2016 will allow these things to happen. It is a very creative reading of the law and it is a provocative claim that is purposefully designed to create fear and mistrust.

The No Mandatory Vaccination Party has been putting this material in residents' mailboxes to try to fuel an anti-government and anti-science narrative. I do not believe that the primary motivation for individuals to spread this sort of material is, as claimed on this document, out of a belief for personal freedoms; nor is it an expression of so-called contrarian evidence-based medical research. Like so many other marketing exercises perpetrated on the unwary, it is obvious that the primary purpose of this type of material is to scam, grift and steal money under false pretences from members of the public. These sorts of grifts go on all the time, but they are far more dangerous when they aim to prey on and stoke the very real fears and insecurities caused by the COVID-19 pandemic over the last 20 months or so, particularly so when they aim to achieve this by undermining the policies of health authorities and government in the quest to protect the safety of our electorates.

The No Mandatory Vaccination Party makes a special effort to tell residents that the best way to protect themselves from these "Fascist-like vaccinations" is simply to donate to its bank account. That is not a particularly sophisticated marketing message but one that seems to work in the less-questioning sections of our society. I have to add that this party managed to secure less than two per cent of the vote in this year's state election, so any claims that it is a grassroots populist party of the people is way off the mark. Its members are simply opportunists looking to hoodwink the vulnerable and fuel a get-rich-quick scheme under the guise of civil liberty and personal freedom. It is the paper version of some of the infamous spam emails promising a life-changing outcome if you just hand over your bank details, only in these cases, it literally could change the lives of any who swallow this junk science.

This so-called party is certainly not alone in preying on the unwary. It is not a coincidence that these flyers arrived at exactly the same time as this flyer from a group named Doctors for the Truth, which is itself a front for the Reignite Democracy Australia group. This junk mail is even worse because it spreads a truly horrid message that COVID-19 is not really that dangerous. So-called doctors are involved in disseminating this disinformation, and it gives air to some sort of scientific credence to the many blatant untruths and deliberate and highly selective misinterpretations of actual fact contained in these pamphlets. The general thrust of these pseudoscience arguments is to try to convince members of the public who are aged under 70 or so with no underlying medical conditions that it is okay to let the disease floodgates open and sacrifice our senior citizens and our immunocompromised Western Australians in order to achieve so-called herd immunity. The pamphlet goes on to make the more bizarre claim that the world is currently in the midst of an enormous experiment somehow run by a global cabal and the safest option is to choose not to be a part of it. The pamphlet also trumpets the alleged health benefits of ivermectin, a substance used to deworm livestock.

This group is ultimately determined to undermine all the science-based evidence of our government and researchers. The government will no doubt receive some pushback over the announcement yesterday, and I therefore ask the health minister: What action is being taken to counter this extremist fringe element? What is the state government doing to ensure people have access to full and honest facts as a means to counter this anti-vaxxer fringe propaganda?

**MR R.H. COOK (Kwinana — Minister for Health)** [9.51 am]: I thank the member for this grievance. It is an important contribution to get on record just how insidious some of the influences in our community are that try to dissuade people from the important and lifesaving impact of COVID-19 vaccines.

To 15 October 2021, there have been over 239 million confirmed cases of COVID-19 worldwide and over 4.8 million deaths. If people do not believe that COVID-19 is dangerous, they only need to look at what is happening overseas. They are the deaths that we are aware of that have been attributed to COVID-19. They do not include the potentially millions of other people in underdeveloped countries that do not have the medical system that can make those determinations, yet those lives have been lost as well. We have already seen on the east coast many thousands of cases. In New South Wales alone, there have been over 60 000 cases of COVID-19 and almost 500 deaths from COVID-19. These are numbers that should alarm and distress everyone in the community. It is a wake-up call about how we need to take advantage of the vaccine and make sure we can protect ourselves, because that is the fate that awaits us if we do not take the steps now. I commend the member for bringing to the house's attention this insidious misinformation brought on by people for a range of motivations. The member said that some of these go hand-in-hand with financial scams as well. They are simply people who are out there to misinform the public for their own warped and bizarre ideas about this vaccine.

There have been over 6.5 billion doses of vaccines around the world. Although they produce transitory, mostly mild, side effects, we know that they are effective and safe. It is so important that people take the opportunity to get themselves vaccinated to protect themselves, their families and their communities. The government is working hard to try to overcome some of this misinformation. The member alluded to some vulnerable population cohorts, and she was absolutely correct. In communities where English is potentially not the first language and in communities where there is a strong religious influence, we can see this misinformation take hold, which leads to significant vaccine hesitancy. We really must do everything we can to combat it, and we are. We are working hard to make sure

that we overcome these things. The Premier and I recently met with members of the culturally and linguistically diverse community, and the Chief Health Officer and the Vaccine Commander have also met with leaders of these communities to make sure that we can work with their leaders to overcome this misinformation.

As a result of these meetings, we have now done a range of initiatives and produced a range of resources and materials as part of the Roll up for WA campaign. It includes a video on how to book a COVID-19 vaccination appointment, and that is in a range of different languages so people can get the information they need to navigate the vaccine clinics. These languages include Arabic, Farsi, Hakha Chin, Hindi, Indonesian, Italian, Karen, simplified Chinese, Swahili and Vietnamese. The videos can be accessed on both the WA government and the Roll up for WA websites. Dr Karl and other health leaders have provided videos answering frequently asked questions about COVID-19 and those, too, have been translated. The Vaccine Commander is having pop-up clinics, particularly in community centres, where leaders can lead their communities and take community members in personally while we have interpreters there to make sure that we support them. Additionally, we are doing a lot of work in our Aboriginal communities to make sure that the leaders of those communities have the information they need to equally lead and inform their communities to overcome a lot of the misinformation being brought in, mostly by evangelical churches from North America utilising social media and we know of some evangelical churches locally that have had their say in this as well. Some of these communities are, quite frankly, very difficult to impact, but we are now having some success by utilising Aboriginal health workers who have long and trusted relationships with these communities and can work with leaders and elders to make sure that people can get the information they need so we can promote and get the vaccine out there.

I have just now received a text from my electorate office with a photo of some volunteers in my office doing a mail-out today to members of the Kwinana community urging them to get themselves vaccinated and providing some extra information, so a big shout-out to John Crouch, Norm Harding and the other person—who is a bit blurred, so I cannot make them out in the photo—helping us out and doing that.

I will spend the last 20 seconds urging all members of Parliament to use their social media, their postage allowance and their influence in the community to do everything they can to urge everyone in the community to roll up for WA and get themselves vaccinated, because we are all in this together.

#### WYNDHAM HOSPITAL — NURSES

##### *Grievance*

**MS L. METTAM (Vasse — Deputy Leader of the Liberal Party)** [9.58 am]: My grievance is to the Minister for Health and I thank him for taking it. It relates to the dire nursing shortage currently being experienced by health services in regional areas, particularly the East Kimberley at Wyndham Hospital. As the minister may be aware, Wyndham district hospital is usually a 24-hour service that operates an emergency department and inpatient beds. It is approximately 100 kilometres from the nearest major health campus in Kununurra.

Wyndham Hospital usually operates with eight or nine nurses on a roster to facilitate around-the-clock care. Unfortunately, after a recent number of burglaries at the nurses' accommodation in Wyndham, six nurses left at the start of this month due to fears for their safety. The burglaries occurred while the women were home and it is alleged that in one incident two nurses were physically trying to hold a door closed in what must have been a terrifying situation. As a result, I am advised that the arrangement to use of temporary nurses usually recruited from agencies and seconded from Sir Charles Gairdner Hospital and Fiona Stanley Hospital to backfill short-term rosters has ceased. From Monday, there are only three nurses rostered on, one of which is the clinical nurse manager. The hospital is also relying on the sole paramedic in town to fill the gaps at the hospital.

Consequentially, the WA Country Health Service asked St John Ambulance to provide a paid relief paramedic to ensure that the ambulance service is not compromised and the community is supported. As an interim measure, this week the hospital reduced its services to emergency only as it was unable to admit any more patients. Further, from next week the WA Country Health Service yesterday confirmed the hospital will also cease night shift and will be open only 12 hours a day. This will effectively mean that anyone who needs emergency treatment overnight will have to drive an hour to Kununurra, either privately or by ambulance, putting further onus on St John Ambulance to cover the shortfalls created by the under-resourcing of the WA Country Health Service.

To say this is an extraordinary situation that is undoubtedly putting both staff and the community at risk would be an understatement. In a town as remote as Wyndham, the importance of the hospital cannot be overestimated, especially to the elderly population and those requiring specialised services with other allied health teams. To be told they may have to drive an hour in the middle of the night to access emergency care is also distressing. One nurse I spoke to recently relocated to Wyndham, unaware of the previous safety incidents. She spoke of her disbelief at receiving her roster that consisted of 112 hours for the first fortnight. In a remote community that relies on appropriately trained nursing staff to triage patients and provide optimal care, it is completely unacceptable and unsafe to put nurses under such pressure in such a remote community.

Unfortunately, the dire staffing shortage and associated issues at Wyndham Hospital are not isolated; rather, they are indicative of the pressure being felt across the state. I am advised Halls Creek health service is also chronically under-resourced and may be forced to resort to similar measures. Recruiting nurses to regional areas in WA always

has been a challenge but has no doubt been exacerbated by the COVID-19 pandemic and government-imposed restrictions on recruiting critical frontline healthcare workers from interstate. As the minister is aware, regional health services are heavily dependent on interstate locums and agency staff. However, instead of actively working with the sector, as the government did with the mining industry, to ensure this critical regional workforce was not compromised due to the border closures, the government has seemingly dropped the ball.

There have been multiple cases of healthcare workers willing to transfer to WA during the past 21 months that were denied a pass or simply gave up due to the onerous requirements. The suspension of the Refresher Pathway program, which assists experienced nurses and midwives to re-enter the workforce, for more than 15 months was astonishing in light of the state's inability to extensively recruit from anywhere other than WA. Instead of tapping into the resources on our doorstep, the government seemingly turned off the tap. We now have a situation in which our country hospitals are regularly experiencing ambulance ramping and bed block.

Unsurprisingly, the chronic understaffing and enormous demands our frontline healthcare workers are facing is affecting staff morale, with the recent Your Voice in Health survey damning about the extent to which our health workers feel undervalued. Only a quarter of WACHS workers surveyed stated they felt that their organisation was making the necessary improvements to meet their challenges and less than half felt safe to speak up when things go wrong in the organisation. For contracted medical professionals working for WACHS this is even worse. Only 29 per cent felt any level of support from the service, raising concerns about the challenge of attracting people within WACHS given the workplace environment. The patient outcomes are also extremely concerning with the recent WACHS annual report indicating that there had been 116 SAC 1 incidents in the last year with 39 deaths and 56 patients suffering serious harm. Thirty-nine deaths and 56 near misses in one year across our regions is shocking. It is unconscionable that the recruitment of critical healthcare workers to these areas has not been prioritised in a similar manner to the resources sector given the historical challenges to recruit to these areas.

There are now serious fears about the Christmas period and associated annual leave pressures on these already stretched regional health services, particularly at Wyndham, and the impact that will have on those communities. These fears are exacerbated by a genuine concern about their ability to cope with any COVID-19 outbreak and the vaccination rates in these areas. These healthcare workers are doing an exceptional job under extenuating circumstances. I implore the minister to urgently address these shortages to ensure existing services are restored and these remote communities are not compromised further in the months to come. I thank the minister again for taking my grievance.

**MR R.H. COOK (Kwinana — Minister for Health)** [10.05 am]: I thank the member for the grievance. She raises legitimate concerns. It is a pity she tried to tie it into this baseless, false and absolute rubbish narrative about the work that she alleges the government has not done. Indeed, as the member would be aware, we have made extensive efforts to recruit doctors and nurses from both overseas and the east coast. In fact, she would be aware that in this place the day before yesterday, I provided answers to questions, amongst others, that showed that over 400 doctors have come from overseas recently and the number of FTE nurses in our healthcare system has increased by over 1 000 since January this year and, of course, we have a record intake of nurse graduates both this year and next year with 1 290 this year and another thousand next year, which will provide a significant boost to our healthcare workforce.

The member is correct that the workforce shortages as a result of the international border closures—not of our doing, but for very good reasons—is placing a lot of pressure on our system. The member is, of course, absolutely incorrect when she says that we are stopping nurses from coming from over east. Usually people have failed to provide a particular piece of evidence in their G2G PASS application. They contact us, we advise them and then they get in. A couple of them jump the gun; a relative or the applicant might just go to the media and say that they are not being allowed in. It is just absolutely not true. Let us be absolutely clear on that right here and now, member.

But if we have workforce constraints in our metropolitan hospital system, we can see that we have them even more so in our regional hospital networks. That always has been thus and that is why we need to make sure that we have strong programs in place to support doctors and nurses who are working tirelessly in our regional hospital networks and doing an amazing job. They are, of course, having great life and career experiences, but working in really tough environments—none more so than in Wyndham at the moment. It is true to say that Wyndham Hospital is facing nursing shortages, and has been for an extended period, with historical reliance on agency nurses, further impacted by border closures and the lack of access to the overseas and interstate workforce.

Recently, staffing has been severely impacted by antisocial and criminal behaviour in the community, which has left staff feeling their safety is compromised. All existing strategies to attract staff or deploy staff elsewhere have been utilised and nursing staff are presently facing real challenges with residing overnight in Wyndham due to safety concerns at their accommodation despite the additional security measures that have been implemented. The WA Country Health Service has deployed staff from within the Kimberley and other regions and from other health service providers, and that has provided short-term solutions. WACHS continues its strong relationship with St John Ambulance and its additional country investment. An additional St John Ambulance community paramedic has been deployed and is supporting the roster at Wyndham Hospital. One of the nurses challenged me by asking me whether I think it is appropriate that paramedics work in a hospital environment. Yes, I do. I think paramedics do

a great job and I do not know why we do not have more paramedics working in an emergency department setting in particular, because I think they are particularly well trained to manage patients in those sorts of situations. However, we are continuing to see a shortfall in the staffing roster, and that impacts on individuals and on the system, with individuals feeling fatigue and that they are not being supported properly. We need to do more, and we will.

Obviously, the hospital has significant support through the 24/7 WACHS emergency telehealth service, which means that all the staff in that hospital have the backup of emergency and specialist consultants to ensure that they can get the advice they need to look after the patients in front of them. We are continuing to work with all stakeholders, including police, local government, the Ngnowar Aerwah Aboriginal Corporation and the district health advisory council, to advise them of the changes that we have put in place, including that a person experiencing a medical emergency should call 000 if they require medical assistance after hours and present to Wyndham Hospital. A security guard based at the hospital from 7.30 am will immediately alert the on-call registered nurse to respond to an emergency presentation. If the health need is not urgent, people are advised to call Kununurra Hospital and ask to speak to the nurse manager.

These are all arrangements that we have put in place because the entire system is facing workforce shortages. This is the reality of providing healthcare services during a global pandemic. I want to commend and thank all the doctors, nurses and allied health and support staff who are doing an extraordinary job not just in our regional and remote regional settings, but right across the system. We will continue to recruit, train and develop and bring through a surge in the nursing and medical officer workforces to ensure that we can continue to support those on the front line better.

These are difficult times. These are tough times. I accept that it puts a great deal of pressure on our hospital system. But we are doing all we can with the extraordinary resources provided by government to make sure that we can continue to grow our workforce and our bed capacity and that we can deal with the surge in demand at the moment during a particularly difficult time of constrained workforce.

**VISITORS — MICK KELLY, MARK JOHNSON, BRAD BIRD, PAUL HUNT  
AND RACHEL SACKVILLE-MINCHIN**

*Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [10.13 am]: Just before I give the call to the Minister for Police, I would like to acknowledge some very special guests in my gallery: from the Western Australian Police Union of Workers, acting president, Mr Mick Kelly; directors, Mr Mark Johnson and Mr Brad Bird; and secretary, Mr Paul Hunt; and the chief of staff to the Minister for Police, Ms Rachel Sackville-Minchin. Minister, it is my great pleasure to give you the call on such an important motion.

**POLICE AMENDMENT (COMPENSATION SCHEME) BILL 2021**

*Introduction and First Reading*

Bill introduced, on motion by **Mr P. Papalia (Minister for Police)**, and read a first time.

Explanatory memorandum presented by the minister.

*Second Reading*

**MR P. PAPALIA (Warnbro — Minister for Police)** [10.14 am]: I move —

That the bill be now read a second time.

Our police officers swear an oath to protect and serve our community. That oath requires them to possibly put their lives on the line on behalf of our community. We expect them to run towards danger when others would run away, attend terrible scenes and crimes, see things that most people could not bear to see, and offer support and direction when others might falter. They do so willingly and readily and whether they are rostered on or off duty.

Police officers deserve our support if their service results in injury or illness and they can no longer serve, yet for more than a century there has not been a compensation scheme for our medically retired officers. In 2016, the now Premier pledged that, if elected, the McGowan government would deliver three significant commitments to support medically retired officers. Those commitments were a police redress scheme for former medically retired officers, the reform of section 8 for medical retirements, and what was then called workers' compensation for medically retired police officers. Others had ignored, or tried but failed to address, these issues.

Police redress was delivered first. In 2018, the \$16 million police redress scheme for medically retired officers was announced. The scheme provided payments of up to \$150 000 to police officers medically retired due to a work-related illness or injury. Importantly, in partnership with Commissioner Dawson, the scheme was complemented with a historic apology and the presentation of honourable discharge certificates to many medically retired officers.

In 2019, in fulfilling our second commitment, the Police Amendment (Medical Retirement) Bill was introduced into Parliament. That bill became law and created a new standalone scheme for medically retired injured or ill police officers, completely separate from section 8. This reform acknowledged the service of injured and ill officers and ensures that they can leave the police force with dignity and without the stigma of ending their service under the same section 8 provision that was so strongly associated with misconduct and integrity issues.

The delivery of those commitments built on the record of successive Labor governments in enacting employment protections and statutory benefits to WA police officers, a record that has seen police officers covered by occupational health and safety legislation, the enactment of an appeal to section 8 removals and the introduction of a bill to provide a post-service medical benefits scheme.

Today is another historic day, with the delivery of our government's third commitment and what is now referred to as police compensation. The Police Amendment (Compensation Scheme) Bill will amend the Police Act 1892 to introduce a compensation scheme for police officers and Aboriginal police liaison officers who are medically retired pursuant to part IIC of the Police Act due to a work-related illness or injury. The police compensation scheme addresses a century-old missing piece in officers' entitlements when they suffer a work-related illness or injury. That missing piece is that officers who can no longer serve due to their work-caused illness or injury are not entitled to receive a lump sum benefit on retirement. Often publicly cited as the need for workers' compensation for police officers, the gap exists because at common law, police officers are not employees and are generally not covered by the Workers' Compensation and Injury Management Act 1981.

Importantly, this issue could not be resolved simply by fully including officers under the state workers' compensation legislation. To do so would reduce their current entitlements. The unique requirements of policing and the existing legal framework of officers' entitlements necessitated the development of a police-specific model of compensation that draws on relevant provisions of the WCIM act. The police compensation scheme that will be implemented by this bill comprises four elements —

1. A compensation payment capped at an amount that is prescribed under section 5A(1A) of the Workers' Compensation and Injury Management Act and is currently \$239 179. Generally, this payment will be made up of —
  - (a) a payment for permanent impairment; and
  - (b) a salary amount payment of up to a maximum of 12 months of the officer's pre-retirement salary;
2. A payment for vocational rehabilitation, currently \$16 743.
3. Potential for an additional payment of up to 75% of the prescribed amount, currently \$179 384, which will take the maximum cap to \$418 563, to be determined where an officer suffers permanent total incapacity and takes into account their social and financial circumstances.
4. Maintenance of existing entitlements regarding work-related injuries.

The scheme was announced by the Premier and my predecessor as Minister for Police, and was supported by the Western Australian Police Union of Workers at the police union's annual conference last year.

I will now explain the bill in more detail. The bill will insert into the Police Act 1892 a new part 2D to introduce the new police compensation scheme and to create a new dispute resolution process and Police Compensation Tribunal for dealing with grievances. This new part will apply to medically retired police officers and Aboriginal police liaison officers with a work-related injury or illness. Police auxiliary officers are not covered by the new part, as they are covered under the WCIM act. New section 33ZR that will be inserted by the bill specifies that the new compensation scheme will apply to members who have been retired by the Commissioner of Police on medical grounds following the process set out under part IIC of the Police Act and that the police commissioner's decision to retire them is based on a work-related illness or injury.

Maintenance of existing entitlements related to work-caused injury or illness is an important element of the scheme. New section 33ZT provides that members' current, relevant and often unique entitlements, which reflect their legal status and duties, shall be maintained. This includes those provided for in the Police Act, the Police Force Regulations 1979, the Police (Medical and Other Expenses for Former Officers) Act 2008, the industrial agreement, and agency administrative arrangements and policies. Further, current arrangements regarding applications for payment via act-of-grace or ex gratia payments, or via common law, in circumstances in which it is contended that the WA Police Force has been negligent in its duty of care obligations, will also be maintained.

Under the bill, a medically retired member is assessed to determine their degree of permanent impairment and the associated payment for impairment. New section 33ZW provides that these assessments shall be carried out by approved medical specialists who are WorkCover designated, and who will determine the assessment percentages that apply under the WCIM act. The medically retired member will select a specialist to carry out the assessment from a panel of specialists established by the police commissioner. New subsection 33ZW(4) provides that to support the timely payment of police compensation, the police commissioner may arrange for the medical assessment of the degree of permanent impairment of a member who has not yet fully completed the retirement process under part IIC of the Police Act or whose entitlement day has not yet occurred. New subsection 33ZV(3) provides that where that assessment determines an amount that is less than the prescribed amount, the medically retired member is also entitled to an additional salary amount that is up to 12 months' pre-retirement salary, with the total not to exceed the prescribed amount. In addition, the medically retired member will receive a vocational rehabilitation payment that equates to seven per cent of the prescribed amount.

New section 33ZZ provides that members who believe that they are unable to undertake any other further employment at all can make application for a determination of permanent total incapacity. These determinations are made by suitably qualified persons, termed assessors, appointed by the police commissioner. An assessor is not subject to control or management by the police commissioner, which will ensure objectivity. The assessor's determination of the amount of compensation payable to a medically retired member who qualifies for compensation under this section is to have regard to the social and financial circumstances, and the reasonable financial needs, of the former member. If it is determined that the former member does have a permanent total incapacity, they can be paid a further amount of compensation of up to 75 per cent of the prescribed amount. This aligns with the process and determinations that take place under the WCIM act.

An example of potential payments under the scheme is as follows: a member has a pre-retirement salary of \$103 000. They are assessed by a medical specialist to have a permanent impairment of \$110 000. The police commissioner is obligated to pay them \$213 000, because the combination of their salary amount and compensation for permanent impairment is within their prescribed amount—that is, \$239 179. In addition, they will also receive the vocational training amount of \$16 743. The total amount to which they are entitled is therefore \$229 743. If the assessor determines that the same member is entitled to compensation for permanent total incapacity, and their social and financial circumstances are such that they are entitled to the maximum amount, they are entitled to an additional \$179 384.

New division 3 of the bill provides for dispute resolution. Under the bill, a single Commissioner of the Western Australian Industrial Relations Commission will operate as the Police Compensation Tribunal. The tribunal can hear disputes that are lodged by medically retired members who are aggrieved in relation to any assessment of the degree of permanent impairment, determination of permanent total incapacity, or the quantum of payment for permanent total incapacity. The tribunal can engage in conciliation or arbitration to resolve any dispute. The tribunal will have the ability to make various orders in relation to degree of permanent impairment or a determination of permanent total incapacity, and will also have the ability, if needed, to order that new assessments or determinations be undertaken. New section 33ZZD lists the provisions of the Industrial Relations Act 1979 that set out the jurisdiction of the tribunal. References throughout this provision to “Commission” are to be considered references to the tribunal. The provisions listed may be modified by regulations made under the IR act or otherwise to accommodate the unique context of the tribunal. For the purposes of this bill, section 49(2a) of the IR act applies so that an appeal can be made to the Full Bench of the Western Australian Industrial Relations Commission. These appeal provisions have also been expanded to allow for appeals to be lodged if the tribunal had exceeded its jurisdiction, or there had been an error in law. It is also worthy of note that the provisions in new section 33ZZE regarding representation in person, or by an agent or legal practitioner, align with existing provisions under parts IIB and IIC of the Police Act.

This bill will fulfil the government's commitment. I want to thank the Police Union for its constructive contributions during the drafting of the bill. I want to acknowledge my predecessor, and now Madam Speaker, Hon Michelle Roberts, MLA, and the Premier, Hon Mark McGowan, MLA, for their work to deliver a commitment that history said could not be fulfilled. I know they were motivated by their longstanding support of and advocacy for many medically retired officers.

Our police compensation scheme reflects the uniqueness of policing and the sacrifices made by our officers while serving the Western Australian community. When that service, that sacrifice, ends a policing career, our officers and their families need certainty and support to take care of themselves, transition out of the police force and continue their lives. This bill, and the police compensation scheme it introduces, will provide just that.

I commend the bill to the house.

[Applause.]

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

## VETERINARY PRACTICE BILL 2021

### *Consideration in Detail*

Resumed from 20 October.

#### **Clause 81: Making complaint —**

Debate was adjourned after the clause had been partly considered.

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

#### **Clauses 82 to 112 put and passed.**

#### **Clause 113: Entry powers —**

**Mr P.J. RUNDLE:** I would like to ask a couple of questions about entry to veterinary premises. I refer to clause 113(3)(c), which states —

that the occupier can refuse to consent to the inspector doing so.

Can the minister explain to me what the consequences are and what happens when the occupier refuses consent?

**Mr D.A. TEMPLEMAN:** I thank the member for the question. If consent was not given and there was a need to pursue a warrant to enter the premises, obviously, the requirements of the warrant would need to be satisfied for that warrant to be issued.

**Mr P.J. RUNDLE:** The board actually designates that an inspector be sent to certain premises. If the person refuses entry at the premise, does the inspector have the ability to get a warrant from the police station or wherever? Is that the scenario?

**Mr D.A. TEMPLEMAN:** As the member knows, a warrant can be issued by the appropriate authority, a magistrate. As the member is probably also aware, amendments were made in the other place when this clause was debated relating to entry into veterinary or other premises. Effectively, an inspector is permitted to enter the veterinary premises at any reasonable time without consent or a warrant, but limited to investigation of a suspected contravention of the act or a complaint. Otherwise, an inspector must obtain consent or a warrant to enter veterinary premises for the following purposes: entry to assist in the determination of a part 2 or part 3 application; entry to monitor compliance with a condition under part 2 or 3; entry to monitor compliance with the act; or for any prescribed purpose. An inspector may enter veterinary premises at any reasonable time without consent or warrant for limited investigative purposes; namely, to investigate a suspected contravention of the act or a complaint.

**Clause put and passed.**

**Clauses 114 to 123 put and passed.**

**Clause 124: Notification —**

**Mr P.J. RUNDLE:** I have a couple of questions about the impairment situation. Obviously, when someone notifies the board that they are concerned that a veterinarian or a veterinary nurse may have an impairment, it is because someone or some animal may be placed at risk. I am a little concerned that the notifier can potentially be anonymous. The clause says that the notifier can remain anonymous. What would be the reasons for that anonymity? Someone might have some personal baggage with a particular person. It would seem a bit unfair if they remain anonymous. How would that play out?

**Mr D.A. TEMPLEMAN:** I thank the member for the question. Some provisions allow a notifier to remain anonymous. However, in the initial notification, there would be —

**The ACTING SPEAKER (Ms M.M. Quirk):** Minister, uncharacteristically, I am having trouble hearing you. It may well be that you are interfering with the discussion between the members for Mount Lawley and Cannington.

**Mr D.A. TEMPLEMAN:** If the notifier does not want his or her identity to be disclosed, the notifier must provide some reasons. There could be good reasons; they may be concerned about their personal safety or whatever. But there would need to be a reason they would seek to remain anonymous. There is a provision that allows them to remain anonymous. In this case, consideration of the notification would be taken into account by the authority.

**Clause put and passed.**

**Clauses 125 to 128 put and passed.**

**Clause 129: Health assessments —**

**Mr P.J. RUNDLE:** I have one question on the health assessments. I think I made the point during the second reading debate that I am concerned that the board itself does not have any medical expertise as such. Obviously, its members have veterinary expertise, but when the board believes that a veterinary practitioner might have an impairment and requires them to have a health assessment, what medical expertise will it call on or will it just rely on a report from some person who has notified them? What is the scenario in that case?

**Mr D.A. TEMPLEMAN:** I thank the member for Roe for the question. The board will not need to comprise a medical practitioner. Essentially, it will need to be satisfied that there is reason for a health assessment to be initiated, but the actual carrying out of that health assessment will be done by a professional medical practitioner. The board will appoint a medical practitioner or a psychologist in consultation with the practitioner to conduct a health assessment, and the board will pay for the assessment. It will seek professional guidance with regard to the assessment itself.

**Clause put and passed.**

**Clauses 130 to 149 put and passed.**

**Clause 150: Review of certain decisions —**

**Mr P.J. RUNDLE:** Clause 150 deals with a person aggrieved by a reviewable decision. A person who is aggrieved about a decision can have that decision reviewed by the State Administrative Tribunal. What skills does the State Administrative Tribunal have compared with those of the board? I would have thought that the board would have had the skills in place to undertake a review if something went wrong. How will it work with SAT compared with the board, given that the board comprises four veterinarians who bring with them their skills?

**Mr D.A. TEMPLEMAN:** Ultimately, if a case reaches SAT, it is SAT's role to review the board's decision—that is SAT's responsibility. Of course, as we know, the State Administrative Tribunal draws upon expertise to ensure that it carries out its role as is appropriate, but it is not for the board to ultimately influence SAT's consideration of its own decision. That is the delineation between the two.

**Clause put and passed.**

**Clause 151 put and passed.**

**Clause 152: Membership of Board —**

**Mr P.J. RUNDLE:** This clause relates to the composition of the board, which, as I have said before, I generally agree with. Clause 152(4)(d)(ii) states —

an officer of the department of the Public Service principally assisting in the administration of the *Biosecurity and Agriculture Management Act 2007*;

Will that person always come from the Department of Primary Industries and Regional Development or could they potentially come from another department within the public sector?

**Mr D.A. TEMPLEMAN:** I draw the member's attention to subclause (4)(d). The criteria are that the person be a Western Australian veterinarian and also an officer of the department. It would be whichever department's auspice or responsibility was the administration of the Biosecurity and Agriculture Management Act and that, of course, would be the portfolio that is essentially the agriculture portfolio. It may change its name or be modified over time, but that would still be within the realm of that department. In the case of the current incumbent, the gentleman sitting directly in front me, Mr Peter Gray, as the member is aware, is a trained veterinarian and also an officer of the department.

**Clause put and passed.**

**Clauses 153 to 237 put and passed.**

**Title put and passed.**

[Leave granted to proceed forthwith to third reading.]

*Third Reading*

**MR D.A. TEMPLEMAN (Mandurah — Minister for Tourism) [10.45 am]:** I move —

That the bill be now read a third time.

**MR P.J. RUNDLE (Roe) [10.46 am]:** Once again, I thank the Leader of the House and the advisers; I appreciate their assistance today and yesterday. As I pointed out in my second reading contribution, we are supportive of the Veterinary Practice Bill 2021 and understand that it has taken a long time—since 2003, I think—to come through the ranks. It is good, and I believe the composition of the new board will certainly help as far as the administration of veterinarians and veterinary nurses throughout the state—regional and metropolitan.

The Leader of the House assured me that the Minister for Agriculture and Food will liaise with the opposition in forming the regulations to make sure that everyone is taken into account, especially on the subject of veterinarians not having to be on premises at all times every day because, as we discussed, sometimes they are called out and they cannot always be there. That is the one item in the bill that I am concerned about. I look forward to the regulations being drawn up properly.

**MR D.A. TEMPLEMAN (Mandurah — Minister for Tourism) [10.47 am] — in reply:** I thank the member for Roe. Member for Roe, you and I soldiered on very well with the Veterinary Practice Bill 2021. I am sure we will be decorated by the veterinarian association—an honorary doctorate might be in mind! You and I could get an honorary doctorate of letters.

**Mr V.A. Catania:** You can get your ticks treated!

**The ACTING SPEAKER (Ms M.M. Quirk):** As long as he is not spayed, member!

**Mr D.A. TEMPLEMAN:** We might have a tick named after us, perhaps—the Rundle tick and the Templeman tick! We will not go into that.

I thank the advisers, Mr Peter Gray and Ms Avril Bartlett, and those who have been involved in the long gestation of this bill over a period of years to ensure that we modernise our veterinary practice legislation. I want to shout out again to all those involved in the veterinary industry throughout the state. They do a tremendous job. Most families have an interface with their local vets at some stage. They are great people and they do a great and important job. I am very pleased that this bill has passed Parliament. I thank the member for Roe for his support.

Question put and passed.

Bill read a third time and passed.

**WITTENOOM CLOSURE BILL 2021***Second Reading*

Resumed from 4 August.

**MR V.A. CATANIA (North West Central)** [10.49 am]: I rise to speak on behalf of the opposition in support, yet again, of this bill that has come through the house several times and has been a long time coming. The bill for the Wittenoom closure is needed and the opposition supports it. Wittenoom happens to be in my electorate. I have fortunately, or unfortunately, had to doorknock in years gone by, which is quite concerning, especially as I have learnt more about Wittenoom and the dangers involved in visiting. More importantly, how do we move people on—to purchase their property—to leave what is a beautiful area? I do not know whether members have been there; it is a stunning area, but, unfortunately, contamination renders it uninhabitable for people to live there. The second reading speech read in by the Minister for Lands states —

The purpose of this bill is to allow for the acquisition of the last remaining privately held properties within the former Wittenoom town site. Acquisition of the 14 remaining freehold properties will occur by using the compulsory acquisition provisions of the Land Administration Act 1997.

...

It has been more than 100 years since blue asbestos was first identified in the Hamersley Ranges —

It is a very picturesque and beautiful part of Western Australia —

and more than 80 years since it was first mined and milled in the area's gorges and surrounds ...

The town of Wittenoom, back in its heyday, was home to 20 000 workers and residents. It was quite a large town, not uncommon in a lot of towns throughout regional WA where mining activity first occurred. There were tens of thousands of people and many pubs, restaurants and so forth in those thriving communities. We all know the product of mining asbestos, which ceased in Wittenoom in 1966. In 1978, the government made an unprecedented decision to phase down the town. Of course, the reason for phasing down the town and closing the Wittenoom town site in 2007 was to withdraw the provision of services, install warning signs and more importantly purchase a number of privately held Wittenoom properties from owners who sold their property voluntarily. The process of trying to purchase properties on a voluntary basis and get people out of Wittenoom has been ongoing since 2007 through successive governments. Unfortunately, there has been and are still a couple of people who are holding steadfast in Wittenoom, and that is the reason for this bill.

This bill provides for the compulsory acquisition of the remaining 14 privately owned properties in the former town site. This legislation provides a pathway for the demolition of the remaining structures. The asbestos management area in Wittenoom covers more than 46 500 hectares, including Wittenoom Gorge and the Joffre floodplain. This area is classified as a contaminated site under the Contaminated Sites Act 2003. The state has been able to acquire most of the private properties since delisting through voluntary acquisition, but there is one permanent resident who has lived in Wittenoom for over four years. Many members of this house, especially if they have been a Minister for Local Government or visited places like Tom Price, Paraburdoo and Shire of Ashburton, would know who this person is. There are also two non-permanent residents who go there from time to time, and one permanent resident owns 10 properties. The fact that the town has not been fully vacated and has people who live or frequent there makes it a bit of a tourist destination. That is a huge health risk for those people who visit, and the residents and those who still own property but do not reside there are still subject to the dangers of asbestosis or mesothelioma.

The rates of people contracting the disease is continually increasing beyond the original people who mined asbestos at Wittenoom and the people who lived there as children, who went to school and played there. We have seen a lot of photos of children and their parents in the sacks that were used for putting the asbestos in. Of course, there are people who threw asbestos in the back of the truck and drove it down. I know a lot of people who participated in that transport sector and people who lived there as children. We are now starting to see a lot of those people contract the disease, which is not curable; it is terminal. It is truly hideous when it affects a person. The brother of the former Minister for Lands, Hon Terry Redman, contracted mesothelioma and obviously met a very sad ending. The former Minister for Lands was very concerned about this issue and put a lot of time and effort to get the Wittenoom Closure Bill together, as well as trying to acquire those houses and the land of property owners who remain in Wittenoom. This bill has been through this house before. It did not pass through the other place, because the term of government beat the ability to get it through the other place.

I want to highlight a couple of issues. The opposition supports the bill; I will not go through the detail of this bill because we have done it before in this house and we support it. When it comes to the bill itself and the issues that remain, even if one is to purchase property, move people out, close down the town and stop people visiting Wittenoom—because it is a danger to one's health, like I said earlier—the issue gaining more momentum than ever before is the number of people who contract the disease who have at some point been to Wittenoom. In doing so, they make a claim to Hardies, to the state government and to the local government, which is now the Shire of Ashburton. The Shire of Ashburton is a defendant in all these claims and in doing so is obviously costing the ratepayers of the Shire of Ashburton a huge amount of money.

I will quote Kerry White, the president of the Shire of Ashburton. This has been a long-running dispute over many years, even when we were in government, in trying to get the state government to excise Wittenoom from the Shire of Ashburton so that the state would take the full responsibility for the financial burden arising from any court action, along with the company, as the two defendants, rather than the Shire of Ashburton. The boundaries of the Shire of Ashburton have moved over time. This should not be a financial burden to the current ratepayers of the Shire of Ashburton because, at the end of the day, the state received royalties from the mining of asbestos and, ultimately, the state government and the company are responsible for Wittenoom and the danger that it presents. I will read a quote from the shire president that was reported in the paper in 2019, if my memory serves me correct. She stated —

The Shire was advised of the State Government's intent to introduce legislation into Parliament to compulsorily acquire the final homes in Wittenoom via media notification this morning.

Whilst the Shire supports Government action on Wittenoom, it is appropriate to withhold comment until the Shire, community, traditional land owners and indeed, the owners of the homes are aware of what the Wittenoom Bill contains.

She made that point for a reason. She stated —

The Shire is hoping that the Bill goes beyond simply acquiring homes but to address rehabilitation of the area including roads that were the route of the asbestos products, along with the excision of the former townsite from the Shire boundary and a compensation mechanism for those that have suffered from asbestos related diseases.

The Shire has been at the forefront of such actions and looks forward to being formally consulted on the contents of the Bill.

For the benefit of members, I advise that, unfortunately, that did not happen; the bill was put forward without any consultation with the Shire of Ashburton. As I said, the shire has been a defendant in all cases brought by people who have contracted mesothelioma and asbestosis. The shire is liable for claims of over \$1 million a year, and it forecasts that its liability will increase to a figure closer to \$5 million a year in due course, given the number of people presenting with the disease who have visited the town site of Wittenoom or the general area. This disease can affect people even if they have only driven through the area, spent an hour or a day there, or camped there. They may not have worked for the company or provided any service in the town; they could have been a child at the time. Those are some of the people who are lodging claims against the state, the shire and the company. I do not want to take away the ability of those people to ask for compensation for potentially contracting the disease in Wittenoom, but claimants come from far and wide. I have been told that they may have renovated a house that had asbestos in it, for example, in Albany in the 1970s or 1980s, but they had also visited Wittenoom at some point in time. Those people are now starting to make claims. It will be hard to truly identify whether they have caught the disease from doing a house renovation in Albany or somewhere else or from visiting the site or the township earlier in their life. It will be very hard to ascertain where people contracted the disease. We all know that a large number of people have unfortunately contracted this disease, and if they had visited Wittenoom, there is a good probability that they contracted the disease from that site.

From a local government point of view, the Shire of Ashburton has for years been campaigning to get the government to compulsorily acquire or excise the contaminated area from the shire, so that it is not a burden on the shire and its ratepayers. Local government boundaries have changed over time and I am pretty sure that residents of towns in the Shire of Ashburton, like Tom Price, Paraburdoo, Pannawonica and Onslow, should not be made accountable for decisions that were made some years before, when it was not known what the mining of asbestos would do to people's health. One thing I will bring up in this house again and again is whether the government will excise Wittenoom out of the Shire of Ashburton so that ratepayers are not burdened with a legacy that has been forced on them as defendants in compensation cases—and perhaps the Minister for Lands will respond during the third reading of the bill. That would go some way to working out how the Shire of Ashburton can move forward without this financial burden.

It is not just a burden for the Shire of Ashburton. The traditional owners have been extremely vocal on the rehabilitation of the Wittenoom area. I have a quote from Maitland Parker, Banjima elder and chair of the Banjima Native Title Aboriginal Corporation board, which reads —

After decades in the courts, Banjima people got native title but we didn't get our country. We were handed back the largest contaminated site in the southern hemisphere, with no support, help or plan to fix it.

Government has been talking about cleaning up the mine for decades and they haven't done anything. We don't care what it costs; this has to be addressed. Asbestos fibres are spreading, already into our water ways and the problem is getting worse.

It's time that the government takes action, that's what this petition is about. This is Australia's biggest industrial disaster and it can't be ignored any longer. We want our country cleaned up and made safe for all people.

Maitland Parker and the Banjima organisation have been extremely vocal. It is not just this government, but successive governments that have clearly not taken action to clean up the area. As Maitland Parker said, this is the largest contaminated industrial site in the Southern Hemisphere. It does not matter which government does this, because it will take a very long time to clean up Wittenoom. This government should start this process and successive governments should follow it to ensure that the Wittenoom area is cleaned up so that it can be not only handed back properly to its traditional owners but also safe for all people so that they do not contract this disease.

We have a mining rehabilitation fund, and I think there is about \$50 million in that fund. That fund could be used to start the clean-up process, perhaps with a further contribution from the state government, the federal government and the mining companies that still move through the area, using that infrastructure, to transport their iron ore. Everyone can make a contribution to clean up what is, as I said at the outset, an amazing area that no-one can go to see and enjoy because of asbestos contamination. The government can consider using the mining rehabilitation fund, which has \$50 million or so in it. That is what the fund is for. It is to be used to clean up sites that have been mined and are contaminated to ensure that we can bring them back to what they once were. I do not think Wittenoom can be brought back to what it was and made safe, but governments now and in the future can limit the spread of contamination far and wide. That contamination has hampered the Karratha–Tom Price road, which was used to haul asbestos onto ships at Cossack. Often those bags would fall off the vehicle and be left on that part of the road. Those bags have contaminated it. That has delayed surveying for the Karratha–Tom Price road and the ability to finish this large project. That has obviously added extra cost because Main Roads and the government have to clean it up, which is what should happen to make that road safe.

Two main issues have not been dealt with in this bill. The first is that the area should be excised from the Shire of Ashburton. The second is that it is incumbent upon the government of the day and future governments to start the clean-up process of an area that provides much joy but is extremely dangerous to anyone who visits it.

**Mr D.A. Templeman:** Regarding the excise from the shire, what is your proposal as to where? It would essentially be stateless in terms of local government authority if you did that.

**Mr V.A. CATANIA:** That is a negotiation that needs to occur with the Shire of Ashburton. I think the area covers 46 000 hectares, so it is a large area. The point is not only how we excise that from the Shire of Ashburton—perhaps it is the area or perhaps it is the town site; I am not too sure—but also not making the Shire of Ashburton a defendant. That is important because there should not be a burden on the ratepayer of today or the future because of decisions made 80-plus years ago to mine this product, which turned out to be deadly. It should not be a burden on the Shire of Ashburton; unfortunately, it should be a burden on the state government and, clearly, the company that was mining at the time. I think that point is important, and if we could get a response from the government and start the process of those discussions with the Shire of Ashburton, I am sure it would be welcome news to Kerry White and those councillors, as well as the current CEO and future CEOs who will have to be the defendants in a lot of these cases.

The size of the area is 46 000 hectares, Leader of the House.

**Mr D.A. Templeman:** What is the range that sits there?

**Mr V.A. CATANIA:** It is the Hamersley Range.

**Mr D.A. Templeman:** It is a beautiful part of the world, but there is limited access from the southern part, because of Wittenoom, isn't there?

**Mr V.A. CATANIA:** The Leader of the House raises a good point. Certain areas cannot be accessed. In a lot of his interviews Maitland Parker talks about asbestos fibres going through creeks when it rains and going into Millstream Water Reserve, which is a source of water for people in Karratha. There are issues with fibres going out of Wittenoom into sources that may affect someone outside. That is a concern of the traditional owners. There are multiple people and organisations who are concerned that Wittenoom has not been cleaned up, and there is no process or plan to do so. That is the point made by the Banjima elder, Maitland Parker, and the Banjima people themselves. They are asking for a plan to clean it up. There is a fund currently, the mining rehabilitation fund, that gives the opportunity to leverage state and federal governments and companies that still utilise the road infrastructure going past Wittenoom. There is perhaps an opportunity to not only pass this bill, but also have a plan to clean up Wittenoom or make it as safe as possible so that asbestos fibres do not go into Millstream or onto roads. When there is heavy haulage or whatever using those roads, it brings up dust, which brings up those fibres, and people can breathe them in.

Although the opposition supports this bill, the bill does not go far enough in dealing with the issues, as I said, of the Shire of Ashburton being a defendant, and the call by Aboriginal elders to the government. As I said, this is not a bashing of this government; successive governments have avoided this problem. This is an opportunity for this government to start the process of having a plan to move forward and start the clean-up with the mining rehabilitation fund. At some time, when there is a change of government, it will be able to pass the baton so a future government can continue cleaning up the Wittenoom area.

When it rains in the area, it rains well, and run-off flushes into Millstream and Karijini National Park. There are tourist hotspots in the Pilbara being affected by not having a plan to clean up Wittenoom. It is good to have the

minister back in the chamber. I know he has been on important parliamentary business. We have spoken about this. Perhaps in his reply to the third reading debate, the minister could address the idea of starting discussions with the state, the Shire of Ashburton and the traditional owners of Banjima on cleaning up this mess. We need to start a plan that will ensure that we can reduce the number of people who will be affected by this deadly, deadly disease of mesothelioma, of course, turning into asbestosis.

I ask the minister to look at those two important points that have been highlighted by my constituents and also the traditional owners and many others over time. I put on record that I have written to, I think, every Premier from probably Geoff Gallop to Alan Carpenter to the Barnett government, and I think in 2019 I wrote to the now Premier Mark McGowan to raise these concerns. Like I said, we need a plan going forward. This is not about playing politics. This is about doing the right thing by the community and ensuring people's lives are protected.

To go back to the bill, I think the bill is way past its time. This bill should have been passed many, many years ago. It started back in the day with Hon Jon Ford, who was the minister at the time and a local upper house member who knew Wittenoom extremely well, followed by the minister after that, who I think was Hon Brendon Grylls, and then Hon Terry Redman, who was probably one of the strongest advocates for having a bill to compulsorily acquire the remaining properties of those people. I can understand why they want to live there and go there, but, unfortunately, that also entices people to go to Wittenoom to have a look. The minister might be able to correct me; I do not think there is a shop there anymore, but there was a shop where people could buy gems and so forth. That was the last time—I think it was during the 2008 campaign—that I went there to meet with some of those locals.

I remember that we did not have any water in the car, which was unusual. We should never have been in that position. We were very thirsty and keen to get some water. As we knocked on Lorraine's door, I noticed that what was holding the door open was a big chunk of asbestos. We could see it there and we were holding our breaths all the time, but we were so thirsty and we needed some water. It was dangerous to go, but I was there to represent my constituents. I remember some of the stories that Ernie Bridge used to talk about, because he used to go there. I do not know whether he was the local member. His electorate might not have come down that far, but he would go there for his portfolio. I remember some of the stories that Noel Bridge told me about when he was a child, and they would drop into Wittenoom on the way down to Perth for Parliament.

It has impacted a lot of people's lives and, unfortunately, to the detriment of people's lives. That is the sad part about it. That is why it is important that we do not bury our head in the sand. This government has the opportunity to start that process. If I can implore the government to do so, I will do whatever it takes on my end to ensure that a future government of the Nationals WA and Liberals will continue to clean up Wittenoom. More importantly, what the government can do now is excise Wittenoom out of the Shire of Ashburton. That is where the bill does not go far enough. I understand the bill and, like I said, the opposition supports it.

As it has gone through this house before and been debated, the opposition does not feel that it is necessary to go into the consideration in detail stage. It is important to get this bill passed and get it through the other place, so that we can start that process of cleaning up Wittenoom.

**MR D.A.E. SCAIFE (Cockburn)** [11.24 am]: I am pleased to rise to speak today on the Wittenoom Closure Bill 2021. I congratulate the minister for bringing the bill forward. I acknowledge that, as the member for North West Central has noted, he is the current minister in a long line of ministers of both political parties who have been dealing with the legacy of Wittenoom. Having had discussions with Hon Jon Ford, I can say that he considers his decision to de-gazette Wittenoom in 2017 amongst the more significant decisions that he made during his time as a minister in the Carpenter government. But, unfortunately, this minister will not be the last minister to deal with the legacy of Wittenoom. The legacy of Wittenoom is long-lasting. The legacy of asbestos and asbestos-related diseases has, and I think will continue to, cast a long shadow over the people of Western Australia.

I want to touch on a number of issues in my contribution today, but, chiefly, I would like to use my contribution to acknowledge some of the champions involved in ensuring that the legacy of Wittenoom is met and that that legacy is dealt with and that the people who have been hurt and harmed by asbestos-related diseases are acknowledged. I also want to speak to some of the challenges that remain ahead.

At the time that the Wittenoom mine was operating, it was one of the largest blue asbestos mines in the entire world. As members would know, blue asbestos is widely considered to be the most hazardous form of asbestos. Thousands of families have been affected from the mining of blue asbestos around Wittenoom, which was, of course, once the largest town in the Pilbara. It had a population at the time of I think close to or around 1 000 permanent residents, which for the time in the 1960s made it the largest town in the Pilbara. It is shocking to look back now and think that asbestos was essentially the lifeblood of Wittenoom.

Many residents of Wittenoom—workers at the mine and workers involved in the processing of asbestos—have stories of the effects of asbestos on their lives. Members of this chamber would have heard stories of how children in Wittenoom would play in the asbestos tailings. They would literally jump in and out of the asbestos tailings as if it were a sandpit. Asbestos was just on the ground. It was in the gardens and properties around Wittenoom. It covered the clothes of workers returning from mines. It was also transferred from the clothes to the air that was breathed

by family members in the household when workers returned and clothes were laundered and the like. As a result, many, many people who have been affected by asbestos-related diseases in the last 50, 60 and 70 years. Those diseases include serious conditions like asbestosis through to mesothelioma, which, as we are familiar with, is invariably a terminal illness. In that respect, I pay tribute to a former member of this Parliament, Hon Bob Thomas, who was the member of the Legislative Council for the South West Region from 1989 to 2001.

I grew up in the south west and Bob was a feature of my childhood at Labor Party branch meetings and functions. He really was a giant of the Labor Party in the south west during the 1990s. He left a great legacy. Bob was a great campaigner. When he retired in 2001, at that election the Labor Party picked up the seats of Albany, Bunbury and Collie, so Bob had a lasting impact on securing great Labor representation for the south west.

I ran into Bob again a little under 10 years ago during my life as a junior lawyer working for Slater and Gordon, under the then supervision of the member for Mount Lawley. Sadly, it was because Bob had become a client of Slater and Gordon's asbestos practice. I ran into Bob in the office and he told me why he was there and also shared with me some of the family history. He spent several years of his childhood in Wittenoom, where his father worked. He told me stories of playing in a sandpit that was full of asbestos tailings when he was a kid. He had a photo, which he was presenting as part of building his case, of him and, I believe, his brother or a school friend who were attending a school costume party dressed up as little chimneysweeps or something like that. Bob's mother had made them clothing out of something like calico sacks, but to complete the outfit so that they looked like little chimneysweeps, she had rubbed asbestos all over the costumes and their faces. At that time, the residents of Wittenoom and the workers involved had no idea of the very significant hazard posed by asbestos. But, of course, some people did know the very serious risk posed by asbestos, and they were the companies that were responsible for mining, processing and manufacturing asbestos and asbestos products. I will leave it to other members of this chamber to cover the very significant not merely negligence, but malicious and deliberate conduct of those companies in exposing working people to the risks of asbestos. However, I want it noted that at the same time as individuals, workers and families were being exposed to asbestos without any knowledge that what they were doing was dangerous, there were people in positions of authority who could have done something about that and refused to do so for many, many years.

I crossed paths with Bob a few years later after I met with him. Sadly, I did not meet him again in person, but I crossed paths with him when he got in touch with my late father, Roy, who had been by Bob's side as a Labor stalwart in the south west. At that time, my father was dying of terminal brain cancer and, of course, Bob was dying of mesothelioma. It was terribly sad to see the two of them corresponding—two great Labor stalwarts of the south west who were both dying of cancer. I want to make the point that there was a very significant difference between my father's situation and Bob's situation. My father, sad as I am about his death, died at the age of 87. He lived a long and very good life. Bob died at the age of 62. It underlines the reach of the scourge of asbestos in Western Australia that a member of the Legislative Council, a Labor Party giant of the south west, lived to only 62 as a result of asbestos-related disease. As I say, I thank Bob nonetheless for his great contribution to the union movement and to the Labor Party in those 62 years and say: vale, Bob Thomas.

As I said at the outset, there has been a legacy of dealing with asbestos-related diseases in this state for many, many years and the challenge of dealing with that legacy has invariably fallen to unions, as the representatives of workers, their lawyers, the Labor Party and organisations like the Asbestos Diseases Society of Australia. The work done by unions and organisations like the Asbestos Diseases Society has been fought every step of the way by people on the right of the political establishment, by lawyers who deliberately delayed and prevented cases from proceeding on the basis that the plaintiff would invariably die of mesothelioma before they could pursue their claim to a conclusion, and also by some members of Parliament. I am sure that many members of this chamber will remember what Hon Tony Abbott, MP, the then Minister for Health and Ageing in the Howard government, said about Bernie Banton during the 2007 election campaign. He said —

I know Bernie is very sick but just because a person is sick doesn't mean that he is necessarily pure of heart in all things.

**Mr D.J. Kelly:** Disgraceful—that's what it was.

**Mr D.A.E. SCAIFE:** It was a disgraceful comment by the then Minister for Health, and it is quite extraordinary that a man who would engage in behaviour so low would go on to be a Prime Minister of this country.

I will leave the story of unions and the Labor Party fighting that good and hard fight to other members of this chamber. I am sure that the member for Mount Lawley and the member for Mirrabooka are better placed than I am to reflect on those matters. What I would like to do instead is talk about how the challenge of dust diseases remains for people in Western Australia. I want to move away from asbestosis and asbestos-related diseases to silicosis.

October is National Safe Work Month and the theme this year is "Make a difference—speak up about health and safety". Today I want to use my contribution to speak up about health and safety and specifically the problems associated with dust diseases. Obviously, the challenge of asbestos remains. We have seen over the last decade—the member for Mount Lawley will correct me if I am wrong—what is called the third wave of asbestos diseases, which involves people who have done do-it-yourself jobs and renovations on their homes without adequate protection

from asbestos contracting asbestos-related diseases. There is also another risk that has been present for a while, and it remains: the risk of silicosis caused by the cutting of stone benchtops, particularly the cutting of engineered stone benchtops, which can produce silicosis because the cutting of those benchtops produces what is known as respirable crystalline silica.

I want to acknowledge the great work that the McGowan Labor government has done in shining a light on the problem of silicosis. The WA government took the lead nationally and earlier this year released a report from WorkSafe titled *WorkSafe Western Australia silica compliance project*. I want to congratulate WorkSafe for being proactive in this space. Under this project run by WorkSafe, it conducted 150 proactive workplace inspections of businesses that were engaging in cutting stone benchtops. As a result of those inspections, it issued over 1 000 enforcement notices and conducted air monitoring of 38 workplaces, and this led to 365 workers attending health surveillance. This report marks the first time in Australia that there has been a systematic analysis of health surveillance in comparing the use of chest X-rays with the use of low-dose CT scans to look at the effects of working in these environments. As a result of that health surveillance, nearly half of the 90 workers who were sent to have those low-dose CT scans were, shockingly, newly discovered to have health concerns that were not identified by chest X-rays and that may be related to inhaling silica dust. Furthermore, and again shockingly, seven new cases of silicosis were discovered that had been missed by the chest X-ray review. It is clear from that that more work needs to be done. I want to go through some of the findings of the report to outline the scope of the challenge ahead of us.

The report states that WorkSafe WA found from the inspections that it had carried out at various workplaces that all of the workplaces relied on natural ventilation and open roller doors. Only a minority of workplaces had local exhaust ventilation systems, but those were generally not designed for purpose and not located in close proximity to the source of dust, thus providing completely inadequate ventilation. It found that no ventilation equipment was attached to the hand tools that were being used by the stone fabricators. It found that respiratory protective equipment was not used consistently in those workplaces, and was not fit tested or fit checked. It found that some workers were not wearing the appropriate respiratory protective equipment. For example, in at least one workplace, a person who was cutting a stone benchtop was wearing just a surgical mask. It found that people would don the respiratory protective equipment based on the task they were doing. If they were cutting stone, they would wear respiratory protective equipment, but if they were just working next to a person who was cutting stone and were not engaged in that task, they would not wear protective equipment, even though they were sharing the same air and being exposed to the same crystalline silica dust.

[Member's time extended.]

**Mr D.A.E. SCAIFE:** It found that people such as administrative workers were wandering in and out of the workshops without wearing protective equipment.

Some members may be aware that one of the control measures when working with a stone benchtop is to wet the benchtop and apply water during the cutting process. There are questions about whether that is an adequate preventive measure on its own; the evidence suggest that it is not. WorkSafe found also that because the water that was being used was often recycled and therefore contained silica particulates, when that water was applied to the rotating blades that were used to cut the stone, it produced aerosols, and that probably led to a greater release of silica dust into the surrounding area.

What is also concerning, because it makes me think of Wittenoom, is that WorkSafe found that many workers were taking their contaminated clothing home with them rather than going home clean, thereby exposing members of their household to silica dust. This makes me think of all the stories we know of Wittenoom workers going home from the mine at the end of the day with clothes that were covered in asbestos and exposing their families. Invariably in those days, women who were not working in those industries but were carrying out the hard and heavy work of domestic duties were exposed to silica dust, or, in the case of Wittenoom, to asbestos. These days we are seeing a repeat in many blue-collar industries of the same types of consequences for the families of those workers.

The scope of the challenge is significant. The levels of compliance with basic health and safety standards in the cutting of stone benchtops is woefully low based on these figures. As I said at the outset, seven additional cases of silicosis were discovered that had been missed under a chest X-ray. This is a silent epidemic in our community. I congratulate the Western Australian government for exposing that and being ahead of it as a national leader.

Two things have come out of that report that are worth reflecting on. The first is that it is clear from WorkSafe's findings about the woeful level of compliance with health and safety standards that a pretty cavalier attitude is being taken by industry and employers around the cutting of stone benchtops and exposure to silica dust. The risks of cutting engineered stone are now well known, just as the risks of mining and using asbestos were well known. Employers are not doing enough to prevent their workers from being exposed to those risks. We need to ensure that that culture in industry changes. I note in that respect that in January this year, the state government amended the WA Occupational Safety and Health Regulations 1996 to require a low-dose chest CT scan instead of a chest X-ray for silica health surveillance. Therefore, there have been some changes to our work health and safety instruments to ensure better health surveillance. However, we also need to ensure that there is greater adherence by employers

to measures that will prevent exposure to silica dust in the first place. That leads me to say that in the event that over the coming years industry and employers do not significantly raise their game on this issue, we will have to ask ourselves: at what point should this industry lose its social licence to be able to operate? We cannot simply allow this practice to carry on without industry stepping up to the plate.

As a final matter, I want to reflect briefly on the challenge of remediation at Wittenoom. That matter was raised by the member for North West Central. I will just say this; no doubt the Minister for Lands will have something more fulsome to say. The challenge of remediation at Wittenoom is simply enormous. It is difficult to comprehend the scope of that challenge. I want to acknowledge the concerns of the Banjima people and of the Shire of Ashburton. I know that this minister has engaged constructively with the traditional owners and the Shire of Ashburton about their concerns, as did the previous Minister for Lands, Hon Ben Wyatt. We also have the Wittenoom steering committee, which is continuing to meet and operate. This government has made a commitment to continue the dialogue with those parties to ensure that Wittenoom is managed in the most appropriate way. Unfortunately, there are no easy solutions to that matter. I know that this minister is committed to that ongoing dialogue and I recognise the minister's commitment to ensuring that we deal with the legacy of Wittenoom. On that note, I commend this bill to the house.

**MS M.J. HAMMAT (Mirrabooka)** [11.47 am]: I also rise to speak in support of the Wittenoom Closure Bill 2021. As other members have said, this is an important bill in a long line of legislation to deal with a terrible legacy. By way of opening, I also want to acknowledge and thank the Minister for Lands for bringing this bill to the house. The minister is one of a number of ministers who are dealing with the legacy of Wittenoom.

As others have said, this is an important bill because it is the next step in how we will advance the winding down of the town of Wittenoom, both by ensuring that the land of the remaining landowners is brought from them and the people who live there are relocated, and also by discouraging tourists from visiting this site. Despite the fact that the terrible legacy of Wittenoom is well known, many people still wish to go there to visit.

Other members have covered the story of Wittenoom. It is well known in general terms that Wittenoom was one of the biggest and most vibrant towns in the Pilbara when it was first established following the discovery and subsequent mining of blue asbestos. Mining started in the 1940s. Approximately 7 000 men and women worked at the Colonial Sugar Refining Co, mining asbestos in Wittenoom. About another 13 000 non-workers resided in the town, mostly women probably—wives and children. We know that it had a large population. We now know that just a single fibre of asbestos can be deadly. It can lodge in the lungs, causing a range of illnesses but, most critically, mesothelioma, which is incurable. It is a painful and aggressive cancer that attacks the lining of the lungs. Although it can have a very long latency period, once it is diagnosed, it can kill people, often very quickly. As others have outlined, not just the people who worked in the Wittenoom mines were affected by the deadly dust. It also affected wives—it was mostly wives—who took their husband's dirty work clothes and often shook them out to remove the dust. Children were also affected. The member for Cockburn conjured up the image of young children playing in asbestos dust. Clearly, small children were covered in what we now know is a deadly fibre.

More than 2 000 people who worked or resided in Wittenoom have died as a result of their exposure to blue asbestos. That makes it the site of the biggest industrial disaster in Australia; in fact, it is one of the biggest industrial disasters in the world. Because those deaths did not occur in just one shocking, singular event, it is not often thought about in those terms. Members may recall the Rana Plaza collapse in Bangladesh. When that building collapsed, it killed about 1 100 garment workers. That was a shocking event. It is recalled right around the world on the anniversary because it was such an obvious industrial incident. Even though asbestos from the Wittenoom mines has killed more workers than that, it is not recalled or thought about in those terms, even though it unfolded in slow motion over many generations. Perhaps that is because it did not develop immediately; it took time to develop. As others outlined before me, we are yet to see the final impacts of Wittenoom and asbestos mining; we are told that the death toll will rise in future years because of its widespread use in domestic housing and fencing. As a wave of renovations and demolitions occur in the houses that were built at that time, people are very susceptible to those fibres becoming dislodged or loose and affecting their health. Most health professionals predict that the death toll will increase even more dramatically over coming years as home renovators contract the deadly disease.

The bill before us today does important work to bring an end to the deadly legacy of Wittenoom. Since 1978, the state government has been phasing down the town site, making sure that services are withdrawn, placing significant warning signs around the town site and purchasing privately owned properties. This bill seeks to compulsorily acquire the remaining properties that are privately owned. It will also allow the state government to have a much more active role in the demolition of any structures and buildings that remain so that tourism can be discouraged.

There are many stories to tell about Wittenoom and the people who worked there. I am sure there are many stories to tell of people who visited Wittenoom, either as tourists or, as we heard from the member for North West Central, for work purposes, as he did. One thing I wanted to reflect on in my contribution is the story that I know of Wittenoom, which is about the pursuit of justice for everyday people. In many cases, it is the pursuit of justice against the odds. It has been a pursuit of justice for everyday people against all the might and resources of the large companies that mined there. I know that others will speak in similar terms on this bill. It is also a story about the

struggle of those who have been affected by Wittenoom to be recognised and heard for the suffering that they endured only because they accepted a job at Wittenoom or went there to live with a partner. When I was preparing my comments for this speech today, I could not get out of my mind Martin Luther King's words about how the arc of the moral universe is long but it bends towards justice. This bill really sums up how the pursuit of justice takes a long-term view. We are still not there for those people who have been affected by Wittenoom.

History tells us that in 1959, government officials, particularly Jim McNulty, who at the time was a WA health department mines medical officer, was concerned about the impact of blue asbestos dust on the health of workers at Wittenoom. Jim McNulty is credited with doing a great deal of early work to highlight the risks of asbestos. He went on to become a commissioner of health in Western Australia. I wanted to include in my speech today some comments that were taken from a WorkSafe interview with Jim McNulty in 2011, who reflected on his time at Wittenoom, what he saw and what his thoughts were. It is a very important recollection. These are Jim's first impressions of Wittenoom —

The whole town was laid with asbestos tailings as road surfacing, when you stepped off the plane there was a flurry of dust which contained asbestos fibres. We drove up in the car to the pub to stay the night and as the car stopped the dust became airborne and you could feel the dust in your teeth almost, so every vehicle movement, as it was later in the town, stirred up dust which contained asbestos fibres.

At Wittenoom you didn't have to work in the mine to develop dust disease because of the extensive use of the tailings around the town site, so that mine managers and the managerial staff were often affected, as particularly sadly so were the children.

He went on to talk about the dust extraction system, which —

... removed some of the dust and discharged it above roof level but it flowed back to the mill and staff offices. The dust was also discharged at the same level as the main entrance to the underground mine. So the air entering the mine already contained dust.

Even when the expensive extractor was working properly, it merely took the dust out of the mill and dumped it on the lawns. Making it more dangerous outside than inside the mill.

He went on to talk about the bags that were used, stating —

The bags were hessian bags, so if you can imagine lifting a hessian bag which is full of fine dust and putting it over your shoulder, I mean the dust is outside the bags, its there, you can find the same thing down at the wharf at Fremantle when they are loading up the ships, dropped from the top of the hold down to the level and you see the dust rising everywhere.

That paints a very stark picture of what Jim found when he went to Wittenoom—dust everywhere. Three years after he first visited Wittenoom, Australia's first case of asbestos-related malignant mesothelioma was recorded. By the time the mine closed in 1966, over 100 cases of lung cancer had been recorded in the previous five years. But because of the long latency period for asbestos-related diseases, it was only during the 1970s that medical professionals became increasingly alarmed by the speed at which asbestos-related diseases were developing in former Wittenoom miners. It took until 1988 for the first victories in court for those who were suffering from mesothelioma. Even though the mine closed in 1966, there was no widespread recognition that the mining that had occurred there was unsafe. Its closure was attributed at the time to the mine being unprofitable rather than an extremely unsafe worksite, which it clearly was.

We know that the fight for compensation and justice for individual workers was not always straightforward and that there were many frustrations along the way—frustrations for those who were seeking compensation to bring matters to a conclusion, frustration about being able to win compensation before sufferers passed away, and frustration about being able to win adequate compensation. The member for Cockburn has already reflected on some of the strategies that companies and their lawyers took to avoid or minimise their obligations.

I want to talk a little more today about those who have fought for justice for the victims. It took a great deal of time—more than 20 years—from when the mine closed until the first compensation claims were awarded, and today we are still actively managing cases that are being identified. Many people have contributed to the fight for justice for those who were affected. For me, it is impossible to ignore the work of Bernie Banton—I am glad the member for Cockburn included in his contribution a quote about how he was unfairly characterised—the Australian Council of Trade Unions secretary at the time, Greg Combet, and the union movement in publicly fighting for justice and compensation for those who suffered from asbestos-related diseases. They provided a really stark symbol. Bernie Banton, in particular, became the public face of the campaign for justice. He was employed by James Hardie Bradford Insulation during the 1960s and 1970s. He helped to produce asbestos sheeting—or fibro as we call it now—pipes, communication pits and other things. The men whom he worked with were known as “the snowmen” because they were covered in the white dust of asbestos as they went about their work. Bernie, along with Greg Combet, who, as I said, was the secretary of the union council, fought for large-scale compensation for all those who had, or would, contract asbestos-related conditions as a result of their time at that workplace.

During this time, James Hardie moved its headquarters offshore to make legal negotiations difficult. Eventually, it set up a compensation fund of just under \$300 million, which was a woefully inadequate amount even in those times. The fight moved on to ensure that the company provided adequate funds to meet the compensation claims of workers who had yet to develop the deadly disease as a result of their employment. Significantly, in the end, they secured an arrangement worth billions of dollars, one that is unique in the world and demonstrates the significant community support that Bernie and the others who worked with him were able to generate for those who were suffering from asbestos-related diseases. Huge community pressure meant that James Hardie had to act to ensure appropriate compensation. For me it is impossible to forget the sight of Bernie Banton with tubes in his nose to ensure that he could breathe as he campaigned for justice against the very disease that was restricting his ability to campaign for justice. It is impossible to forget the great clout he brought to the issue and how clearly he summed up the enormous inequity he was fighting against to achieve the justice that he and his workmates deserved against a company that was so wealthy that it moved its headquarters elsewhere in the world to avoid meeting its obligations to Bernie, an increasingly frail character who was standing up for what was right. It is also impossible to forget how his health deteriorated as he fought that campaign. He eventually died in 2007 at the age of only 61 years. It is impossible to forget his courage and determination as he stood up against a multinational company that was seeking to minimise or avoid its obligations. Bernie was a very sick man, but he was a fighter, and it is very clear that he was fighting for not only himself, but also those who had worked with him. As I have already said, he did a great service and job in raising public awareness about the issue of asbestos and what it meant for those who contracted asbestos-related diseases. He certainly brought the issue home very clearly to the general public.

Much closer to home, I acknowledge the work of the Asbestos Diseases Society of Australia, WA's very own organisation that has been fighting tirelessly for justice for victims in this state. The Asbestos Diseases Society has been very capably led by the excellent Robert and Rose Marie Vojakovic, the champions of that fine organisation, along with Simone Vojakovic and Melita Markey. They have contributed a great deal to raising awareness in Western Australia and supporting those who have been affected by asbestos-related diseases by providing them with advice, assistance and referrals to medical professionals. They have also been instrumental in supporting medical research, which remains a critical part of the puzzle in ensuring that we have better tools to diagnose and treat those who go on to develop asbestos-related diseases.

The Asbestos Diseases Society holds a raffle every year to raise funds, and I urge members to buy a ticket when they come around. It is an essential source of funds.

**Ms S.F. McGurk:** Or a book of tickets.

**Ms M.J. HAMMAT:** That is an excellent suggestion. Correct; buying a book would be even better.

The society also runs a very powerful event each year—a memorial service for victims of asbestos-related diseases, which is usually in the later part of the year. It is an ecumenical memorial service that brings together not only those who have suffered from asbestos-related diseases and their family members, but also union representatives, public servants, politicians, lawyers and all those in the community who are still fighting for justice for those who have been affected. I attended this service a number of times in my former role. It is a very moving and powerful experience and a reminder of the lives that have been destroyed as a result of asbestos in this state. It is also a very powerful reminder of our collective responsibility to ensure that workplaces are safe from not only injuries, but also substances that cause disease. Again, the member for Cockburn outlined how this is something about which we need to remain ever vigilant.

[Member's time extended.]

**Ms M.J. HAMMAT:** The Asbestos Diseases Society also works closely with families affected by the Wittenoom mine and asbestos generally. It has worked closely with the families affected by Wittenoom on the idea of a permanent memorial site that people can visit to grieve and remember the loved ones they have lost. A memorial site would also provide an opportunity for the general public, particularly members of the new generation, to increase their awareness and understanding of what occurred at Wittenoom and how it still remains an important issue. It is worth remembering that many other sites of tragedy and industrial injury have a place where people can go to remember and mourn and to bring people together, but that place has been denied to the victims of Wittenoom and their families because, of course, the site remains toxic and the government is taking active steps to ensure that people do not visit it. Some consideration has been given to finding a suitable site to erect a memorial, perhaps in Perth. There is a plaque on the wall of remembrance at Solidarity Park, which is across the road from Parliament House, that specifically acknowledges the lives that were lost because of mining at Wittenoom. It is unusual in that the wall of remembrance at Solidarity Park mostly lists the names of individuals who have lost their lives at work, but the Wittenoom plaque recognises a large number of people and the circumstances that occurred at Wittenoom. It is a way of providing a place for people to go. Clearly, more needs to be done if we are to provide proper recognition of the seriousness of what occurred at Wittenoom.

I want to acknowledge the many people who work in the field of medical research, many of whom are here in WA. The fortunate legacy of the dark shadow of Wittenoom and the use of asbestos being cast particularly over our state is the number of world-class researchers operating here in Western Australia. It is hoped that their research

will provide significant assistance to those who have been exposed to asbestos. The work to assist in the diagnosis of serious illnesses and to assist in slowing down the development of serious illnesses is particularly important in ensuring that those who have been exposed to asbestos live longer and have a better quality of life. I also commend the excellent work of the Cancer Council WA. It does incredible work highlighting occupational cancers generally, but I know it remains very engaged in the work around asbestos.

I also want to commend the work of the unions in fighting for justice for working people. I have already talked about the campaign against James Hardie, which was led in conjunction with Greg Combet, the secretary of the ACTU at the time, and all the unions around Australia, which have been at the forefront of supporting that campaign and seeking compensation for people who have been affected. Unions remain ever vigilant about the use of products, particularly building products, that, to this day, contain asbestos. They well understand the deadly legacy that exposure to asbestos can leave even after only incidental exposure. By way of illustration, last week WA today reported that two building sites at Curtin University were being checked for asbestos after a gypsum board manufacturer in Sydney found traces of asbestos fibre in material it had imported from China. This remains a real issue for unions and working people to this day because of the importation of asbestos and because asbestos continues to be in buildings in which a number of people still work.

I want to turn to a few final points in the time that is remaining to me. We now well understand the dangers of asbestos and the issues that it has caused for working people and their families and will cause for renovators. We have made sure that asbestos mines are closed and that asbestos products, hopefully, are not widely used anymore. We have tough regulations for how the product is removed and disposed of, and we are taking active steps today to close down the town of Wittenoom. But it is not the case all around the world that asbestos is recognised as the very deadly material that it is. Indeed, many countries around the world continue to use asbestos as a cheap and readily accessible building product. In my former role, I would be shocked at times to see photographs of workers in other countries both mining and using asbestos products without any safety equipment at all and, like in the old photos that we have seen, workers' clothes covered in asbestos dust, just like the clothes of the Wittenoom workers before them. There remains a strong international campaign to highlight the deadly risks of asbestos and to bring its use to an end. I want to commend the work of Union Aid Abroad—APHEDA, which is working with organisations right around the world to highlight the deadly effects of asbestos and is campaigning so that governments take steps to ban its use. The use of asbestos is still commonplace overseas and, as I said, it is mined and used without protective equipment. We have a long way to go if we are going to bring an end to asbestos diseases around the world.

**Dr A.D. Buti:** Where is it still being mined?

**Ms M.J. HAMMAT:** I think in Russia.

**Mr S.A. Millman:** And Canada.

**Ms M.J. HAMMAT:** And in Canada. This is like a spot quiz!

**Dr A.D. Buti:** I didn't know; I was curious.

**Ms M.J. HAMMAT:** We have a long way to go before we bring its use to an end. Vietnam will ban its use by 2023. It is encouraging to see growing awareness about it, but it remains a live issue.

As I said, while asbestos is being used around the world, there remains the risk that it will be imported to Australia in products that, ultimately, will put our population at risk. I am reminded of the asbestos roof ceiling tiles that were installed at Perth Children's Hospital, partly because of the appalling contract arrangements that the former government had undertaken. That was picked up by union members on site identifying that there was asbestos in those tiles when they observed them closely. It is quite sobering to contemplate that we could have installed them permanently in our children's hospital.

This is an important bill. It progresses the closure of the town of Wittenoom. It reminds us about the tragic tale of the lives lost in Wittenoom and the fight for justice and the enduring risk that asbestos still presents. I also want to underline the comments of earlier speakers about the traditional owners and to reflect that they may well have also been affected by asbestos in the town site at that time and since, and that perhaps we do not have adequate ways of capturing the impact of the disease on the Aboriginal people who lived in Wittenoom. I also acknowledge the earlier comments about the traditional owners' wish that the land be rehabilitated. We are incredibly fortunate that for so long so many people and organisations have fought for justice for the people who have been affected by asbestos from Wittenoom. It has been a long road. As I said, the mine closed in 1966—before I was born—yet here we are today taking steps that will bring that town to an end. We know that we are not at the end of the road yet. There will be more to come. The work continues. I feel privileged to have had the opportunity to play a role, however small it may be, in bringing this terrible chapter to an end. With that, I commend the bill to the house and thank the minister for bringing it forward.

**MR S.A. MILLMAN (Mount Lawley — Parliamentary Secretary)** [12.14 pm]: I start by genuinely thanking the Minister for Lands for bringing this legislation before the Parliament. He knows full well just how important the Wittenoom Closure Bill 2021 is to me and the people whom I previously worked with and for. Others have already spoken about the fact that the minister is the inheritor of a piece of legislation that the McGowan government has

attempted to bring to life previously. I spoke in support of that legislation in 2019, so I do not propose to go over the things that I said when I spoke at that time. But, sitting here, I could not but reflect on how incredibly fortunate the Legislative Assembly of the Parliament of Western Australia is. When that debate took place in 2019, we did not have the benefit of the contributions of the member for Cockburn and the member for Mirrabooka just now. Part of my frustration is that both these members are modest about their contribution to securing justice for victims.

The member for Cockburn beautifully articulated the suffering of victims of asbestos-related diseases. He will be pleased to know—I am sure he is watching on the television in his office—that the courts have determined that the gross negligence of asbestos defendant companies has been such as to justify the payment of exemplary damages. I refer him to the 2017 case of *Amaca—the new name for James Hardie—v Latz* in the full court of the Supreme Court of South Australia. Mr Latz’s lawyers made an application in the proceedings for an award of exemplary damages, or punitive damages, which, essentially, as the minister would know, are damages specifically designed to punish the negligent tortfeasor for significant harm that Amaca caused. It was advanced in that case —

Counsel for the plaintiff contended that the Court “make an emphatic statement on behalf of the public at large condemning James Hardie for what it did and to send a message to others that something like this should never happen again”, and considered the case a watershed moment.

The Court in determining the award considered that James Hardie was well aware that by 1976 when the plaintiff used its product, there was a risk of dying as a result of using its product which could be minimised by taking some precautions which James Hardie failed to give him and its failure to do so was motivated by thirst for profit.

The Court noted that if James Hardie were to be held accountable to today’s standards, then the award for exemplary damages would be significantly higher. But taking into account the community attitudes and standards when the plaintiff would have been injured a more modest award was in order and awarded \$30 000.

The plaintiff’s lawyers appealed that matter to the full court of the Supreme Court of South Australia and determined that the award of exemplary damages should be increased to \$250 000. That decision was then taken on further appeal to the High Court of Australia, in which the High Court did not disturb the decision of the full court of the Supreme Court of South Australia to award exemplary damages. The member for Cockburn’s view that the corporations that are responsible for causing this suffering should be punished has been expressed and endorsed by no less than the full court of the Supreme Court of South Australia and by the High Court of Australia. What I can say is that the gain to this chamber is the loss to the legal profession by the member for Cockburn’s participation in this debate.

I now want to talk about the member for Mirrabooka’s contribution. The member for Mirrabooka spoke about the annual ecumenical service held by the Asbestos Diseases Society of Australia, hosted by Robert and Rose Marie Vojakovic, where I have seen the member for Mirrabooka countless times representing the union movement. When I think about the uses to which asbestos products have been put, it is no surprise that the Electrical Trades Union; the Construction, Forestry, Maritime, Mining and Energy Union; the Transport Workers’ Union; the Australian Rail, Tram and Bus Industry Union; the Australian Workers’ Union—I could keep going but I am sure I will forget some of them—and numerous other unions have also been represented at those services. It is important that the former secretary of UnionsWA brought those unions together under that peak body. I think about other contributions that the union movement has made. The member for Mirrabooka alluded to Greg Combet. I do not want to talk so much about the victims—I always find it difficult to articulate the stories of victims in this chamber; I always find it easier to do it in court—but to acknowledge all those people who have rallied around the victims to provide them with support, encouragement, resources and the necessary mechanisms to try to pursue justice. As the member for Mirrabooka said, they stretch across a range of disciplines, with advocates like Bernie Banton, and Robert and Rose Marie Vojakovic at the Asbestos Diseases Society in the member for Balcatta’s electorate. I think about the journalists, like Laurie Kazan-Allen, Matt Peacock and Michael Cannon, who did the research and the hard yards of getting down and uncovering the stories that exposed just how much the employers, companies and corporations knew about the damage they were doing to their workers, employees and customers. I think about some of the lawyers, some of my former colleagues, like Luisa Dropulich, John Gordon and Michael Magazanik, and all the work they did to try to prosecute cases to seek justice for victims. As the member for Mirrabooka said, I think about all the medical researchers and doctors who have tried to help alleviate and ease the suffering that these people are going through, and those keen young researchers who are still looking for a cure for mesothelioma. In this regard, I have to acknowledge Professor Bill Musk, Professor Bruce Robinson and Professor Anna Nowak, who is now the deputy vice-chancellor for research at the University of Western Australia. I commend the work that they do.

When we think about the town of Wittenoom, although it did not have an instantaneous industrial disaster like Chernobyl, Three Mile Island or Bhopal, its legacy has stretched over time and the number of lives it will cost is significant. There are plenty of lawyers and advocates who live in the electorate of Mount Lawley, and I want to acknowledge a few of those people who have been part of the fight for justice for victims of asbestos-related diseases—solicitors such as Tricia Wong and Laine McDonald from our neighbourhood, and Marco Tedeschi and Tim Hammond, barristers who continue the fight.

One person, who sadly passed away, combined a number of attributes. He was a staunch unionist at the Australian Manufacturing Workers' Union and he was an educator. He would tell people stories. He was a community builder and would bring people together and in his kind and gentle way he would make sure that everyone was aware of just how much was at stake and how important it was that people continued the fight. Members in this chamber will know exactly who I am talking of. I am talking of Neil Byrne who was a stalwart of the labour movement and a fantastic and compassionate supporter of people who suffered from asbestos-related diseases. Neil unfortunately passed away in July or August 2019, right about the time I was making my last contribution to the debate on the equivalent legislation. I did not have a chance to reflect on Neil's contribution to both the broader labour movement and, in particular, asbestos victims. When I think about the material difference and the symbolic achievement that this bill will be, I cannot help but pause and think that we should acknowledge the work of people like Neil. He was awarded—I do not know how the honours system works particularly well—an Order of Australia in the Australia Day honours list. I will read from his nomination. It states —

Neil's outstanding achievement and dedication to championing workplace safety and education, and his safeguarding of Western Australia's labour history ought be commended at the highest level. His tireless efforts to ensure these educational values are enshrined in policy, and reflect the interests of ordinary people, are widely recognised and acknowledged within this alumnus.

By way of history, I talked about the Electrical Trades Union, and asbestos lagging was used in all the power stations, including the East Perth power station. We often had clients from the old State Energy Commission, from Western Power. The nomination continues —

Neil worked at the East Perth Power Station and SEC Belmont from 1957–1985, joining the Amalgamated Engineering Union (now AMWU) as a fitter and turner. Neil has been a stalwart for educating workers since joining the AMWU as a delegate during the mid 60's, and was appointed the State Education/Health and Safety Officer of the Union in 1984—holding this position until his retirement in 1997. During Neil's tenure as the State Education/Health and Safety officer he was awarded AMWU's highest honour in 1996, the Gold Award for Merit of Services to the Union, and subsequently became a life member in 1999. —

This is the point that I wanted to pick up because he was such a great educator —

Neil was always determined to educate workers in the workplace, particularly around occupational health and safety. In further recognition of Neil's commitment, the AMWU named their office library in honour of Neil in 2013.

In addition, Neil has been a tireless and unwavering advocate for the preservation of labour history and was involved in establishing the Perth branch of the Australian Society for the Study of Labour History in 1987/1988. A particular focus was on ensuring major Western Australian iconic industrial worksites—the East Perth power station and the Midland Railway—become a legacy for successive generations.

That work still resonates when we see the place that those two landmarks will have for future generations of Western Australians. I am stuck on a paradox, Acting Speaker, because on the one hand, when we see the victims of asbestos-related diseases coming from the Midland railway workshops, the power stations of East Perth and South Fremantle, and Wittenoom, we can see the work that Neil did during his life to preserve those industrial landmarks like East Perth and Midland. At the same time, we are taking this vital step of expunging Wittenoom, of cleaning the slate. I think were he to be participating in this debate or advising us or discussing the matter with us, Neil would be fulsome in his support for what this Parliament is trying to achieve. I want to put on the record my gratitude to the lifelong endeavours of Neil Byrne who was a stalwart of the labour movement and was always there with victims of asbestos-related diseases, making sure that they had the representation, support and encouragement they needed as they tackled the situations that have been so well articulated by both the members for Mirrabooka and Cockburn. That was the main part of what I wanted to say.

I listened with interest to the contribution from the member for North West Central. I accept, recognise and appreciate the fact that on behalf of the opposition, he said that it will support this bill. The history of the efforts by successive governments to bring about this result stretches back more than 40 years, to 1978 when the first steps were taken. The latest iteration of this legislation is on the best advice from the State Solicitor's Office about how we can finally achieve what is necessary. Some people benefited immensely from the suffering experienced by others. I think some effort might be made on behalf of people like the member for North West Central to look at those who have profited so well and see what sort of contribution they would be prepared to make to a collective effort to try to remediate what has happened in his electorate. I think it was a point well made, but one of the great benefits of the legal proceedings that were brought on behalf of these victims was that it was not the government that was not required to pay compensation; it was the negligent corporations. If someone has stood to benefit from these mining tenements or from the money generated by these mining tenements, they have a moral obligation to participate in remediating the damage done to the environment and community more generally. I wonder whether that is something the member for North West Central might take note of and reflect upon. Otherwise, I thought his point was well made.

Regarding any chance of politicisation of this issue, we are well past that point. When we last debated this legislation in 2019, the former members for Nedlands and Warren–Blackwood both articulated the support respectively of the Liberal Party and the Nationals WA for this legislation. It is good to hear that the opposition has maintained that position. I do not think that the question of remediation that the member for North West Central has put up should delay this legislation. It is obviously an important piece of legislation for the McGowan Labor government and for the minister and that is why it has been brought forward and brought back to this chamber so expeditiously after the resumption of Parliament following the state election.

The final thing I would say is that this legislation reflects something that I think most people in this chamber seek to achieve, whether it is practically, tangibly or even symbolically. The people who are here, who made contributions, recognise that what transpired at Wittenoom was a great injustice in the history of Western Australia.

We are looking toward fixing that, and to changing things so that is recognised and resolved. I look forward to listening to contributions from other members, particularly government members. I know that the quest for justice that the member for Mirrabooka alluded to is still strong for this government, and I am incredibly pleased and proud to support the minister on the legislation that is before the house.

**DR J. KRISHNAN (Riverton)** [12.30 pm]: I rise in support of the Wittenoom Closure Bill 2021. First of all, I will take a little time to discuss asbestosis. Normally, when there is dust or other particles in the environment, our body has a defence mechanism to deal with that. If the size of the particle is over five microns, the human body rejects it by sneezing or coughing and throwing it out. If the size of the particle is below one micron, the human body is capable of digesting it without it causing any problems. We do not have a problem with particles sizes below one micron or above five microns because the body rejects them. The problem is with particles that are between one micron and five microns, because the body does not have the capability to deal with this size particle.

When asbestos particles are between one and five microns, they settle in the lungs and cause something that we call fibrosis. That means the elasticity of the lung is diminished. Normally, every time someone takes a breath, their lungs are supposed to expand and contract with ease. With fibrosis, when there is friction or restriction the elasticity of the lungs decrease. Over a long period of time, this causes problems for the patients who are affected by asbestosis. They have shortness of breath. They are not capable of exercising or doing things that they would do normally. They are restricted in their activities. They live with this for a long time, suffering. The biggest challenge is with particles between one micron and five microns, which are not visible to our eyes, and they are being silently affected and they end up contracting asbestosis. Over the years, this disease was very much under-reported, but after the establishment of the Australian Mesothelioma Registry the reporting has been more robust. Since it has been monitored closely, we have seen how the incidence of the disease has been increasing. It is a serious health issue that over many years is silently killing people. Now we know the problem, we have the duty to protect every citizen from being affected by this damage, which is caused by a unique particle size for which we do not have a natural defence to handle.

I am trying to explain this disease using a little bit of medical knowledge so that people can understand how the disease works. Sometimes medical terminology is completely misinterpreted by people such as the opposition spokesperson for health. For example, she has said that ambulance ramping is dangerous and has portrayed the picture of people in the back of ambulances being connected to an oxygen cylinder and gasping for breath. The truth is that when a patient enters the ambulance, at that point the paramedics, who are trained professionals, have the capability of assessing category 1, category 2, category 3 and category 4 patients. Category 1 is an emergency. No category 1 patient is ever stopped; they go straight into the hospital for treatment, and that treatment is provided while they are being transported in the ambulance. Category 2 patients, at the most, wait a few minutes while they are juggling beds and finding a bed for the patient. Category 3 and 4, basically means they may not have need of an ambulance, but they have used the ambulance to go to the hospital. They can speak for themselves; they can sit, most of the time, and they are able to look after themselves to some extent. These are the patients who, after triage, are moved to the waiting room in the emergency department while they are being assessed by the ED team. Again, the majority of patients in category 3 and 4 are regularly assessed in case they need to be escalated for category 1 or 2 treatment. Repeatedly portraying ambulance ramping as a problem is causing safety issues, and it is not right because it is insulting the professionals who are caring for patients. This is where the problem that misunderstanding medical terminology can take us to.

I come back to the Wittenoom Closure Bill. Wittenoom was prosperous, and it was one of the best towns in the area from the 1940s to the 1960s; but unfortunately, it had to be shut down. Why? The intention was to save lives.

I am a general practitioner and I had a patient with lung cancer who was diagnosed at the age of 52. He was very brave. When I broke the bad news to him, I was surprised at the way he accepted it. I will never forget this patient in my life. It was 10 years back, on 24 December; the cancer had advanced to where it had metastasised in his brain, and part of his body was already paralysed, so he was walking with a Zimmer frame. I was surprised to see him on my appointment list—we did not have telehealth in those days. I came to the waiting room and said, “What brings you here? I have offered to come to your house to see you.” He said, “No, Jags, I wanted to come and see you in person.” Then we slowly walked to the room because he was on a Zimmer frame. When he came into my room, he pulled out a wine bottle, gave it to me and said, “Jags, I am not sure I will be around for Christmas. Merry

Christmas.” This person, who was putting on a brave face, on that day told me how much he feared death. One can only imagine someone who has been diagnosed with asbestosis that is well established, living with that disease in their body and suffering day in and day out, going to sleep with the thought they had caught a disease that is causing problems for them and waking up in the morning knowing they still have the disease and they will live with it for the rest of their life. The government has done everything possible since 1978, but still we have three people who own 14 lots in Wittenoom, and one person is actually living there. The government is doing everything possible because we are dealing with an important health issue. This bill is about compulsory acquisition of the 14 remaining freehold properties in Wittenoom. It does not propose to take native title rights and interests or more mining, petroleum and geothermal energy rights, so the taking of these rights and interests are not authorised by the bill. I thank the minister for careful consideration of all these details. The only intent of this bill is safety and health.

This bill has also taken into consideration when in usual circumstances a compulsory acquisition process is commenced by the issuing of a service of notice of intent to take. In this case, that is not required, and no objections will be permitted because of the overriding public policy reasons to protect people from being affected by deadly disease. There is compensation that would be accessed and paid accordingly, and there are various rates going. There is also consideration of how much will be paid and when, although the compensation will not be paid until the landowner has handed over possession to the minister, but there are exceptions. One of the exceptions is that a \$50 000 solatium and moving expense payment will be made while the moving arrangement is being done.

I once again thank the minister for bringing this bill to the house, which is very important in saving lives, and for taking leadership by doing things that matter for the people of Western Australia. I thank him for taking this bill into such detailed consideration. I hope there will now be no hurdles in passing this bill. I thank you for the opportunity to make a contribution on this bill, Madam Acting Speaker. I commend the bill to the house.

**MRS.N. AUBREY (Scarborough)** [12.41 pm]: I rise in support of the Wittenoom Closure Bill 2021. This bill is simple in that it allows the acquisition of the last remaining privately held properties within the former Wittenoom town site, providing adequate compensation to each landowner through the acquisition provisions of the Land Administration Act 1997. It is a simple bill that will bring to a close an infamous town in Western Australia’s history.

It is hard to grow up, work, or live in Western Australia without encountering asbestos in one form or another, whether it is lying dormant in your home without your knowledge, it is an ongoing risk that you must face in the workplace or you are one of many Western Australians who have lost a loved one to asbestosis or mesothelioma. What is asbestos? The term “asbestos” comes from the Greek word “amiantos”, meaning inextinguishable or indestructible. In its pure form it refers to mineral silicates of the serpentine and amphibole groups. Asbestos is described as having the combined properties of silk and rock. It can be spun into strands and woven into cloth, it has a tensile strength similar to steel, it is almost indestructible and it will not burn or corrode. There many types of asbestos with the primary types being blue asbestos, crocidolite; white asbestos, chrysotile; and brown or grey asbestos, amosite. Because of its properties, members can imagine how in the 1950 and 1960s asbestos was one of the most useful and versatile minerals known to man. Asbestos has been used in the construction, car manufacturing, textile, aerospace, marine, rail and transport industries.

As a tradesman having worked in the residential and commercial construction sectors of Western Australia, I am all too familiar with the widespread use of asbestos in our homes and offices across this state. Many homes built before the 1970s very likely were built with one or more of asbestos insulation, asbestos floor tiling, an asbestos insulating barrier in the switchboard, asbestos ceiling sheets and asbestos roofing. Every Australian tradesman knows the dangers that asbestos presents. As a sparky you know all too well when you put your head up through the maintenance hole, formerly known as the manhole, that there are several hazards that you can encounter that will immediately make you close that lid and get back down that ladder. Train or tram-track wiring is a form of electrical wiring found only in homes built before the 1960s. The protective insulation degrades over time in the Western Australian heat. The wires are exposed and touching them can result in electric shock or electrocution. That is one hazard. Other hazards that will have you scurrying down that ladder are an angry possum, a roof pitch of less than 45 degrees or a roof heat of more than 45 degrees! But one of the biggest and most worrying hazards is when you identify asbestos insulation in the roof space. By merely opening the maintenance hole and disturbing the dust, you can be placing yourself at risk. Electrical switchboards in most homes across the state have an insulated barrier or board that the fuse and circuit-breakers are mounted on. Before doing any work on these you need to remove the board and check the back. If you find in white paint the words “Australian asbestos”, you cannot proceed. You must advise the home owner that a full switchboard upgrade is required, and the asbestos must be removed with protections in place to prevent the spread of fibres and not put the sparky or home owner at risk.

When I was 23, I was an electrical and contract works supervisor in the north west town of Wickham. I oversaw a team of different types of trades. We were a town maintenance team that maintained Rio Tinto’s properties in Wickham. There were plumbers, painters, sparkies, chippies, fridgies, tilers and general hands. One of the jobs that regularly had to be undertaken was the removal of asbestos from properties within the town. Primarily the products were asbestos tiles that had to be chipped off the concrete with a machine. The property was always completely isolated, much like you would see in a movie during the outbreak of a disease or similar. White plastic tarps would surround the building, with an airlock formed. Anyone entering had to be fully covered in a sperm suit and have

category 4 breathing masks. When they left the property and were in the airlock, they showered before removing the sperm suit to ensure that they had removed all possible fibres from them before stepping out of the airlock. These measures sound extreme, but it takes only a few fibres to enter the lungs and to crystallise. They cause inflammation and other long-term changes that can eventually lead to mesothelioma, cancer or asbestosis.

It develops slowly, usually about 20 to 50 years from exposure, but on the onset of symptoms it can present and progress very quickly. I saw this in my family. My great-uncle, my nanna's brother Thomas Bell, a father and a husband, died of asbestosis in 2011 at the age of 70. He was diagnosed with non-Hodgkin's lymphoma, which he fought off through removal of his spleen. Then after a brief reprieve, he had to fight off lymphoma again. The treatment this time was chemotherapy. Unbeknownst to the doctors and Tommy, the underlying danger of the asbestos was lying dormant in his lungs. During the chemotherapy treatment, the asbestosis was activated and Tommy rapidly declined, struggling to breathe even with the assistance of oxygen. He died a short time later. His first job was as an apprentice cutting asbestos pipes at Cresco's in the late 1950s and pouring bags of asbestos fibres into a mixer to create a lagging that went on the pipes. This was where he was exposed.

He is one of thousands of Western Australians who have died because of what some consider to be one of the largest industrial disasters in the world. Labelled by some as Australia's Chernobyl, it has been estimated that by 2030, 60 000 people will have died as a result of the Wittenoom tragedy and the resulting spread of asbestos across the country and the world. During its peak operation, the town was home to more than 20 000 people, including more than 4 000 children, about 2 500 under the age of 15. That is not to mention the visitors who came for the scenery. Much like Karijini National Park, Wittenoom is home to some beautiful gorges and scenery. These gorges are seen as an attraction for some tourists who still willingly put their lives at risk to see them. By closing the town, we can send a clear signal that Wittenoom is no longer safe for humans.

Tommy was assisted in his hardest times by the Asbestos Diseases Society of Australia, led by Melita Markey, the CEO. The Asbestos Diseases Society of Australia has helped thousands of Western Australians who are victims of the Wittenoom tragedy. The Asbestos Diseases Society of Australia is a caring, non-profit, charitable organisation founded in 1979 that provides counselling and support services, economic assistance, political lobbying and advocacy and fundraising for medical research, and it raises community awareness of the dangers of asbestos. For many who are struggling for breath in their dying days and selling off assets to pay medical and support costs, the Asbestos Diseases Society of Australia is in their corner, supporting them and fighting for them to get compensation. I take this opportunity to thank ADSA for all its support for the thousands of Western Australians who have been victims of the Wittenoom tragedy and for their support of Tommy in his dying days.

In response to CSR's notice of closure of Wittenoom mining and milling operations in 1966, Hon Charles Court, Minister for the North-West at the time, made the following statement to the press on 1 December 1966, according to my notes —

This is not the end of Wittenoom. It is the beginning of a new phase in its history.

I am proud to support this bill as a member of this government. I thank the minister and the government for their ongoing work on this bill and Wittenoom. I thank the members for Mirrabooka and Mount Lawley and the other members of this house who support this bill, and the information that they brought to the table in this debate. The bill will bring about the final closure of the Wittenoom town, but as was the case in 1966, this is not the final chapter of the Wittenoom tragedy, but a new page in its history. As American philosopher George Santayana said, "Those who forget history are condemned to repeat it." We must not forget the history of the Wittenoom tragedy, we must continue to honour and support the victims and we must make sure that this kind tragedy never occurs in Western Australia again. I commend this bill to the house.

Debate interrupted, pursuant to standing orders.

[Continued on page 4701.]

## **2020 AGRIFUTURES RURAL WOMEN'S AWARD**

*Statement by Member for Central Wheatbelt*

**MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition)** [12.51 pm]: I rise to pay tribute to the national winner of the 2020 AgriFutures Rural Women's Award, Ms Cara Peek, announced yesterday in an event connecting all states via Zoom. The Rural Women's Award celebrates what it means to be a woman in rural Australia and recognises leadership and initiative shown by an outstanding woman in her regional community. Ms Peek is a Yawuru-Bunuba woman from Broome. It was a privilege to be present at the awards yesterday, along with WA alumni of this prestigious award, Cara's mother and sister, the Minister for Regional Development, the member for Kimberley, sponsors and supporters. She joins other amazing Western Australian women to have received the national gong, including wheatbelt powerhouse Caroline Robinson; the inspirational Tanya Dupagne, who started Camp Kulin; and the amazing Sue Middleton from Wongan Hills.

Cara has been recognised for her work on the project Saltwater Academy, an initiative of Saltwater Country, an organisation she founded to empower Aboriginal people. Aboriginal people have a proud but complex history in

Australia's pastoral industry. Saltwater Academy celebrates this heritage and the role that Aboriginal people have played whilst providing emotional, economic and cultural initiatives to engage the community, including training and employment. Cara is a lawyer, entrepreneur and social innovator, and is most deserving of this accolade. The award will provide a national platform for her work and passion to make a difference. Sincere congratulations to Cara and all those who have supported the project and the important work she does for the community.

### **GREEN JOBS — INNOVATORS**

*Statement by Member for Churchlands*

**MS C.M. TONKIN (Churchlands)** [12.52 pm]: Through the Churchlands electorate's green jobs working group, we support and promote local innovators. Thirty local companies, led by Henry Thai, Francis Hiew and Ian Porter, are considering the feasibility of WA becoming a manufacturing hub for electric vertical take-off air taxis. Electro.Aero, headed by Joshua Portlock and Richard Charlton, is already manufacturing portable units for quick turnaround electric aircraft recharging. Joshua Letcher and Ben Kaebe of Space Industries are establishing the WA space precinct at Perth Airport. Joshua has also invented a retractable self-cleaning, six-metre diameter solar concentrator that replaces 250 square metres of photovoltaics. Since 2016, Roy Mitchell and Rebekah Manley of Onetide have been developing renewable technologies, including a miniature off-grid microgrid designed for the harshest of environments. Peter Green and Steve Walsh of Glide Products manufacture motorised wheelchairs as well as standard manual wheelchairs for use by health services. Faz Pollard of Adarsh Australia is manufacturing pulp products made from recycled paper and is replacing imports. Narendran Subramaniam of BinSense is commercialising a technology that sniffs contamination in recycling bins. Dr Josephine Muir of Noisy Guts has been developing products that diagnose and manage gut health. These local innovators are investing in R&D and are committed to growing their businesses in WA. They are providing the green jobs for the future.

### **CLEO SMITH**

*Statement by Member for North West Central*

**MR V.A. CATANIA (North West Central)** [12.53 pm]: Our thoughts and prayers are with Ellie Smith, a local beautician, and Jake Gliddon, a member of the Rio Tinto team, their families, colleagues, friends and the devastated community of Carnarvon, as many dedicated search teams continue to work tirelessly to help find precious little Cleo, who has been missing since the early hours of Saturday, 16 October, from the Blowholes camp site near Carnarvon. I would like to acknowledge and thank the many people, businesses and volunteer services that have gathered from across our state and continue to support the family and help find little Cleo.

No words can describe this situation, but the outpouring of support in the desperate quest to bring Cleo home has been nothing short of amazing, reflecting the strength and generosity of our community and our state. The printing and circulation of posters and stickers; the preparation of food; the donation of time and machinery, including the local helicopter service, cars, boats, jetskis and bikes; the support of a GoFundMe campaign; a special church service; and the lighting of candles are just some of the few actions that reflect the resilience of the community.

Thank you again to all our selfless volunteers from all corners of the state and the community who continue to keep giving. I give a special thankyou to the state government for offering a reward of up to \$1 million for information that leads to the location of four-year-old Cleo. We all need to keep sharing information widely across our state and country to help bring little Cleo home.

### **CANCER ORGANISATIONS — FUNDRAISING — BATEMAN ELECTORATE**

*Statement by Member for Bateman*

**MS K.E. GIDDENS (Bateman)** [12.55 pm]: The best part of my job is meeting amazing people in our community, and today I rise to acknowledge some of those people. These are people who, having faced personal hardship and unimaginable loss, dedicate themselves to others.

In 2020, Bateman resident Michelle Wright was diagnosed with high-grade breast cancer. Within eight weeks of that diagnosis, she had been through two surgeries and started chemotherapy. At the time, her daughter was six years old, and Mummy's Wish provided practical and emotional support for the entire family. Michelle is giving back by hosting her first masquerade ball this Friday to raise money for Mummy's Wish and Camp Quality.

Following his own prostate cancer diagnosis, Winthrop resident Ken Farmer is participating in the Tour de Gracetown 2021 to raise money for prostate cancer initiatives and the Ladybird Foundation.

I wish to acknowledge a very special Winthrop Primary School family, Sharvita and David De Beaux and their sons, and their family, friends and supporters who make up Team Max. Max, Sharvita's beautiful son, lost his two-year fight against neuroblastoma in March 2019, aged six. Team Max has raised \$100 000 for Neuroblastoma Australia, and last weekend raised \$60 000 for the Make-A-Wish Australia foundation. If Sharvita could have just one wish, it would be that her child did not die. Although that wish could not be granted, Max's wish of a holiday in the snow was made possible by Make-A-Wish. Sharvita, I share your wish that Max and other children never experience life-limiting illness and disease. Through your advocacy and fundraising, Max's legacy is one of love and hope for other families and children, and I pay tribute to your courage and commitment to this cause.

**DR MICHAEL LIVINGSTON***Statement by Member for Roe*

**MR P.J. RUNDLE (Roe)** [12.56 pm]: Firstly, I welcome Michael, Rachel and Lillybelle Livingston, along with my wife, Andrea, to the Speaker's gallery.

It is my pleasure to announce that Dr Michael Livingston has been nominated for the 2021 Australian College of Rural and Remote Medicine's Distinguished Service Award for his significant contribution to rural and remote medicine and general service to the community. Dr Livingston is the local general practitioner and emergency physician in Ravensthorpe and Hopetoun. Since 2014, Michael and his team have travelled across the region to bring medical services to remote and small communities, with three new clinics in Jerramungup, Bremer Bay and Varley. In addition to his general practice, he has employed a new GP registrar and a new female GP; supervises and teaches registrars and students; provides support and encouragement to rural doctors; and welcomes allied health professionals to work alongside him.

By positively promoting the benefits of COVID vaccinations, Livingston Medical's clinics have reached almost 100 per cent vaccination coverage in the local area. Michael and his team proudly share good news stories and promote the benefits of living and working in rural practice in the hope of attracting more doctors to the bush, but he is not afraid to highlight the issues and advocate for better services in regional areas.

I wish Michael and his wife, Rachel, all the best in their journey and once again congratulate Michael on being nominated for this esteemed award. I believe he has a very good chance.

**LEEMING NEIGHBOURHOOD WATCH***Statement by Member for Jandakot*

**MR Y. MUBARAKAI (Jandakot — Parliamentary Secretary)** [12.58 pm]: I rise today to thank a local hero for his role in keeping our community safe. In my time as the member for Jandakot, community safety has always been a high priority for my constituents, and I take it very seriously. Last year, one of our amazing Leeming Neighbourhood Watch volunteers, Mr Bob Taddeo, got in touch with me to let me know that after a vicious assault of an elderly man in Cannington, some of the seniors in his social group were feeling frightened in their homes. On behalf of my constituents, we campaigned all across Jandakot to reinstate the safety and security rebate that had been ripped out by the Barnett government in 2015. I extend my gratitude and thanks to the Premier, Minister Punch, Minister Papalia and Bob Taddeo for their roles in the campaign to restore the seniors' safety and security rebate.

I would also like to take this opportunity to remind seniors in my electorate and across Western Australia that Seniors Card holders are eligible for a rebate of up to \$400 for the purchase and installation of security devices. One of my favourites is the wi-fi video doorbell—it is a good one to grab! It is most important that all our seniors feel safe in their homes, and thanks to the McGowan government and local heroes like Bob Taddeo, we are much closer to achieving that today.

*Sitting suspended from 1.00 to 2.00 pm***VISITORS — CARRAMAR PRIMARY SCHOOL***Statement by Speaker*

**THE SPEAKER (Mrs M.H. Roberts)** [2.00 pm]: Members, on behalf of the member for Wanneroo, I would like to welcome leadership students from Carramar Primary School and their teacher, Susan Block. Also, on behalf of the member for Riverton, I would like to acknowledge the guests who are in my Speaker's gallery.

**QUESTIONS WITHOUT NOTICE****CORONAVIRUS — MANDATORY VACCINATION POLICY****641. Ms M.J. DAVIES to the Premier:**

Before I ask my question, on behalf of the member for Roe I acknowledge Dr Michael and Rachel Livingston, who are sitting in the Speaker's gallery. Dr Livingston is an excellent general practitioner in the Ravensthorpe, Hopetoun and Jerramungup area who has been nominated for the 2021 Australian College of Rural and Remote Medicine's Distinguished Service Award.

I refer to the advice from the Chief Health Officer regarding mandatory vaccinations, specifically to the third last paragraph of his letter dated 19 October where it states —

Attachment 1 provides further guidance on current groups mandated, the next groups planned to be mandated (Group 1) and further groups where it is anticipated that further mandates may be required, either in the advent of an outbreak and subsequent lockdown or in preparation for opening of interstate and international borders, with subsequent outbreaks (Group 2).

- (1) Can the Premier confirm that the full advice, including attachment 1 as sent to the Premier by the Chief Health Officer, has been published?

- (2) Can the Premier explain why the Chief Health Officer advises that only further groups—that is, group 2—may be considered for mandates when the table he calls attachment 1 states that they must be vaccinated by 31 January 2022?

**Mr M. McGOWAN replied:**

- (1)–(2) Obviously, we had a lot of discussion about this between the Chief Health Officer, the Minister for Health and me. The Chief Health Officer is in full agreement with the table that we published that all those groups must be vaccinated by the time frame we have indicated. As the member correctly quoted, the letter does indicate that it is in the lead-up to the opening of the international and interstate borders. At some point in time, the commonwealth will open international borders and the state will open interstate borders to New South Wales and Victoria. Clearly, having all these groups vaccinated is absolutely necessary.

I urge the opposition to be supportive and constructive about what we are trying to do and to stop undermining it.

#### CORONAVIRUS — MANDATORY VACCINATION POLICY

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

I have a supplementary question. I thank the Premier. Can the Premier confirm absolutely that his government has not gone beyond the advice provided by the Chief Health Officer in his letter to the Premier of 19 October because he has repeatedly said that his decisions reflect the advice of the Chief Health Officer?

**Mr M. McGOWAN replied:**

I just told the Leader of the Opposition that we had a whole range of conversations between me, the Chief Health Officer, the health minister and the police commissioner in relation to all these matters, and the announcement made yesterday was fully agreed to by the Chief Health Officer and all parties as absolutely necessary to protect the health of all Western Australians.

I urge the Liberals and Nationals to stop undermining the efforts we are putting in place to keep this state safe. You have done it now for two years—you need to stop. All you do is undermine everything we have tried to do to stop people getting sick and dying in Western Australia. You need to stop!

Several members interjected.

**Mr M. McGOWAN:** You give support and encouragement to those people out there who want to undermine the vaccination program and you come in here and come up with silly and spurious questions on every single occasion to undermine everything we are trying to do. You are the worst opposition, the most irresponsible opposition ever seen in Western Australia.

Several members interjected.

**The SPEAKER:** Members of the opposition, you do not actually get much cut through if all five of you interject at once. We then have other people interjecting and it is just a wall of noise; it does not actually add to anything.

#### CORONAVIRUS — MANDATORY VACCINATION POLICY

**643. Mrs L.A. MUNDAY to the Premier:**

I refer to the state government's safe and proportionate approach to preparing Western Australia for the expected transmission of COVID-19 in our community. Can the Premier update the house on the response to the COVID-19 vaccination mandate for certain workers and certain industries?

**Mr M. McGOWAN replied:**

I thank the member for Dawesville for the question. The mandatory vaccination policy we announced yesterday is safe and proportionate based upon expert health advice and is a clear framework for industries and workers across Western Australia. We want to be as safe as possible before such time as we have any introduction of COVID into Western Australia, and the way to do that is to get as many people vaccinated as quickly as possible. I especially do not want to see people die in Western Australia and we want to make sure that we avoid the problems that New South Wales and Victoria have gone through. The danger from Delta is very real; therefore, I say to all Western Australians, do not wait to get vaccinated; do not wait for another outbreak. Please get vaccinated now.

We have seen that a majority of Western Australians understand this message—a vast majority of Western Australians understand this message. Today Australia's three major supermarkets, Coles, Woolworths and Aldi, announced vaccination mandates for their workers, but in any event, we have announced an overarching one for supermarket workforces. We have seen Wesfarmers back WA's vaccination mandate and that includes businesses like Bunnings, whose workers will also need to be vaccinated by the end of January. Its managing director, Rob Scott, has indicated his support for the policy. We saw support for the policy from the Tourism Council of Western Australia, the Chamber of Minerals and Energy and the Western Australian Chamber of Commerce and Industry. They all indicated their support. The Australian Hotels Association has recognised the benefits of the policy. According to my notes, Bradley Woods told the media yesterday that he, and I quote —

understands why mandatory vaccinations are critical to keeping the industry open.

He said also that a lot of businesses have reported, and I further quote —

a massive spike in people taking interest in getting the vaccination because they want to get it out of the way now.

When it comes to the unions and the not-for-profit sector, the State School Teachers' Union of WA supports the policy saying that it removes uncertainty for teachers and mitigates anxiety across the education workforce. The Western Australian Council of Social Service says that it supports the policy because it supports the most vulnerable people in our community, and the broader union movement has overwhelmingly supported what we are doing. It is very rare to find overwhelming agreement from industry, business, unions and the community sector on one issue, but on this issue the policy we have announced has achieved that outcome, which is terrific. That is why it is very disappointing to hear that the opposition is criticising what we have done. I thought that the opposition leader was more reasonable than the way she has conducted herself over the course of the last day. Her comments yesterday gave some comfort to those people who oppose this policy when she said that the policy was, and I quote, "disappointing" and "of great concern". She has given comfort and support to those people who oppose vaccination. What the opposition is doing is actually dangerous. It is dangerous to the health of the people of Western Australia. Members opposite are so in the mindset that they are the opposition and therefore they oppose that they do not actually recognise when they should support. They do not use the flexibility that their brain should provide to understand that there are times to stand up and do the right thing. Why do not you understand that? Stop undermining the health and welfare and safety and lives of Western Australians! Actually act responsibly for a change!

#### CORONAVIRUS — MANDATORY VACCINATION POLICY

##### **644. Ms M.J. DAVIES to the Premier:**

I refer to the mandatory vaccination frequently asked questions document that was uploaded to the Department of Health website yesterday, removed this morning, amended and then reposted.

- (1) Is the requirement for all travellers entering WA from low, medium, high and extreme risk jurisdictions to be fully vaccinated by 15 November part of the plan that the Premier refuses to share with the Western Australian public?
- (2) Why was this included in the document and why was it removed?

##### **Mr M. McGOWAN replied:**

- (1)–(2) As I said on the ABC radio this morning, an administrative error was made. I think it was picked up by Nathan Hondros, who works for the Liberal Party, who published or tweeted it, because I do not think he is particularly supportive of vaccinations, so he tweeted that. It was obviously picked up by ABC as well. An administrative error was made.

All I will say is that is the direction that Western Australia is heading. That is the broad direction. People getting vaccinated so that they can travel overseas or interstate is obviously something that I think most people would support. We are currently working on how in the future those sorts of arrangements could be implemented, but we have not made a final decision on it. It is nothing that is set in stone, but I have seen Alan Joyce out there saying, "If you want to fly Qantas overseas, get vaccinated." If you ever want to go overseas again, get vaccinated. If you want to go to Bali or Thailand or Britain or America, get vaccinated. If you want to go over east, obviously there are much higher levels of infection over there, so clearly that is a broader direction that the government is currently examining.

#### CORONAVIRUS — MANDATORY VACCINATION POLICY

##### **645. Ms M.J. DAVIES to the Premier:**

I have a supplementary question. I thank the Premier. When will he let the rest of Western Australia in on the plan to safely reopen Western Australia's borders and let people understand what it is that he is going to outline as part of that plan to reopen Western Australia safely?

##### **Mr M. McGOWAN replied:**

That was a nonsensical question, but I will try to answer the general gist of it. It was absolutely nonsensical. When are you going to stop backing the anti-vaxxers?

Several members interjected.

**The SPEAKER:** Order, please!

**Mr M. McGOWAN:** When are you going to start supporting science and medical research in the safety of Western Australians? When are you going to do that? The way the state opposition is acting, all that will happen is people will get sick and people will die. That is the way it is acting. What we see with the opposition in New South Wales and South Australia is that they do not act that way. What they do is look at what the government is doing, and if it is sensible, then they support it. What this opposition does is to say, "We're opposing everything. It doesn't matter." It does not matter about the rationality; it does not matter whether it is the right thing to do. It just opposes

so that it can go and win some support. The support it is trying to win now is from the anti-vaxxers—the people out there rallying outside my office today and yesterday—those people out there who are claiming it is 5G, and the former Liberal Party candidate who is the 5G conspirator who helped establish the rally. Members of the opposition are out there supporting her. Why do you not act a bit responsibly? Go and have a look at what the opposition in South Australia and New South Wales do! They do not do what this opposition is doing. You are following the same playbook as the opposition in Victoria, and it is a dim, dark road that will lead to people dying.

**The SPEAKER:** Before I give the member for Burns Beach the call, member for Cottesloe, your interjections are continuous and incessant. They are repetitive. What happens then is other people interject back in your direction and you cannot be heard, because another 10 people are interjecting back to you. I ask you to keep that in mind. The occasional interjection is acceptable. That was not even your question. If you are going to continuously interject, you are going to continue to build the noise, and no-one will hear anything the opposition is saying.

POLICE AMENDMENT (COMPENSATION SCHEME) BILL 2021

**646. Mr M.J. FOLKARD to the Minister for Police:**

I refer to the McGowan Labor government's record in supporting our medically retired police officers. Can the minister outline to the house what this government's legislation to introduce police compensation will mean to the medically retired officers who suffer work-related illness and injury, and can the minister advise how this government has come to introduce this landmark legislation?

**Mr P. PAPALIA replied:**

I thank the member for his question, and also for his strident advocacy for his fellow police officers. Understandably, he is a loud voice in favour of more support for police.

This is, indeed, a historic day. It was a landmark announcement in 2016, when, from opposition, we committed to improving the lot of our police officers in Western Australia. Madam Speaker, throughout the last term, you and the Premier led that improvement with a number of initiatives, and this finally finishes the delivery of our commitment to enhancing support for police officers who are medically retired as a consequence of injuries sustained during their service. Others have ignored or tried but failed to address these issues.

The Western Australian Police Union attended this morning as I read into the Parliament the amendments to the act that will create a police compensation scheme. It has been specifically tailored for police and ensures there is no reduction to existing in-service entitlements, and that was critical. That was used by previous governments to claim that it was an impossible achievement. Under the scheme, medically retired officers will be eligible for lump sum payments capped at \$239 179. In certain circumstances, the cap could increase by \$179 384 to a total of \$418 563. There will also be a payment of \$16 743 for vocational support and training to enable people to transition. I just want to take a moment to acknowledge you, Madam Speaker, and the Premier for his commitment at that time, back in opposition, but I also want to—she does not know I am going to do this—acknowledge your then, and my now, chief of staff, Rachel Sackville-Minchin, for the extraordinary amount of work and leadership she demonstrated. As the partner of a former police officer, she had a lot of skin in the game. She cares deeply about police officers and has done a tremendous job. The scheme provides certainty and support to our officers and their families so that they can take care of themselves, transition out of the force and continue their lives.

I am going to conclude by quoting from an extraordinary police union media release from today, the likes of which we will not see very often, I do not think. I will quote only a few paragraphs. The media release states —

The WA Police Union are celebrating one of the most significant days in their 109 years of fighting for the rights of Western Australia's cops after the McGowan Government introduced its police compensation scheme bill into parliament.

The media release continues —

“It's a landmark moment for the health and safety of WA's police officers and their families. The scheme, coupled with the McGowan Government's changes to the medical retirement process, will give financial and educational support to police officers who are injured in the line of duty and consequently are unable to continue serving our community,” said Mick Kelly, Acting President of WAPU.

Finally, I will conclude with the last quote from that media release, which states —

“We commend the McGowan Government for recognising the plight of our members, acting with compassion and righting the wrongs of years of neglect.”

GEOHERMAL ROYALTIES

**647. Dr D.J. HONEY to the Minister for Mines and Petroleum:**

I refer to media reports that geothermal company Good Water Energy has been forced to relocate to the Northern Territory to invest in green hydrogen, resulting in the potential loss of \$10 billion in investment and 5 000 jobs. Why is the minister and his government continuing to place roadblocks in the way of green hydrogen projects in WA, including the threat of headwork energy royalties?

**Mr W.J. JOHNSTON replied:**

We are not.

#### GEOTHERMAL ROYALTIES

**648. Dr D.J. HONEY to the Minister for Mines and Petroleum:**

I have a supplementary question. Can the minister confirm that he is going to charge geothermal projects a royalty on headwork energy value of up to 10 per cent for some companies; and is it the minister's intention to charge a royalty on other renewable energy sources as well?

**The SPEAKER:** Leader of the Liberal Party, you may not have been happy with the answer to the main question, but that does not give you the entitlement to ask two supplementary questions.

**Dr D.J. HONEY:** It was a direct supplementary, Madam Speaker.

**The SPEAKER:** No, it was two questions. I will direct the minister to answer the first question that was asked as a supplementary.

**Mr W.J. JOHNSTON replied:**

We have no intention of changing the existing arrangements for geothermal royalties that were left to us by the former government.

#### ELECTRIC BUS TRIAL — JOONDALUP

**649. Ms E.L. HAMILTON to the Minister for Transport:**

I refer to the McGowan Labor government's unprecedented investment in public transport. Can the minister update the house on the trial of electric buses in WA and outline what this could potentially mean for the future of our bus fleet; and can the minister outline to the house how this government's record of investing in public transport compares with the record of the Liberal and National Parties?

**Ms R. SAFFIOTI replied:**

I thank the member for Joondalup for that question. Today, the member for Joondalup accompanied me and the member for Forrestfield to Forrestfield to look at the first electric bus to run on the Transperth bus network. The bus was built in Victoria and has come to WA; it arrived only two weeks ago. This bus, along with another bus to arrive in November and two further buses, will be trialled across the Joondalup CAT network and the northern suburbs network next year. The plan is to expand electric buses across the network.

Today, we got to ride on the bus, and not only is it very quiet —

**Mr P. Papalia** interjected.

**Ms R. SAFFIOTI:** I thank the Minister for Police for that contribution!

It also has more internal room. The lithium batteries are on top and the engine, which is normally under the bus, has been moved out, so the bus is more spacious than other buses. It is a really, really great initiative and I am so looking forward to rolling it out.

I saw that the Leader of the Liberal Party criticised this on Twitter.

Several members interjected.

**The SPEAKER:** Order, please, members! Attention to the Minister for Transport, please.

**Ms R. SAFFIOTI:** The Leader of the Liberal Party criticised this initiative, saying that it was not really an innovation. Let us look at the Leader of the Liberal Party's, I suppose, track record on rail lines. How many times was the Thornlie–Cockburn Link promised, member for Southern River?

**Mr T.J. Healy:** Every three elections!

**Ms R. SAFFIOTI:** And never delivered! There was also the Ellenbrook rail line—promised twice, never delivered. MAX light rail—never delivered. Today, he criticised the fact that we have a plan to not only use electric buses but also build them in WA. We could fully import some more of them now, but we actually want a system in which we build our buses in WA, as we currently are with the Euro VI diesel buses. We have a plan to not only use clean energy, but also build electric buses here in Western Australia. That will mean that we will continue to create jobs and bring innovation and new skills to the workforce in WA. I cannot wait to see this bus on the Joondalup CAT service next year, member for Joondalup. It will look very, very impressive. I cannot wait for members of the public in Joondalup to see the new bus and acknowledge the work that has already been done in installing vehicle charging infrastructure in Joondalup. Again, we want to make this a sustainable, long-term project that will mean cleaner buses and local jobs for Western Australians into the future.

## CORONAVIRUS — SOCIAL HOUSING ECONOMIC RECOVERY PACKAGE

**650. Mr R.S. LOVE to the Minister for Housing:**

I refer to the Auditor General's sixth report, *Roll-out of state COVID-19 stimulus initiatives: July 2020–March 2021*, which was tabled yesterday.

- (1) How does the minister respond to the fact that the four worst-performing COVID-19 stimulus initiatives, as investigated by the Auditor General in this report, all fall within his portfolio?
- (2) Does the fact that less than \$6.5 million—a mere two per cent—of the announced \$328 million for these four initiatives has been spent show that beyond releasing the odd media release, the minister is out of his depth and totally failing some of the state's most vulnerable people?

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

- (1)–(2) It does not surprise me that the member for Moore does personal slurs; it is the only thing he is able to do because he does not have any intellectual policy grunt on these matters.

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

**The SPEAKER:** Order, please!

**Mr J.N. CAREY:** He goes straight to the personal slur. It does him no good.

I want to be very clear about the Auditor General's report. It is actually a dated report, from March this year, so let us be very clear on that. I am on the public record as saying that we have a booming housing economy, and that is a great thing. We have had 27 000 building approvals and 4 000 regional approvals. We are in extraordinary times, and this is actually good for all home owners who are entering the market. As the new Minister for Housing, since March, I have been focused on driving a reform program that is about accelerating the delivery of social housing. In fact, only this week I used the example of six timber homes that were originally going to take 12 months to deliver but are being delivered in five months. We are gaining real traction, given the challenges.

I respectfully disagree with the Auditor General when she suggested that this was an instant sugar hit. It was very clear that this was part of a COVID recovery program over a period of time—we actually refer to it as a pipeline of works. We are getting that work out. I want to put this on the public record: as at 30 September, social housing economic recovery package works totalling \$68.5 million had been awarded, supporting an estimated 365 jobs and \$141.8 million in economic activity. There are 250 new social housing builds—150 for public housing and 100 for community housing. Of the 150 public housing builds, 62 have been awarded to builders, valued at \$18.1 million. There have been 398 refurbishments awarded to contractors, valued at \$30 million. Of those, 103 refurbishments have been completed. Maintenance works have also been awarded as part of the SHERP program for 4 134 regional properties, valued at \$20.5 million. We also have out now \$92.8 million in SHERP grants to be delivered to the community housing sector. That was a report of a particular time. It is dated. We clearly are pumping out funding through a range of programs. More than 600 homes are currently under construction. As the new Minister for Housing, recognising the heated construction market, I have been driving a very clear reform program to accelerate the delivery of social housing through modular and timber homes, and so forth. We are making significant gains.

## CORONAVIRUS — SOCIAL HOUSING ECONOMIC RECOVERY PACKAGE

**651. Mr R.S. LOVE to the Minister for Housing:**

I have a supplementary question. Can the minister give the house an understanding of when the hundreds of millions of dollars still unspent will finally be delivered?

Several members interjected.

**The SPEAKER:** Members! I am getting a little tired of everyone giving commentary on supplementary questions. If questions are not in order, I will point that out to the member. We do not require commentary every time a member of the opposition asks a supplementary question.

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

It is very clear that opposition members are given written questions by their underlings. They do not read them, sometimes they do not understand them, and then they just read them out. That is what the member has just done. I just listed, in detail, the rollout of the program, and then the member asks that question of me. It makes no sense —

**Ms M.J. Davies:** When?

**Mr J.N. CAREY:** Right now, Leader of the Opposition. I know the Leader of the Opposition is not listening. I know she is not attentive. I just detailed it. I could go through it again for the Leader of the Opposition if she wishes. I made it very clear that we are rolling out the program. I am repeatedly talking in this house about the reforms I am making. The member likes to quote Shelter WA, but its commentary about this is very clear. It has said —

... we're really pleased that the new minister (WA Housing Minister John Carey) has got his eye attuned to this problem, and is really focusing hard with the department to get delivery done and housing out the door."

We are making extraordinary investments in public housing—an \$875 million injection. It is \$2.1 billion. There are more than 600 homes under construction right now, including using modular and timber. You need to write your own questions, sir, because at the moment it is very clear that you are not well researched at all.

#### SYNERGY — RENEWABLE ENERGY

**652. Mr D.A.E. SCAIFE to the Minister for Energy:**

I refer to the McGowan Labor government's work to deliver a sustainable energy future for the state through its significant investment in renewable energy technology. Can the minister update the house on this government investment in the state's biggest battery, and outline how this will deliver better energy outcomes for Western Australian households and businesses?

**Mr W.J. JOHNSTON replied:**

I am very pleased to answer that question. We have already delivered community batteries embedded into the distribution network. We are delivering our energy transformation strategy to make the electricity system take account of distributed energy—that is, solar panels and other equipment that people put into their own homes. We have the trial of Project Symphony down in the south-eastern corridor, in the electorates of the members for Jandakot and Southern River. We also have this new announcement that the government, through Synergy, has awarded a \$155 million contract to New Horizons Ahead to build Western Australia's largest battery. It will be a 100-megawatt, 200-megawatt-hour battery that will be able to power 160 000 homes for two hours. This battery will be operational by the end of next year and will be an important part of balancing our electricity system. It will allow us to store some of the excess solar that is being pushed into the system from solar panels on people's houses and use that to help deal with the evening peak. It is a very important step forward in the decarbonisation journey of our electricity system.

I want to emphasise that the electricity system in Western Australia now has as an objective to decarbonise the entire electricity system. This battery will be an important step forward in that process. I particularly want to acknowledge the \$50 million contract to GenusPlus Group, a Western Australian company based in Belmont. It will have 50 local people working on the project. I acknowledge that \$15 million of the \$155 million is a contribution from the commonwealth government. I note that it is spending billions on the east coast, but we are certainly happy to have the \$15 million co-investment. One in three households in Western Australia already have rooftop solar, and we expect that to get to one in two within 10 years. Putting that in context, at the moment, every day we have one megawatt of additional rooftop solar going into the south west interconnected system. Just for this year, we will have over 350 megawatts of additional rooftop solar going into the system.

This is another important step forward. I encourage the private sector to look at what the government has done here and also invest in large-scale batteries. There is now clearly an opportunity to get rewarded for that type of investment. I want to congratulate Synergy and its partners in this project.

#### CORONAVIRUS — REGIONAL HEALTH SERVICES

**653. Ms L. METTAM to the Minister for Health:**

I refer to reports of the drastically under-resourced Wyndham Hospital, where staff have been rostered on for more than 110 hours a fortnight, and that the Safespear portable isolation equipment at Geraldton Health Campus is unusable, as revealed in the other place. Given that the minister has had more than 18 months to prepare regional health services across Western Australia for COVID, why do these dangerous conditions persist?

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

I would like to begin, on behalf of the member for Roe, by acknowledging Dr Livingston in the Speaker's gallery today, and wish him all the very best for the awards. I hope that he comes home a winner, but we are all very confident.

We covered this issue in some detail this morning in response to the member's grievance, and I am not quite sure why she has come back to seek further information. I am unsure of the connection between the Safespear negative pressure room add-ons at Geraldton Health Campus and the situation with staffing at Wyndham Hospital. Suffice to say, over the last 20 months we have worked very hard in Health to make sure that we keep Western Australians safe and that we have a health system that continues to respond to the changing and dynamic situation we have in the fight against COVID-19, both with the surge in demand we are experiencing at the moment, like all other health systems, and the impact of a constrained workforce as a result of the borders.

I am very proud of the work that has been done. We continue to have an outstanding health system that has guided the government through one of the most internationally recognised and successful campaigns against the COVID-19 pandemic. I am not quite sure why the member sees fit to continue to undermine people's confidence in that system. I would have thought that she would join us in acknowledging these difficulties and the great work that the department, doctors, nurses and allied health and support staff are doing to take us through this difficult period.

## CORONAVIRUS — REGIONAL HEALTH SERVICES

**654. Ms L. METTAM to the Minister for Health:**

I have a supplementary question. What urgency will the minister now provide for regional health worker recruitment, and how can regional Western Australians have any confidence that their health systems are prepared for COVID?

**The SPEAKER:** Sorry; you asked the first question and then said “and”, so the first question stands.

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

I have mentioned in this place on a number of occasions that I bring these stats with me because, as sure as eggs, this question is going to come up again, despite how many times I answer it. We are undertaking —

Several members interjected.

**The SPEAKER:** This is the issue once interjections start; they just seem to continue, don't they, member for Swan Hills? Minister for Health with the answer, please, to a supplementary question.

**Mr R.H. COOK:** As I have outlined in great detail in this place over the past few weeks, we continue to recruit doctors and nurses from both the east coast and internationally, and we are having a great deal of success. We now have over 1 000 FTE of nurses and assistant nurses who have come on board since January this year. In addition, we have recruited over 400 doctors from overseas. We are bringing nurses back from the Grampian program. We are bringing back nurses who have suspended their careers, through refresher courses. We are undertaking significant recruitment of midwives— an extra 15 since January this year. Right throughout the system we see recruitment taking place.

If it is difficult to recruit in the metropolitan area, where doctors, nurses and allied health staff enjoy all the benefits of living in a big metropolitan area with the lifestyle that comes with it, it is even more difficult to recruit them in regional areas. But we know that there are doctors and nurses out there who want the rich experience of living in regional Western Australia and that it is a very rewarding aspect of their career, and that is why we are doing such a big recruitment drive at the moment and expanding our health workforce. That, member, is what we are doing to make sure that we can alleviate these workforce constraint issues.

## WATERWISE PUBLIC HOUSING PROJECT

**655. MR S.J. PRICE to the Minister for Water:**

I refer to the \$26 million expansion of the McGowan Labor government's waterwise public housing project. Can the minister outline to the house how this project will help save water and reduce the cost of living for some of the most vulnerable members of our community?

**The SPEAKER:** I give the call to the Minister for Water, who does have permission to use a prop if he likes!

**Mr D.J. KELLY replied:**

Yes, that is right. We will get to that in a minute, Madam Speaker. Do not spoil my surprise!

**The SPEAKER:** You have got everyone's attention now, you see.

**Mr D.J. KELLY:** That is right. Yes; you have raised their expectations!

I thank the member for the question. This week is National Water Week and I was very pleased, as part of National Water Week, to announce jointly with the Minister for Housing a \$26 million expansion of the waterwise public housing project. Members are aware that for 20-odd years or more, we have been encouraging home owners to be waterwise. We know that climate change is having a significant impact on our rainfall, and that is making our water supply more scarce and more expensive, so we have been encouraging households to do things like put waterwise showerheads in their bathrooms—I will get back to that in a minute—waterwise toilets and all those sorts of things, so that we are not wasting precious water.

When we came to government, it concerned me to find that although we are making headway with new properties, a whole bunch of existing housing stock in Western Australia is full of inefficient products. Although we encourage people to build more efficient homes, we have this legacy issue and the state government actually owns a lot of those properties. We have 30 000 to 40 000 public housing properties. Many of them are waterwise because they are new and have been updated, but there are some legacy properties. Therefore, it is incumbent on us as a government to lead in this area.

In 2019, we ran a pilot during which we audited 1 000 public housing properties, and the results are really quite outstanding. By putting water-efficient fixtures into those houses, the tenants saved 27 per cent on their water bills, and as a result they saved between \$66 and \$145 on their actual bills. Across that program, 142 million litres of water were saved in those 1 000 properties. Having run the pilot, today we have expanded it. We are committing to retrofitting 10 000 public houses with new fixtures just like this one I am holding here. The response from tenants has been absolutely amazing. I was talking to some of the plumbers today and the response from the tenants is extraordinary. Getting new fixtures uplifts the whole house. We will save 4.4 billion litres of water over the next five years of the program. It is absolutely fantastic.

To channel the Prime Minister, it is not a lump of coal; it is a waterwise showerhead. Do not be afraid of it! It will not hurt you. Members opposite, it is a great way of fighting climate change because it reduces not only your water bill, but also your power bill. Most people have a hot shower, so they save water and they save on energy and they reduce emissions.

It is worth noting that former President Donald Trump, in 2020, actually scrapped the federal government's regulations on showerheads. It had been regulating showerheads since 1992. Donald Trump complained that a waterwise showerhead did not give him enough water to wash his hair—that is what he said! He effectively scrapped the waterwise regulations relating to showerheads.

On this side of the house, we understand that it is important to be waterwise. We understand that it is important for the government not just to tell other people to do stuff, but to lead, and that is why we are making this investment in our own properties. We understand that everyone is a winner. The tenants pay lower water bills and their houses look better and are better places to live; we save precious water, we reduce energy use and emissions, and we assist in the battle against climate change.

**The SPEAKER:** The member for Roe with the last question.

#### WORK HEALTH AND SAFETY ACT — VOLUNTEER FIREFIGHTERS

##### **656. Mr P.J. RUNDLE to the Minister for Emergency Services:**

I refer to the growing concerns about the consequences of the Work Health and Safety Act 2020, which provides new responsibilities on volunteer bush fire brigade bushfire control officers when managing local fire events and increased duty-of-care pressure upon local governments. Who in the chain of the Department of Fire and Emergency Services, local government CEOs, community and emergency services managers, local brigade officers, bushfire control officers and farmers, takes the ultimate responsibility for the safety of a volunteer firefighter while on a fireground?

**Mr R.R. WHITBY replied:**

I thank the member for that question. It is an interesting question coming from the Nationals WA, given that the legislation relied on the support from the National Party to be passed.

**Mr P.J. Rundle:** We supported it, so what's your problem?

**Mr R.R. WHITBY:** The Nationals supported the legislation —

Several members interjected.

**The SPEAKER:** Order, please, members! Minister, perhaps I should have, when I listened to the question, given a little guidance that questions, of course, cannot ask for a legal opinion, so I just ask you to take that into account in responding.

**Mr R.R. WHITBY:** What I will say about this legislation is that it is well and truly welcomed. It is necessary. We believe that all first responders need to be protected in the workplace that they find themselves in, including emergency volunteer responders. In many ways, this legislation simply continues the requirements that have always existed previously. Similar legislation was introduced in the eastern states and there were concerns there as well about the impact on first responders. Claims were made at the time that volunteers would not turn up for duty. None of those claims or concerns have eventuated. The Department of Fire and Emergency Services is working very hard and diligently to inform the community first responders. There is engagement about what this will mean and how it will work. I can assure the member that it is good legislation. This legislation was actually supported by the member's party, for good reason, because it is important to protect first responders as well as a wide range of people in the workplace in these situations.

#### WORK HEALTH AND SAFETY ACT — VOLUNTEER FIREFIGHTERS

##### **657. Mr P.J. RUNDLE to the Minister for Emergency Services:**

I have a supplementary question. I am asking this question because there is a lack of clarity. Will the minister undertake to assess the impact of these changes and provide absolute clarity and assurance to our senior volunteers whom these brigades rely on?

**Mr R.R. WHITBY replied:**

I thank the member. As I have just explained, the Department of Fire and Emergency Services is currently engaged in that process of consultation and in assuring the community, broadly, including emergency services, that this is good legislation, it is there to protect them and it will work well.

**The SPEAKER:** Members, that concludes question time.

#### CHILDREN AND COMMUNITY SERVICES AMENDMENT BILL 2021

*Assent*

Message from the Governor received and read notifying assent to the bill.

**WITTENOOM CLOSURE BILL 2021***Second Reading*

Resumed from an earlier stage of the sitting.

**MR D.R. MICHAEL (Balcatta — Parliamentary Secretary)** [2.48 pm]: It is a pleasure to be able to talk today on a bill that has been coming to this place for a very long time, the Wittenoom Closure Bill 2021. We have heard from a couple of members already, but I remember when this bill was passed by this chamber in the last Parliament by the then Minister for Lands, Ben Wyatt. Some of the speeches at the time referred to asbestos-related diseases and how the remaining residents in Wittenoom had held out for a very long time and it was time for the government to do something about it. I am very pleased to see that since that bill passed this house, but was not passed by the Legislative Council, several remaining residents have come to an agreement with the government, but one resident still remains and 14 lots are still in freehold —

**The SPEAKER:** Sorry, member for Balcatta, it is quite hard for Hansard to take your words down because there are people talking in little groups in the chamber. Please take your seat in the chamber, listen to what I know will be an excellent speech, or perhaps move outside the chamber for your conversation.

**Mr D.R. MICHAEL:** I am really pleased the bill has come back after it failed to pass the upper house before the state election in March this year. As I said before, one resident is left. A long time ago, I worked for the member for Willagee, who was then the shadow Minister for Lands, and I remember receiving a letter from one of the residents—I am not sure which one it was—arguing against what we are doing because they were quite happy to stay in Wittenoom and live out their life there. I remember reading that they did not have any symptoms of any asbestos-related disease and were quite happy to stay there. Ordinarily, it could be said that it is quite a reasonable proposition that someone wants to stay in their home, albeit by themselves, if there is only one resident left. One of the biggest problems that that brings, and it is something I have noticed online—I will not call it adventure tourism—is danger tourism. Some nights, when I am sitting up late and I have had enough of watching re-runs of *Hogan's Heroes* on TV, which is what I tend to do after late nights in Parliament, I put on YouTube and let its algorithms feed me videos on various things that I am interested in! I find that somehow videos about abandoned places around the world come up of people who sneak—mostly illegally—into abandoned places far away in exotic locations. I see their little video compilations.

**The SPEAKER:** When you say “people”, do you mean cats?

**Mr D.R. MICHAEL:** No. Madam Speaker, much like you, quite a few cats come up on my YouTube feed from time to time, and all the various things that they do to their owners! I watch those.

I have seen people train hopping through Europe, looking through abandoned factories in the former Soviet Union, and people breaking in, not part of an authorised tour, to Chernobyl at Pripjat to look around the camp there—things that people should not be doing. I just sit there, as I am trying to get tired before going to bed, watching these things. Once, a video came up of someone who drove to the outskirts of Wittenoom, put on some personal protective equipment and went in to meet some of the residents and have a look around, including going to the gorge, which is probably one of the most contaminated places in Australia other than the nuclear test sites. Knowing what I know about Wittenoom and asbestos-related diseases, that is probably not what we want to see happening. That is why it is important for this bill to go through and that we buy those 14 freehold lots, or compulsorily acquire them; and, unfortunately for that one resident who is left, not have them live there anymore.

Today, we heard some great speeches. The ones I caught were from the members for Riverton, Scarborough and Mount Lawley and they were about some of the impacts of asbestos-related diseases. It was good to hear our resident doctor talk about how asbestos-related diseases occur in people’s lungs. The first time I really knew about asbestos-related diseases was when I was very young and working for my local member of Parliament, Bob Kucera. In the electorate of Yokine, as it was then, was the Asbestos Diseases Society, which has been mentioned a few times today. Bob used to take me to the ecumenical service, which I think the member for Mount Lawley mentioned, where I met Rob and Rose Vojakovic. I will talk about them in a second. I got to meet some people who had been recently diagnosed. For all intents and purposes, I could not tell that they had that disease. When I went back a year later, I could see the progression of the illness. For quite a few of them, it was quite quick. I would hear stories that their exposure had been very fleeting and sometimes a long, long time ago and it had been dormant and realised itself later in life.

As a City of Stirling councillor, as I was for 12 years, I kept in contact with the Asbestos Diseases Society about various issues that had come up when I was on council. My recollection is that the Dividing Fences Act does not bind the Crown, which means local governments on things like reserves, public access ways, roads and laneways. A lot of asbestos fences about properties that councils own. Councils, not being bound by the legislation, do not have to replace those fences. The adjoining landowner has to pay the full cost of those fences. I remember talking with some City of Stirling councillors about whether we could start a program to fix some of those. Given the costs involved, the other councillors did not really think that was something we could afford at the time, given all the other priorities of council. The City of Stirling would be a bit of an outlier and no other councils were doing it—or not many—and I did not put it up because I knew it would be voted down.

As a former councillor in the Osborne ward of the City of Stirling, and the ADS being located in Main Street, Osborne Park, I would go to its AGMs and talk to them. I met people who had been recently diagnosed, and staff from the Asbestos Diseases Society. Sometimes I would hear positive news about some of the medical research that was going on, but then I would hear about some of the members the society had lost during the previous year.

I will get back to the Asbestos Diseases Society. During the 2017 state election and the most recent election, like most members, especially on this side of Parliament, I did a bit of doorknocking. I do not have the figures on me, but I know that I doorknocked over 6 000 houses before each election. From walking the streets, I got a good chance to have a look around and see what people were growing in their front yards. In Balcatta, lots of fruit and veg is being grown in front yards. I also observed the styles of houses, the architecture, all sorts of —

**Dr A.D. Buti:** In Balcatta?

**Mr D.R. MICHAEL:** There is some good architecture in Balcatta. I got to see some of these things.

One thing I noticed from doorknocking before both elections was the amount of asbestos that is still in our community—not only in homes. Some very well maintained homes, including my own, are made out of asbestos—fibro. I saw holes in fences and holes in old asbestos sheds that are not painted. I also saw asbestos roofing, which is probably the worst asbestos because it is the least maintained because it is too high. There was an infamous example at the City of Stirling—I think it was in Dianella—someone, with all the best intentions in the world, decided to clean their asbestos roof using a water pressure hose and sprayed asbestos dust and wet muck everywhere, which caused some issues for the neighbours. I noticed that asbestos was everywhere.

In talking to people at the Asbestos Diseases Society, we are going to have waves and waves of asbestos disease probably for a very long time. The first wave, of course, was those workers from Wittenoom; the workers who were involved in either the mining or processing of asbestos. Very quickly after them, there was another wave, which was their families or people working in Wittenoom, including people who were not directly working with asbestos, such as teachers and those providing services. I have heard of people who have contracted asbestos-related diseases just from washing their partner's clothing back in the 1960s in Wittenoom. In the 2020s, they are developing asbestosis or mesothelioma.

The member for Scarborough talked about tradies. Even now, some tradies probably take risks when it comes to asbestos, and that is knowing what we know. People who worked for decades with this stuff were not aware of any risks—they accepted the dust and just got on with their work. That is the way they had to earn a living. That was another wave. Increasingly, we will have a wave of home owners and people who like to go to Bunnings and do a bit of DIY. They will not know the risks. They are inexperienced in dealing with asbestos. As I said, looking around the suburbs as I do when I doorknock or visit constituents, I see that people might have a new fence, but the asbestos just lies in a pile in their front yard for a bit. It is not super six fencing; it is clear it is asbestos. It sits there disintegrating and, unfortunately, no-one does a great deal about it.

I will talk a little about the great work done by the Asbestos Diseases Society of Western Australia, which is on Main Street, Osborne Park, in my electorate. It was in my ward for 12 years when I was a City of Stirling councillor. Robert and Rose Marie Vojakovic are the stalwarts of the Asbestos Diseases Society. How they do what they do, and how they have done it for so long, I do not know. Robert was in Wittenoom. As far as I know he does not have an asbestos-related disease, but seeing what happened to people he knew, workmates, has driven him to run this organisation for so long. When one sits down and talks to Robert and Rose Marie about what they have been doing for the past 20 or 30 years—I will get to the services they provide in a second—they speak of the need for legislative change and legal avenues open to people who have acquired asbestos-related diseases. Together with families and trade unions, the fight they have had to put up every step of the way, all around Australia, to get justice for people who worked with or around asbestos and who have asbestos-related diseases is amazing. They have had to jump through many hoops, and continue to do so. I have visited their office many times and they tell me where Western Australia's legislation might be a little better than others in some parts, but missing in other parts. Hopefully, during my term in this place, however long that might be, we can continue to make changes that give more justice to people who have asbestos-related diseases and, importantly, their families.

The Asbestos Diseases Society has in its foyer some displays, including asbestos behind glass, so the mineral can be seen in its raw form. They also have a lot of photos and a lot of stories from people who are no longer with us. I am sure everyone has seen photos of kids in Wittenoom playing in the asbestos tailings, which I think they used to line the roads with. They used to use the tailings at the racetrack there as well. I think there was even asbestos in the playgrounds because it created a nice, soft fall. The society has a lot of photos on display of kids with asbestos smeared all over them. They also have stories from people who, as I said before, might have had only a fleeting exposure to asbestos in their lifetime and 20 or 30 years later they have acquired an asbestos-related disease.

Robert and Rose Marie, with their daughters Simone Vojakovic and Melita Markey, do a wonderful job with their staff at the ADS. I do not know how they do it because most of their clients are people who have recently been diagnosed with an asbestos-related disease and all of them pass away within a couple of years. From the receptionist who sits at the desk to the staff members and administrators, and Robert, Rose Marie, Melita and Simone, and all the

volunteers they have to do their fundraising, to meet these people who walk through the door and to take them through this process is a heart-wrenching thing that they have to do every single day. That is why I say that the fact they have done this for so long, given the toll that would take on them, is amazing.

As well as good staff, they have some excellent volunteers who help with their fundraising and other things. I think the ADS has two big fundraisers. It has a walk every year and also the famous ADS raffle. One of my branch members in the Balcatta branch of WA Labor, Tony Newton, who is always good for a van shuttle to the Osborne Park Show, is involved in the ADS. Even though I tend not to use cash much anymore, like most people, I always keep \$20 or \$30 on hand in the office because he will come in two or three times a year with a book of ADS raffle tickets, which I dutifully buy to help things along.

I am very proud as the local member that following both the 2017 and 2021 elections, through the McGowan Labor government I was able to make a small contribution to upgrading the ADS's Main Street facility in Osborne Park. The reason that is so important is that many people who have just been diagnosed with an asbestos-related disease go there looking for answers; it is a one-stop shop. People going there have just been diagnosed and are seeking guidance on where to go for legal advice to see whether they or their family are eligible for compensation, where to get some counselling and, most importantly, how to get the best health outcomes for themselves. That is what the ADS is really good at. It has an exceptional network of doctors that it can send people to who understand asbestos-related diseases.

The most important thing is that at the back of the ADS office is a room for doctors to conduct spirometry testing for lung capacity and those kinds of things. Even people who have worked in Wittenoom or worked with asbestos and those at risk of other dust-related diseases, such as former coalminers, go there to be checked. The ADS keeps their records and can see whether there is a change in their lung capacity from year to year. Obviously, people who have been diagnosed go there regularly and see a doctor who knows the disease and knows what to do. Some of the election commitment funding went to ensuring that there was a nice area towards the back for people to make a tea or coffee or to sit away from the reception area while they waited for a consultation with a doctor and to get some really good advice. It is a one-stop shop and it helps those people, and also others who might be at risk in the future.

The staff at the ADS are a fun bunch. They are lovely people and I enjoy having a coffee with Robert or Melita at one of the local coffee shops.

[Member's time extended.]

**Mr D.R. MICHAEL:** The ADS is situated in an old bank on Main Street, Osborne Park, and it has an old bank vault. I think a few electorate offices might be old banks and have inherited an old vault in their rooms. The old, narrow vault at the ADS is full of archive boxes of case files, health records, X-rays and all those kinds of things for all its clients who have passed away. It is a sad place to be. It is piled high with documents. Something the federal government might want to consider in the future is getting that information digitised and in some sort of order so that it could be used to help medical research into asbestosis and mesothelioma in the future.

I commend this bill to the house because making people aware of Wittenoom and the dangers of going there is so important. It will also highlight some of the other issues around asbestos that everyone needs to be aware of at home. I am getting a few alerts on my phone. My asbestos fence is coming down today, so there are pictures of people walking around my backyard in personal protective equipment and black plastic everywhere. It looks like they are doing the right thing. This legislation is a really important thing to do. Once this bill goes through both houses, the sooner we can get the lots bought out, residents out, and rip up all that aboveground infrastructure and do as much as we can to dissuade people from going to Wittenoom, the better, so I commend the bill to the house.

**MS M.M. QUIRK (Landsdale)** [3.08 pm]: I start by paying tribute to the many migrant workers who were at Wittenoom. I also make the observation to start with that it is an absolute disgrace that it has taken the time it has to shut down Wittenoom. I am glad that this, hopefully, will finally be the end to it all. In paying tribute to those migrant workers, I refer to an article by the Australian Asbestos Network that sets out the history of the workers at Wittenoom. It states —

**At a time of high unemployment in Western Australia and an acute post-war housing shortage, Wittenoom was an attractive prospect for people looking for work, both Australian-born and recent migrants.**

In the 1950s Wittenoom was the largest Western Australian town north of the Tropic of Capricorn and was promoted as a new model mining town with modern amenities. Located in a landscape of spectacular beauty —

I have to say that I have been to Wittenoom and it is a very beautiful spot —

Wittenoom seemed like a great opportunity, even paradise for many of its new inhabitants. Researcher Sylvia Lovenfosse explains the attraction of such a remote location for a desperate workforce.

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Up to 200 families at any one time lived in Wittenoom and a total of 12,000 people lived there over time. In all, 7000 people worked for Australian Blue Asbestos at the mine and mill. The workforce was predominantly young, single, male and New Australians. Many were migrants from Continental Europe, in particular Italy. In the early years many Displaced Persons worked there ...

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After the war, Australia was a popular destination for Italian workers escaping high unemployment back home. In 1951 Celestina Delpero's husband Spero signed a two-year contract to work in Western Australia at what he thought was a hydro-electric water power plant. It wasn't until he and his fellow villagers arrived at Darwin that they found out their destination was the Wittenoom asbestos mine. The men were angry at the way in which they had been misled.

...

For many newly arrived migrants, Wittenoom was an improvement on the camps they had left behind in European countries still suffering the traumas of the Second World War ...

...

Almost all Wittenoom workers were on contract—six month contracts from Perth and two year contracts from Europe. However most workers, horrified by conditions of work and residence, stayed for only a short time. Over 40 per cent remained for less than three months, and 60 per cent left in six months or less.

Despite those short intervals, we all know of the killer seed that was sown in many of the workers at Wittenoom and the long-term legacy of the disease called mesothelioma. In this regard, I have to say that one of the positive outcomes—if there can be a positive outcome—from the fact that asbestos disease has emanated in such large numbers from Wittenoom is that Western Australia has some of the leading medical experts in the area. I had a bit to do with both Professors Bill Musk and Bruce Robinson when I was on the Sir Charles Gairdner Hospital board. Both those gentlemen and their colleagues are world experts. It is an unfortunate situation, but I have to pay credit to their dedication and commitment over many years in their research and patient care.

As has already been said, it was believed initially that the extent of the disease contraction was by miners, but it became apparent only latterly, in the 1970s or 1980s, that it actually extended to construction workers in the building industry and so on. When I worked at a commercial firm, I had some contact with some of the first cases that involved builders who had contracted the disease. There was certainly some enthusiasm about settling those matters so that the extent and the impact of asbestos and mesothelioma was not generally known. In that regard, we had excellent speeches from the members for Cockburn and Mount Lawley, who acted for the victims of this insidious disease, but I have to say that some of my fellow lawyer colleagues who acted for the defendants did not distinguish themselves in the way that they conducted this litigation. They were responsible for unconscionable conduct, abuse of process and delay with the outcome being that they certainly would try to delay cases in order that the victim would die prior to settlement or resolution of the matter in the courts. A number of lawyers, especially many in Perth, should frankly be ashamed of their conduct in this regard. It was really quite disgraceful.

I want to mention the role of journalism in this. In later years, there has been some sensational coverage of the extent of the involvement of, say, James Hardie, the extent of the cover-up of this disease, the conduct of those who ran the mine, the shareholders, the board of James Hardie and so on, and just how far up the totem pole the unconscionable conduct ran. For example, Matt Peacock, who was an ABC journalist, wrote a fantastic book called *Killer Company* in which he outlined the struggles of Bernie Banton in New South Wales to really bring James Hardie to account. For anyone who wants to do a company directors' course, the conduct of James Hardie is an object lesson on what not to do as a board member in terms of malfeasance and criminality. James Hardie engaged in misleading and deceptive conduct. It stripped its assets and sent them offshore to insulate itself from the extent of its liability. Those who were involved in that process do not deserve any credit or adulation. Matt Peacock's book *Killer Company* was made into an ABC miniseries called *Devil's Dust*. If members have not seen it, I highly recommend that they view it. It sums up the awful and shameful saga that is Wittenoom and the conduct of James Hardie. Those members who want a briefer summary of the shameful saga can listen to Midnight Oil's *Blue Sky Mine*, which of course also recounts the saga, the harm, the heartache and the disease that was perpetrated, all in the interests of profit.

**MS R. SAFFIOTI (West Swan — Minister for Transport) [3.17 pm]:** I rise to make a couple of comments on the Wittenoom Closure Bill 2021. I am glad to follow the member for Landsdale, who described much about the role Wittenoom played in employment choices for newly arrived migrants. I want to tell a story about my father, but I will also talk a bit more about the bill and how, in my previous, previous role as Minister for Lands, we restarted this process when we came into government in 2017.

My father was a migrant in the early 1950s. As the member for Landsdale described, it was an environment in which migrant workers were asked to undertake very difficult tasks around the state. My father cleared land, and I think much of Wanneroo was cleared by migrant workers at the time. They cleared big tracts of land from Roleystone

to Wanneroo and in other parts of Western Australia for developments and pastoral purposes. My dad had a dim view of how some of those workers were treated by many of the pastoralists at the time. One of the stories he recounted that I have never shared in this place—I was going to share it at his eulogy but I ran out of time—was the Wittenoom story. My dad had a very, very good friend, Frank or Franco, otherwise known as “the Butcher”. We knew him as “the Butcher”. I did not really know his name until very, very late. My dad recalled the very time they were walking—I do not know exactly where; my dad was never good at those details—and there was a recruitment drive for workers at Wittenoom. He and Frank were walking down the street or past the office and Frank walked into the employment office, or whatever it was, but my dad had a gut feeling to keep walking past. My dad never entered that office and never ended up working in Wittenoom, but “the Butcher” did and he went to work in Wittenoom. Unfortunately, he died at a much earlier age than my father. My father lived till he was 93 years old and Frank passed away over 21 years ago, at a much younger age. It describes what life is and how when we make choices, we do not know the full consequences and the fact that many, many workers —

**Mrs L.A. Munday:** Sliding doors.

**Ms R. SAFFIOTI:** It was exactly as the Minister for Lands described; it was a sliding doors moment. People who wanted to get ahead, earn a living and establish a life for themselves in this country were then working in what is one of the most dangerous places to work in. I am not across all the legal challenges that went on. I think the member for Landsdale described them very well. Many people suffered for a very long time, and I do not think anyone has ever claimed responsibility properly for what happened in Wittenoom.

When I was Minister for Lands, after the Labor Party had been elected in 2017, this issue was brought to me. The formal closure of the Wittenoom town site was one of those things I had not thought about a lot. I remember that at the time, the issue had been debated for many years. Some longstanding residents were refusing to budge and saying that they did not want to move. I have seen video footage, which I am sure the current Minister for Lands has seen, of people continuing to live in that environment. I saw—what is the word?—“tourism” videos, but it was not really tourism. I think the member for Balcatta described them as YouTube videos that popped up showing dangerous tourism places. People actually wanted to visit these town sites. It struck me as very dangerous to allow that to happen. Despite people saying they wanted to continue to live there, the government had to make the choice to close the town. That decision was made very early on and I think the next Minister for Lands, Hon Ben Wyatt, introduced the legislation in 2019, and we are now back here debating it. This bill has been a long time coming. As I said, there was a lot of debate, primarily due to the fact that some longstanding residents were not keen to move on. However, it was made very clear to me that we had to close the mine to try to make the place safe and ensure that people were not exposed to asbestos.

I forgot to mention that my dad’s friend who passed many decades ago—I was not aware of this at the time—died of respiratory issues that were primarily likely linked to his work at the asbestos mine.

I fully support the Wittenoom Closure Bill and think that it is time we moved on and made sure the place is safe. The implications of not only the mining there has significantly impacted on many people’s lives. Even now, as we have been trying to bring projects to completion, such as the Karratha–Tom Price road and the Manuwarra Red Dog Highway, asbestos has had to be cleared by contractors and Main Roads to enable them to deliver those projects. There was basically bags of the stuff along the road alignment. It has cost a lot and has taken a lot of time and had to be dealt with appropriately. I cannot remember how much asbestos was left along the road reserve, but when the contractors started to clear the route, they identified the amount of asbestos that had been dumped. It was described to me as having fallen off the back of a truck and never been picked up. We had to make sure that we did not expose the workers to risk. The clean-up cost millions and took a lot of time.

I congratulate the Minister for Lands for bringing this bill back to Parliament and getting on with it. It is the right thing to do to protect the health of Western Australians and to make sure that people who believe Wittenoom is an interesting place to go to do not go and do not expose themselves and their families to any further risk.

**MR M.J. FOLKARD (Burns Beach)** [3.25 pm]: I rise to speak in support of the Wittenoom Closure Bill 2021. I have listened to some fine debate this afternoon, such as the contributions of the members for Scarborough and Landsdale. I reflect on the two lawyers, the members for Cockburn and Mount Lawley, and their efforts in defending the victims of mesothelioma, and also the hideous effect that legal action has on the victims of asbestosis. After listening to these fine debates, when it came to the compulsory acquisition of land, I reflected on the movie *The Castle* regarding fair recompense and all that sort of stuff. I am certain that many governments have tried to compulsorily acquire and remove the final houses there, but, again, the McGowan government continues achieving. No-one else has been able to achieve this, so these last blocks remain.

Many years ago, when I first got out of the Army, the only job I could find was as a survey hand, and I worked extensively in the Hamersley Ranges. One of the jobs we did was a surround survey for what was referred to as ballast pits so that we could find the rock to build the long train lines. I can remember walking out the back of deadset nowhere, where we could see asbestos on the ground. At the time, I had no idea what it was. It was our practice to make ourselves a brew when it got to about 10.30 in the morning and organise ourselves for the next part of the day’s work. When I reflect on it now, I recall that we basically surrounded the fire pit with raw asbestos. We were

hanging out there and we made our fire and our brew for the day. I can remember, as I said, that all the rocks were almost like leaves of wood hanging out the side of it, but we did not know what it was. On reflection, I believe that the mine site where most of the work was done still needs some significant work to stabilise the dust there. I hope that in time it will be looked at so that the traditional owners can have the land handed back to them. However, that is for others to do and for me to look upon to make sure that it gets done right.

I took on board the member for Balcatta's comments about the blue asbestos and the asbestos that was used in old Balcatta to build the sheds. As a young copper, my first country stint was in a place called Northam, which we all know well, out to the east of Perth. When I was first stationed there, most of the fences inside town were made of the old blue asbestos fibre cement sheeting. It had been in there for a long time; it was very fragile. I remember one morning, we were out patrolling on the eastern side of town, and there was a particular young fellow I was keen to get my hands on. Lo and behold, he saw the police car and ran. At the time, I was playing first-grade rugby league, so I was a bit fit, and I remember saying to my partner, "Stop the car! I'm going to chase him." I had been chasing this young fellow for a couple of weeks. There is a story behind it, but that is not for today's proceedings. I took after him. He was a nimble young fellow who was in his early 20s, very nimble and very fast. I took after him and I remember running across a playground and closing in on him. He got to a fence, and it was the old blue asbestos. The young fellow went up and over the top of the fence and kept going. I sort of tried an attempt, but the fence just collapsed. I thought, "All right, over one fence." I took off after this young fellow. He went over the second fence. I was so angered by the first fence collapsing underneath me that I ran through the second fence and continued on. Again, I was closing in on him, but he was still jumping over these fences. I was running. I got to the third fence and went straight through that one—bang. So far, I have smashed I think eight sheets of this blue asbestos. The young fellow turned right and went over a fourth fence, and I crashed through the fourth fence. This time, I tripped on something; I cannot remember what, on reflection. By the time I looked up, the bugger was gone. I thought, "Oh, you're kidding me." I walked back and looked at all these fences. One of the old sergeants up in Northam was a bit of a bowerbird. Apparently, all the old ladies whose fences I had managed to destroy had jumped onto the station and said, "There's a young policeman around here destroying our homes!" I spent the next hour trying to find this young fellow. He got away from me that time; I managed to catch him a little later on and squared the ledger up. But by the time I got back to the station, old Sergeant Rowe had rustled up half a dozen of the trustees at the station, managed to get half a dozen sheets and had replaced all the asbestos fencing that I had broken chasing after this young fellow.

On reflection, asbestos is still everywhere. When we came to government at the last election, four classrooms at Currabine Primary School were just rife with the stuff. I took the time, and the good member for Joondalup will remember the work we did to get those replaced. The first thing we did when we came to government was get rid of that wretched stuff out of the kids' primary school.

I will not speak more to add to the debate. I hope that once we have got rid of all remnants, that town site will go and go for good, because it has such a staunch and horrible history. I have seen too many victims of asbestosis to even talk about it in this house.

I wish the minister all the best, because I think this is a fine piece of legislation. We will finally be able to close Wittenoom once and for all. With that, I commend the bill to the house.

**MS J.J. SHAW (Swan Hills — Parliamentary Secretary)** [3.33 pm]: I rise this afternoon to speak on the Wittenoom Closure Bill 2021 and to commend the Minister for Lands for again bringing this bill into the Parliament. It is a matter that has been going on for quite some time. I have spoken about this in previous sessions. It is yet another bill that died a lonely death in the upper house on account of the recalcitrance of the Liberal–National Party, or the National–Liberals, as perhaps they are now. This is one of the bills that really was intended to deliver good-quality public policy outcomes for the people of Western Australia, but, as was so often the case, was denied passage through the upper house by a filibustering, recalcitrant opposition. At least we are now in a position to again bring before the house this legislation that provides for the closure of Wittenoom, and hopefully the finalisation of a particularly sad chapter in Western Australian industrial and, indeed, workplace relations history.

The bill as it currently stands reflects the long history of Wittenoom. Wittenoom in the 1940s was a pretty bustling town. It had a burgeoning industry in mining for asbestos and was really quite a vibrant place in the Pilbara. However, the mine was closed in 1966, and, over time, there was increasing evidence of health risks that had come about because of people's exposure to asbestos.

In its heyday, about 20 000 people lived in Wittenoom. More than 2 000 of those people have died from asbestos-related diseases. That is 10 per cent of people who lived in that town have died from asbestos-related diseases. The implications of asbestosis and related illnesses continue to ripple down through the years, across the Western Australian community, and it is tragic. I know that many other members this afternoon have spoken about the implications of asbestos-related disease. Indeed, the stories are tragic.

In 2007, the state government de-gazetted the town, and, over time, state governments of both persuasions have tried to knuckle this issue. About three million tonnes of asbestos tailings remain in the Wittenoom Gorge; in fact, the

town is now the largest asbestos-contaminated site in the Southern Hemisphere. Something has to be done about it. The state government has tried to manage the health and safety risks by closing the town site, withdrawing services, placing warning signs and voluntarily purchasing a significant number of privately held properties in Wittenoom in order to bring the whole area under state management, but several people who own 14 lots in the town have not taken up the very generous offers of financial compensation. Nonetheless, the town needs to be closed.

I know that there is tourism interest in visiting Wittenoom. As the Parliamentary Secretary to the Minister for Tourism, I genuinely struggle to understand why it is such a tourist attraction. I can only imagine that tourists who want to go there are on some kind of death wish. It is curious that people would want to visit there; nonetheless, I have friends who have stubby holders that say “I visited Wittenoom and survived”. It is black humour. The passage of this legislation will knock that on the head. I assure potential visitors to Western Australia and indeed all people who are locked within Western Australia that our state contains many other fantastic tourist destinations that we really should be visiting, and many in the Pilbara that should feature on any itinerary way before anyone thinks about visiting Wittenoom. Nonetheless, with the passage of this bill, people will no longer be able to go and visit Wittenoom, and that is entirely appropriate.

Back in 2019, the then Minister for Lands, Hon Ben Wyatt, a fabulous state Treasurer and a longstanding, highly respected member of Parliament, introduced legislation to close Wittenoom. The idea was that the properties of the three landowners who refused to move from the town would be compulsorily acquired and tourists would be prevented from visiting. The plan was that the state government would demolish the remaining houses, remove roads and erect more warning signs. Those plans were announced way back in March; the bill was introduced into Parliament, and, as I say, languished in the upper house.

The proposed Wittenoom asbestos management area is approximately 46 840 hectares of land. It includes the former town site of Wittenoom, the Joffre floodplain, and the former asbestos mine. As the Land Administration Act currently stands, land can be compulsorily acquired only for the purposes of public works. Obviously, acquisition in this instance is for a completely different purpose—that is, to keep people safe and to prevent tourists from wandering into Wittenoom, putting themselves and tourism operators who might be of a mind to take them there, at some considerable risk. These are entirely legitimate purposes, and the Wittenoom Closure Bill 2021 will provide for the application of those purposes in order to address the risk.

The previous bill lapsed with the proroguing of the fortieth Parliament and has now been re-presented in the forty-first Parliament by Minister Buti. There is now reference to 46 500 hectares; I will be interested to understand why there is a slight difference in the hectares covered. Nonetheless, this bill covers the management of the area; the last hold-out properties will be acquired, and all the remaining infrastructure there will be bulldozed. Let it be known to the tourists of Western Australia: there will now be no reason to go to Wittenoom; there will be literally nothing there to look at. It is not worth your hassle, and there are far better tourist attractions right across our wonderful state to go and see; you will have way more fun, there will be far more people, it will be much more vibrant, and you will not risk any threat to your health.

It is unfortunately the case that Wittenoom has to be bulldozed, because no matter what is done, the site will never be safe for human habitation. The extent of the pollution is so significant that we really need to close the site for public health reasons. That is tragic, because it would otherwise be a quite beautiful part of the world. Nonetheless, this is what happens when we undertake extraction activities without fully understanding the long-term environmental consequences of those activities. Over the years, it has been pleasing to see that we have learnt so much more about responsible mining practices and allowing mining activity to occur in ways that are environmentally responsible, and ensuring that we respect the stewardship of the land and the rights of the traditional landowners. This sort of thing would not be allowed to happen today, but unfortunately it did happen some years ago, and this is what happens when the appropriate steps are not taken.

Once this bill passes, the facilities will be destroyed and the land will unfortunately be unsuitable for human habitation. I want to briefly touch on something that the former Minister for Lands; Aboriginal Affairs, Hon Ben Wyatt, said in April 2019 when discussing the implications of the Wittenoom closure. These comments appeared in a 9 April 2019 AAP article titled “Miners urged to help Wittenoom asbestos clean-up”. The article outlines the position Minister Wyatt took. It states —

The companies that created the most contaminated site in the southern hemisphere should stump up cash to help clean it up ...

That was the position Minister Wyatt expressed when talking about the Wittenoom asbestos clean-up, and it reflects a very important principle that this government has very recently adopted with regard to my own electorate: polluter pays. It is a very important principle. Minister Wyatt, talking about the management of the Wittenoom area, said that the companies that caused the pollution should pay for the clean-up. The article states —

Mr Wyatt says it is virtually impossible the area will ever be safe for human habitation, but it might be possible to remediate certain places of high cultural significance to the Banjima people and stop the contamination spreading into waterways or on the wind.

That is really important. This is a footprint of over 46 500 hectares, and the Banjima people have millennia-long ties with that land. It is incumbent upon us to consider ways in which that land could be remediated to enable the continuation of that connection to country. As Minister Wyatt quite rightly said, the corporations that caused the pollution should pay to clean it up—that is, the polluters should pay. It is not rocket science. He is also quoted as saying —

“Regardless of what I do, laws I pass, fences I put up, the Banjima people will still go onto that country,” he said.

...

“I suspect, as is often the case when these sorts of industrial disasters happen, it’s usually the broader taxpayer that’s left with the bill as companies appear very reluctant to pick up the obligations that they should meet on a moral as opposed to a legal basis.”

That was the position that Minister Wyatt outlined. I want to talk about how that principle endures and directly relates to my electorate of Swan Hills—particularly the PFAS contamination caused by the commonwealth government at RAAF Base Pearce. It is now an established fact that the activities of the federal Department of Defence at the base contaminated not only the land on which the base is located, but also the water sources that my community relies upon for drinking, bathing and watering of livestock and gardens. The Department of Defence caused that pollution, and I have said in this place and on the public record in other places that polluters should pay. The commonwealth government should do the right thing by the people of Bullsbrook and ensure that they receive fair recognition and compensation for the harm they have been caused.

When we first started advocating for this, the Department of Defence really went to ground. When it popped its head above ground for the first time to present a solution to the people of Bullsbrook, it tested 164 properties for PFAS water contamination, and I think 23 homes tested positive, even though they all shared the same water source. They were all drinking from the same source, but some bores came up positive while others did not. The Department of Defence ignored the impacts on all the other people in the area whose properties were devalued or who had sustained considerable mental anguish as a direct result of the commonwealth government’s activities in the area, and instead proposed a highly experimental filtration system that would be installed only in some houses. It was proposed that although that experimental technology would be supported and maintained for three years, the Department of Defence would then walk away from it and leave my constituents in the affected houses with the costs of its ongoing operation and maintenance. This technology had never before been rolled out at a household level anywhere else in the world; my folk were going to have to put up with it. That was not good enough, and it did not abide by the “polluter pays” principle that Hon Ben Wyatt so eloquently expressed with regard to Wittenoom.

The people of Bullsbrook have fought against this for many years, and I would like to once again acknowledge the Bullsbrook Residents and Ratepayers Association, and all the people who took a hardworking, sensible and measured approach to advocacy around this issue. They were not going to stand for bullying; they were not going to stand for threats; they were not going to stand for irrational conduct or standover tactics. They just plugged away at this issue and fought hard and long, and recently we have had a bit of a victory—a partial concession from the commonwealth government that yes, indeed, perhaps the polluter should pay.

It has taken the Morrison government an extraordinarily long time to take responsibility for anything it has ever done wrong, and if it were not for a federal election on the horizon, it probably would have walked away from this one as well. The Morrison government knows that it is on the nose in Bullsbrook and it has had to do something about it, and so it made this little concession to the people of Bullsbrook—nonetheless, I welcome it—to give reticulated water to the people of west Bullsbrook. I welcome that announcement, but it only partially addresses my constituents’ concerns. Indeed, since the federal government’s announcement that it will deliver reticulated water, I have said in the media that no resident in Bullsbrook should be worse off. Some people in Bullsbrook do not want to be connected to mains water so it is incumbent upon the commonwealth government to ensure that those people do not incur any additional costs with the introduction of scheme water.

The commonwealth government needs to step up and ensure that it is consistent with the polluter-pays principle and that none of my constituents will be worse off. I call on the commonwealth government to abide by the polluter-pays principle and do the right thing by the people of Bullsbrook. It has gone some way, and I welcome that, but it needs to do more and continue to do more.

I welcome further movement from the commonwealth government, but I will continue to call on it. I will support the people of Bullsbrook in their case for this. As a say, under principles like polluter pays, the diminution in property values that my folk in Bullsbrook have been exposed to and the fact that banks will no longer extend finance to them needs to be recognised. It has been life-changing for these folk. Polluters should pay—the former Treasurer; Minister for Lands, recognised that in connection with Wittenoom. I call for it in connection with Bullsbrook. I look forward to the closeout of this chapter in Wittenoom’s history and hope that very shortly we will see one for the people of Bullsbrook. I commend the bill to the house.

**MS E.L. HAMILTON (Joondalup)** [3.51 pm]: I rise to make a contribution to the debate on the Wittenoom Closure Bill 2021. We have heard in this chamber a number of contributions from my parliamentary colleagues. The core of this legislation will allow for the acquisition of the remaining privately held properties in the former Wittenoom town site. Wittenoom has been a tragedy, and this legislation will enable the closure of the town and the repurposing of the area.

Wittenoom was a booming regional town from the late 1940s to early 1960s. It was said to have one of the most vibrant town centres in the Pilbara. Asbestos was mined at Wittenoom during that time and then sold over east and throughout the Australian economy. There are probably many locations in Western Australia and Australia where asbestos was used in the building sector and more broadly. We know that the ongoing effects of exposure, such as asbestosis and other diseases, take a long time to come to fruition, and that has been one of the challenges for the population of this particular area—those who worked in the mines and in that town site.

More than 100 years since blue asbestos was first identified in the region and 80 years since mining and milling ceased, it is a shame that at this point some locations are still privately owned. Obviously, the legislation will start the work towards making sure that the government can acquire those final lots and do what needs to be done. When the town was booming, there were about 20 000 people living and working there. We know that around 2 000 of those people unfortunately have since passed from, as I mentioned, illnesses that can be directly related to the asbestos that was mined there.

Back in 2019, the state government and the then Minister for Lands, Ben Wyatt, brought legislation into the Parliament, but unfortunately it did not make its way through Parliament prior to Parliament being prorogued and the state election taking place. The bill has come back into our house. It is an important piece of legislation. The state government is ready to do the work that will come from the passing of this legislation.

Mining ceased in Wittenoom in about the mid-1960s and it took some time for the repercussions of that mining to come to pass. The member for West Swan's contribution drew some parallels with the migrant population who were working in WA at around the time this mine was operating, and that led me to reflect a bit on stories that my late grandparents used to tell me as a child that I think are somewhat relevant. I think the building materials my late opa used had an impact on his life. My grandparents, my oma and opa, were originally from Holland. I have mentioned in this place before that they came over on a ship that landed at Fremantle of all places; it was meant to go to the east coast so they could meet up with family, but it did not happen. At the time, my grandparents had one child. If I work out the timing, it would have been around the late 1940s that they immigrated here. My grandfather was a carpenter by trade. He managed to secure a piece of land in Scarborough on Pearl Parade, member for Scarborough, and built a family home, room by room, with asbestos product. As a grandchild, I visited that house, and it is where one of my parents grew up. I have fond memories of playing in the garden. Upon reflection, I am sure that the house that I thought at the time was weatherboard was made from asbestos sheets that my grandfather had put in place. The relevance of that is that when he died later in life—although we have more tragic circumstances—one of the symptoms he had at the end of his life was determined to be a direct result of a growth in his lungs and asbestosis. He was able to give his medical doctors his history, which the family knew at the time, and it was directly linked to the time that he worked with asbestos, which highly likely would have come from Wittenoom.

We are making changes with this legislation that need to happen. There is still a lot of work to be done, which we will get on and do. I want to reflect on a couple of other contributions. I think the member for Balcatta mentioned in his contribution earlier this afternoon that Wittenoom is known—it is on the internet and I suppose people talk about it, too—as the most dangerous town in Australia. We hear about people who undertake danger tourism, but we know that this is a site that people should not be visiting. It is virtually a ghost town now. We need to make sure that people do not go there and that proper mitigation works are done to create a place that we can repurpose, knowing that there still cannot be any residential dwellings or anything like that. We are definitely doing what we need to do with this bill. I am pleased to see it come back on for debate in this Parliament and I hope that it has a smooth passage through the Parliament. I commend the bill to the house.

**MR S.J. PRICE (Forrestfield — Deputy Speaker)** [3.58 pm]: It gives me pleasure to stand and support the Wittenoom Closure Bill 2021. As we have heard from previous speakers, the bill aims to compulsorily acquire the remaining three whole properties within the town so we can effectively shut it down, make it as safe as possible and limit the number of people who access Wittenoom. Everyone is very aware of the impact that asbestos has had on people's lives, especially people who worked at the mine in Wittenoom.

Having a union background and having been an occupational health and safety representative as well, I am all too aware of the impact of asbestos and its prevalence in society today. We talk about the impact that asbestos had on workers at Wittenoom—we are aware of that—and the ancillary impact on the workers' families, whether it be their wives or their children who lived in the town. We talk about the first stage of asbestos, which involves the people who actually worked in the mine. The second stage involves the families associated with that. But there is a third wave and stage as well, which involves those who are referred to as the DIY-ers. I mentioned the prevalence of asbestos that we have in society today. The amount of asbestos that is still surrounding us is incredible. Asbestos in

itself was an amazing material and could be used in many different applications, so it was. We predominantly talk about it being in fencing. There is a lot of asbestos fencing around our houses and it was also used within houses as sheeting. It was used in both domestic and commercial construction and there are a lot of industrial applications for it. Around Western Australia, a lot of the main, large industries and refineries that we have are quite old. They were built back in the 1960s and have a significant amount of asbestos riddled throughout them. We also have to be aware of the presence of asbestos when it comes to talking about modern-day workers.

We see a lot of people doing their own home renovations, especially during the last 18 months when people have decided to stay home and undertake a lot of activities and little projects around the house, and not fully being aware of some of the potentially dangerous implications of what asbestos can actually do. We need to continue to be vigilant about this dangerous product that is still with us, and people need to be aware that if they have asbestos in their house, they should not break it. Do not remake it into fibre again. The way asbestos is currently contained, if it cannot be removed, which is the ultimate and best way of dealing with it, it needs to be encapsulated and by that I mean you paint it. Keep it in a state in which it is not weathered and does not fray, and the fibres will not break off the asbestos product.

A member mentioned in a previous contribution the program that we had through our schools. Our schools are another area with asbestos and a significant number of schools have it. The age of public schools in Western Australia is roughly 50-odd years, so a lot of asbestos was used in the schools' building products. The program that we currently have to continually remove asbestos-containing products, or ACPs, from our primary schools and high schools is a wonderful program that we need to keep going with. Quite a number of the schools out in my electorate of Forrestfield had asbestos-containing products removed. It is a very expensive process because stringent safety precautions need to be put in place, and it needs to be timed when the kids are not at school, so that limits opportunities to mainly during school holidays.

It is an issue that we need to be aware of. It is a product that is still amongst us, and we encounter it every day. Bizarrely enough, there is actually a safe exposure level for asbestos. In my view, there is no such thing. My advice to anyone who is dealing with asbestos in any way, shape or form is to ensure that you protect your respiratory system and limit your exposure to asbestos. If it is raw, wet it. If it is in situ, paint it and look after it. Whilst it is covered and protected, it is of no harm to you, but you need to be vigilant to make sure that you maintain it to a good standard or else you are exposing yourself and it will be just as bad as, unfortunately, what the people who used to work at Wittenoom have experienced. The outcome is still the same. Essentially, it is a death sentence. Therefore, we need to be aware of it and we need to be careful of it.

On that, I would just like to acknowledge the great work that Robert and Rose Marie Vojakovic at the Asbestos Diseases Advisory Service of Australia here in WA do, with their daughters Simone and Melita. Their continued campaigning and awareness raising of the illnesses associated with asbestos is second to none and greatly appreciated by everyone within the union movement and the workforce because they continually keep people aware of the dangers of this product. Not only that, they undertake an amazing amount of fundraising to help fund trying to come up with ways of dealing with asbestosis or some of the other diseases related to it. In Western Australia, we have world-leading research going on in dealing with asbestos-related diseases, and the great work that is going on is something that is not publicised enough. The work they do is absolutely second to none and I really want to make sure that they get recognised for the great work that they do, helping people who are in that horrible situation when they need to go and talk to someone about an asbestos-related disease.

It is great to see that this bill has come back into the house. It is great to see that the government is moving forward and dealing with a legacy from a long time ago. As we have heard, Wittenoom was the most contaminated worksite town in the Southern Hemisphere, and the sooner we deal with closing the town and restricting people's access to it and through it, the better. This bill goes a long way to helping do that. I certainly commend the bill to the house.

**DR A.D. BUTI (Armadale — Minister for Lands)** [4.06 pm] — in reply: I rise to make some comments regarding the various speeches and contributions to the second reading debate of the Wittenoom Closure Bill 2021. I would like to thank everyone who has made a contribution. Obviously, it is great to be here to try to progress this bill through the house. This bill is very timely and the sooner we get it passed in this house and into the other place, and the sooner it is passed and becomes law, a lot of people will be very happy, and many of those people spoke today about the bill.

I would like to acknowledge the issues that the member for North West Central raised regarding the Shire of Ashburton and, of course, the traditional owners of the land, the Banjima people. I want to make it clear that the central purpose of the bill is to close down Wittenoom. That is the central core of the bill before us. Therefore, the bill will deal with the final closure of the former town site that we know as Wittenoom by providing the state with the ability to do so. Currently under the Land Administration Act 1997, the government can compulsorily acquire land only for a public works purpose. That is not the case here. The case here is for very, very important safety reasons, which is why we needed to bring in this bespoke legislation. The issue is the compulsory acquisition of these properties. Negotiations have been sought over many years to acquire these properties, but those have been unsuccessful, so we needed to introduce this legislation to the house to give us the legislative authority to compulsorily acquire these remaining properties.

Obviously, compensation will be paid. As we very well know, it is part of our Constitution and part of the law of the various jurisdictions that make up the commonwealth that property be acquired on just terms. That is in section 51(xxxi) of the Australian Constitution, I think. I am sure the Acting Speaker will correct me if I am wrong. I think that is where it is.

**The ACTING SPEAKER (Mr D.A.E. Scaife):** It sounds right to me, minister.

**Dr A.D. BUTI:** It is in the Australian Constitution, put it that way. But I am sure that that is the right section.

I understand the member for North West Central's interest in the issue and his interaction with the remaining residents of Wittenoom. He agrees with and supports the bill, and the opposition supports the bill, which is very comforting to hear. We want it to have a quick passage through the upper house if possible.

Some speakers said that Wittenoom is still seen as a tourist attraction. There is some beautiful scenery around the area, including some beautiful gorges, but the point is they are dangerous. I think the member for Joondalup and others mentioned that it is the most dangerous town in Australia. It is not a tourist site. People should not live or visit there. That is what this bill seeks to do.

Once this bill is passed and the remaining residents are relocated, the government, in consultation with the Wittenoom steering committee, will start to look at how we can make this area safe for the future and, most importantly, for the health and wellbeing of the traditional owners. The member for North West Central mentioned that maybe the state could use the mining rehabilitation fund to help clean up Wittenoom and the surrounding area. The money in that fund is available only to rehabilitate mine sites across the state in circumstances that the mine site has been abandoned. None of the sites within the Wittenoom management area has been declared abandoned; however, if funds were available, the problem is it would be only from the interest earned from the fund. We are at historically low interest rates, so the funds available are very limited at this stage in any case. The fund is not able to be used in this situation because there are no abandoned mines.

The members for Mount Lawley and Swan Hills mentioned that the people who polluted the environment, the people who obtained massive profits from mining Wittenoom, are the ones who should contribute to the cleaning up of Wittenoom and making this area as safe as possible. The onus should not be on the government to cough up the funds; it should be on the polluters. That will need to be looked at as we go forward. I can assure the member for North West Central that we will be convening, in due course, the Wittenoom steering committee to look at how we can make the area as safe as possible, and I thank him for his contribution.

With regard to all the other speakers on the government side, I thank them for their wideranging comments and observations. Many were related to life experiences and relationships that they have formed and also through other experiences during their working lives. It was quite interesting and uplifting to hear many of those comments.

The member for Cockburn, who had a long legal history before coming into this house, talked about the legacy of Wittenoom—the legacy being very long—and how workers' clothes would be covered in asbestos fibres and then they would go home. Obviously, they could easily transmit those fibres to other family members. Many, many people were affected, not just those who worked at the worksite, but other family members. Many people have been affected by asbestos-related diseases. The member for Cockburn also mentioned the late Hon Bob Thomas, who was a major influence in the labour movement in the Labor Party in the south west. He was a bit of a mentor or role model, I imagine, for the member for Cockburn. As a child, Bob spent several years at Wittenoom. That obviously had an effect on him, as it did on many other people. He died at the relatively young age of 62. The member for Cockburn mentioned various reports that have looked into Wittenoom and also occupational health and safety issues. He also talked about the challenges of remediation, which are incredibly enormous. I understand the issues surrounding the traditional owners, the Banjima people, and the challenges that the Shire of Ashburton has. I thank the member for his contribution.

The member for Mirrabooka provided a wideranging commentary on the union movement's involvement in trying to obtain justice in respect of this. She rightly mentioned, as others did, that this was the biggest industrial disaster in the history of the world, but because it did not just happen over one incident, it is not considered in the same league as other industrial incidents. Someone mentioned—I am not sure who it was—that this is Australia's Chernobyl because of the number of people who died as a result of it. It was the member for Scarborough. I think that is very apt. The member for Mirrabooka talked about the people who have fought the fight; the people who have pursued justice against great odds and their struggle to obtain justice; and the support that those who were advocating for justice received from family members and others. The Wittenoom mine site was closed in 1966, but the first court victory was 1988. The member for Mirrabooka mentioned Bernie Banton, who obviously was a great advocate for justice in this area. I think we all remember when former Prime Minister Tony Abbott—he was not Prime Minister at the time; the member for Cockburn might have mentioned this —

**The ACTING SPEAKER (Mr D.A.E. Scaife):** He was minister for health at the time.

**Dr A.D. BUTI:** He was minister for health. It was a bit ironic; he was the minister for health at the time! He said some very unwise and hurtful words to Bernie. But Bernie, obviously being a person of great character and strength, continued with his advocacy before passing away.

The member for Mirrabooka talked about the Asbestos Diseases Society of Australia and the great work it has done over many decades to bring justice and support to victims of asbestos.

The member for Mount Lawley is another member who had a long legal career before coming into this place. As with the member for Cockburn, at one stage they both worked for Slater and Gordon, and then obviously Eureka Lawyers. The member for Mount Lawley mentioned the important work that has been done in the advocacy area. It was very interesting. He went on to talk about exemplary damages, often known as punitive damages. The courts awarded some of the defendant corporations exemplary damages, which is not normal, and that is usually for gross negligence leading to major harm to people. Exemplary damages were paid as a form of punitive damages for the behaviour of many of the defendant corporations.

The member for Mount Lawley also talked about the union movement and the pursuit of justice. He mentioned the advocates, including journalists, lawyers, and medical and science researchers in the area, all seeking justice to make life better for everyone. He noted Neil Byrne, who passed away in 2019, and how he had spent a long time in the union movement and the labour movement trying to educate workers on occupational health and safety issues. What a great advocate he was. The member for Mount Lawley also talked about how successive governments have tried to make Wittenoom a safer place and have engaged in various pursuits to get where we are today. As a number of people mentioned, the previous Minister for Lands, Hon Ben Wyatt, introduced this bill to the house in 2019. There has been a long quest for justice in this area.

The member for Riverton, who is a medical doctor, provided us with a very interesting and informative commentary on the medical issues surrounding asbestos. He said if the length of the fibre is less than one micron or greater than five microns, it will be rejected by the body; but if it is between one and five microns, it will be digested. That settles in the lungs and of course that leads to fibrosis, which reduces the elasticity of the lungs and then we have the various other diseases that are often referred to as asbestos-related diseases. That was a very interesting contribution by the member for Riverton.

The member for Scarborough spoke next. That was a very interesting contribution. He comes to this place as one of the few people who has worked on the tools as a tradie. When he was only 23 years of age, he was working in the north west town of Wickham and oversaw a number of different trades. He talked about plumbers, painters, sparkies, chippies et cetera. He talked about how they worked with asbestos products. We know that asbestos is a high-quality product and it can be used for many purposes. He said that primarily the products were asbestos tiles that were chipped off the concrete with a machine. He mentioned that that was always an issue when working in that trade. He moved on to a very personal issue and spoke about his great-uncle, Thomas Bell, his nanna's brother, who passed away from asbestosis in 2011 at the age of 70. He had been diagnosed with non-Hodgkin's lymphoma, which he fought off through the removal of his spleen. After a brief reprieve he had to fight off lymphoma again. The treatment that time was chemotherapy. Unbeknown to the doctor and to uncle Tommy, the underlying danger was the asbestosis that was lying dormant in his lung. During the chemotherapy treatment the asbestosis was activated and Tommy rapidly declined, struggling to breathe, even with assistance from a machine that gave him oxygen. He died a short time later. The member for Scarborough spoke about how his great-uncle had worked cutting asbestos in his first job at Cresco in the late 1950s. The member for Scarborough has had a very personal experience in this area. He talked about how Wittenoom was Australia's Chernobyl and how at the peak up to 20 000 people lived in Wittenoom, including 4 000 children. I thank the member for his contribution to the debate.

The member for Balcatta made an interesting contribution. He talked about coming across people whom he knew were visiting Wittenoom when it was seen as a tourist attraction when he worked for Bob Kucera as an electorate officer. He spoke about coming into contact with the Asbestos Diseases Society and also dealing with various issues when he worked on council relating to dividing asbestos fences and also houses that contained asbestos. He talked about his doorknocking experiences and asbestos in various homes that he has come across. He referred also to the great work of the Asbestos Diseases Society, which a number of people have remarked on. He said this bill was necessary so that people would become aware of the dangers of Wittenoom and so it will be shut down.

The member for Landsdale is also a person who comes to this chamber with a long legal history. She talked about the disgraceful behaviour of some lawyers in this town over the years in the Wittenoom litigation debate and how they sought to put a barrier to justice prevailing. She mentioned, as did the member for Mount Lawley, the role of journalism in the fight. Of course, Matt Peacock wrote a book called *Killer Company* about James Hardie and how it moved its assets offshore to try to escape responsibility for its role in this legacy that we know as Wittenoom. The member also mentioned the immigrants who came to Australia in the early 1950s who were attracted by the proposition of work and accommodation at Wittenoom. She made a great contribution about how many of the people who went to Wittenoom were immigrants. Obviously, many of those contracted diseases related to asbestos and have suffered the ultimate consequence. It was great to hear the member marry the history of immigration to Western Australia in the 50s with the role of lawyers, journalists and advocates, such as the Asbestos Diseases Society.

Her contribution about the migrants led nicely into the next contribution, which was by the member for West Swan. When the McGowan government first came to office in 2017, the member for West Swan was the Minister for Lands. As members know, this bill has gone through a number of lands ministers and governments. She talked about her

father's experience in the early 1950s. It was the ultimate sliding doors experience: he was walking down the street with a friend called Franco, who was a butcher. Franco decided to go into a recruitment agency office that was recruiting people to work in Wittenoom. For whatever reason, her father decided not to go in. Her father lived to the age of 93; Franco died a lot younger than that from a disease that of course would have been related to his time in Wittenoom. It really shows how the migrant population was attracted to Wittenoom and how, unfortunately, many of those migrants lost their lives prematurely, but also the choices we make in life, not knowing the ultimate consequences of many of them.

The member for Burns Beach started his speech by saying that the issue of compulsory acquisition was reminiscent of *The Castle*. When I started my contribution not so long ago, I talked about the need under the Australian Constitution and various pieces of state legislation for compulsory acquisition of property to be done on just terms. The member also talked about his experience running after people who had crashed through asbestos fences, and obviously being exposed to the dangers of asbestos.

The member for Swan Hills provided a history lesson on the different iterations of this bill and spoke about the bill being brought before the house by the former Minister for Lands. She spoke about the need for this bill because there is still such a great curiosity about visiting Wittenoom and how it is important for this legislation to reduce people's desire to visit Wittenoom. She said that the polluters should pay, as the member for Mount Lawley mentioned. Obviously, that should be looked at very carefully, and I thank her for her contribution.

I found out something new about the member for Joondalup. I did not know she had Dutch ancestry. We heard how her grandparents came to Western Australia in the late 1940s. They should have gone over east, but they came here. She spoke about how her grandfather secured a position as a carpenter and lived in Scarborough and built the family house there, room by room, obviously using asbestos. In later life he developed symptoms that would have been related to asbestos that was mined in Wittenoom. She described Wittenoom as being the most dangerous town in Australia.

The member for Forrestfield also spoke in this debate. He comes to this house with a long history of work in the union movement, including as a health and safety representative. He talked about the prevalence of asbestos in our society, even now. It was mentioned by a number of people, including the member for Scarborough, that asbestos is a very strong product that has great utility and can be used for many different purposes—and that has been the problem. It has been a very attractive material to use and, as a result, it has been used in many constructions in Western Australia and Australia. Obviously, the consequences of that have been alarming and ongoing, and we have to constantly consider that in our occupational health and safety framework and legal system.

I thank all members for their contribution to the second reading debate of the Wittenoom Closure Bill 2021. It was important that those contributions were made because they reflect the effect that asbestos from Wittenoom has had on society in Western Australia and beyond Western Australia.

People who contributed to the debate today have had friends or have heard of people who have fought in the pursuit of justice for a long time. Some of those who fought, passed away before justice was received, but others attained justice while they were still alive.

In a couple of weeks, I will meet with Melita Markey of the Asbestos Diseases Society of Australia. While I am there we will consider the whole issue of Wittenoom. The society also wants to identify a site for a Wittenoom memorial, which we will seriously consider. It should be noted that one thing that will remain in the facility of the former town of Wittenoom will be the cemetery. That will always be a memorial for what happened to the many families that went to Wittenoom. On that note, I conclude my second reading response.

Question put and passed.

Bill read a second time.

[Leave granted to proceed forthwith to third reading.]

*Third Reading*

Bill read a third time, on motion by **Dr A.D. Buti (Minister for Lands)**, and transmitted to the Council.

*House adjourned at 4.29 pm*

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