

Wittenoom Closure Bill 2018

Second Reading Speech

I move that the Bill now be read a second time.

The purpose of this Bill is to finalise the closure of the former townsite of Wittenoom through the compulsory acquisition of all remaining freehold properties.

The former blue asbestos mining town of Wittenoom is synonymous with Western Australia. We all have friends and family who have either worked in Wittenoom, worked with the asbestos products created by the mine or lived in houses made from these materials. Tragically, as Western Australians we know too well the tragic consequences of asbestos and many of us have family and friends who have been directly affected.

In its prime, between the late 1940s and early 1960s, Wittenoom was one of the largest and most vibrant towns in the Pilbara. However, following the closure of Wittenoom Gorge Mine in 1966 and increasing evidence of the risks posed by asbestos, the Government of Western Australia began phasing the town down in 1978.

Since this time the State Government has degazetted the Wittenoom townsite, removing it from maps and signs. The State has also been buying back the land in Wittenoom in order to bring the whole area under State management.

Despite extensive negotiations and generous offers of compensation, 17 properties, held by five property owners remain. Three of these people reside in Wittenoom. Despite numerous attempts at voluntary acquisition by the State, the remaining property owners have refused all offers. Their presence actively encourage tourists into the town. These tourists are then unwittingly exposed to potentially fatal blue asbestos.

While the residents remain in Wittenoom and visitors continue to visit the townsite, the State cannot safely remove all remaining infrastructure or commence management of the risks posed by asbestos contamination. The State Solicitor's Office has advised that the best solution to this impasse is to create situation-specific legislation for Wittenoom enabling compulsory acquisition of the land.

This Bill provides for the compulsory acquisition of the 17 remaining freehold lots in Wittenoom. The Bill provides for the use of the compulsory acquisition provisions in the *Land Administration Act* (LAA) by allowing the Wittenoom land to be taken as if for a public work.

The Bill modifies the usual LAA taking provisions for the sake of efficiency. As the purpose of the taking is ultimately to ensure the health and safety of the public, including the current residents of Wittenoom, an abridged taking process is warranted.

This is not a decision which this Government has taken lightly but it is required to finalise the closure of Wittenoom and bring this matter to an end. While it is regrettable that the Wittenoom Bill is required, compulsory acquisition of land frequently occurs for public works – where the public value of a proposal is the priority. I have decided that in the case of Wittenoom, the public value of finalising the closure of the former town to protect public health and safety is the priority. The longer Wittenoom remains, the greater the risk posed by this area becomes.

Pursuant to Standing Order 126(1), I advise that this Bill is not a uniform legislation Bill. It does not ratify or give effect to a bilateral or multilateral intergovernmental agreement to which the Government of the State is a party. Nor does this Bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the Commonwealth.

I commend this Bill to the House and table the Explanatory Memorandum.