



Parliamentary Debates

(HANSARD)

THIRTY-NINTH PARLIAMENT
FIRST SESSION
2013

LEGISLATIVE COUNCIL

Thursday, 24 October 2013

Legislative Council

Thursday, 24 October 2013

THE PRESIDENT (Hon Barry House) took the chair at 10.00 am, and read prayers.

HON HELEN MORTON — PORTFOLIOS

Petition

HON AMBER-JADE SANDERSON (East Metropolitan) [10.02 am]: I present a petition containing 420 signatures couched in the following terms —

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We the undersigned residents of Western Australia are opposed to the Honourable Helen Morton continuing in her role as the Minister for Disability Services and the Minister for Child Protection.

Several government members interjected.

The PRESIDENT: Order, members! I cannot hear what the member is saying, so let the member be heard.

Hon AMBER-JADE SANDERSON: The petition continues —

The Honourable Helen Morton's ministerial portfolio as Minister for Disability Services and Minister for Child Protection contradict one another in the matter of the Disability Justice Centres proposed for Lockridge being located at 130 Lord Street and Altone Road. The Minister cannot guarantee the safety of our children in this case.

Being the Minister for Child Protection and prioritising these Justice Centres over our children and our community proves the Minister shows no compassion. Furthermore, we say that the Minister has failed in her duty of care to protect innocent children and the residents of our community.

Your petitioners therefore respectfully request the Legislative Council to recommend that the Honourable Helen Morton tender her resignation as Minister for Child Protection.

And your petitioners as in duty bound, will ever pray.

[See paper 905.]

PAPER TABLED

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

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

*Sixty-fifth Report — "Explanatory Report in relation to Legal Profession Conduct Amendment Rules 2013" —
Tabling*

HON ROBIN CHAPPLE (Mining and Pastoral) [10.04 am]: I am directed to present the sixty-fifth report of the Joint Standing Committee on Delegated Legislation in relation to the Legal Profession Conduct Amendment Rules 2013.

[See paper 906.]

Hon ROBIN CHAPPLE: Part of the role of the Parliament and its committees is to scrutinise the operations of the executive and any other bodies to which it delegates the role of making subsidiary legislation. Explanatory memorandums are important in assisting Parliament in performing this role by providing information on the purpose and operation of proposed legislation. If explanatory memoranda are deficient, this role, as well as the effectiveness of the system of checks and balances that forms part of the basis of the separation of powers in the Australian Westminster system of government, is significantly undermined. Also, committees are required to seek additional information from bodies making subsidiary legislation. This results in a delay in the scrutiny process, which could have been avoided had a sufficient explanatory memorandum been provided. This is not ideal given the tight time frames under which the Joint Standing Committee on Delegated Legislation operates to report to Parliament on subsidiary legislation.

Parliament has delegated to the Legal Practice Board the role of making subsidiary legislation, pursuant to part 17, division 2 of the Legal Profession Act 2008. As the delegator, Parliament is owed full disclosure and due diligence in the preparation of any explanatory memorandum by a delegate body. The committee was initially unable to properly perform its function in scrutinising the amendment rules because the explanatory memorandum provided by the Legal Practice Board was, in the view of the committee, deficient. The main

deficiency of the explanatory memorandum was that it failed to adequately explain the rationale behind the making of some of the amendment rules. This is essential to enable the committee to perform its scrutiny role.

The committee had a number of concerns with some of the exemptions introduced by the amendment rules, which have been raised with the Legal Practice Board. The responses provided to the committee did not initially allay the committee's concerns. Although these concerns have now been allayed, considerable time was spent by the committee obtaining the information that, in the view of the committee, ought to have been in the explanatory memorandum.

Although the committee moved on 23 October 2013 that the notice of motion to disallow the amendment rules be discharged from the notice paper, it still wishes to draw the inadequacy of the explanatory memorandum to the attention of the house by way of this explanatory report.

Sixty-sixth Report — "Supreme Court Amendment Rules 2013" — Tabling

HON ROBIN CHAPPLE (Mining and Pastoral) [10.07 am]: I am directed to present the sixty-sixth report of the Joint Standing Committee on Delegated Legislation in relation to the Supreme Court Amendment Rules 2013.

[See paper 907.]

Hon ROBIN CHAPPLE: The Joint Standing Committee on Delegated Legislation took issue with the requirement in the amendment rules for "adequate reasons" to be given for a challenged administrative decision when a person makes an application for judicial review of that decision. The committee noted that in 1986 the High Court of Australia decided in *Public Service Board of New South Wales v Osmond* that there is no general rule of the common law or principle of natural justice that requires reasons, adequate or otherwise, to be given for administrative decisions. The committee formed the view that the amendment rules would, if allowed, change the common law by subsidiary means. However, any change to the common law begins with a policy decision of executive government and is ultimately debated in a bill before the Parliament. It is not within the remit of the judiciary to change the common law by subsidiary means. The committee was not persuaded by the arguments of the Chief Justice of Western Australia that the amendment rules constitute mere matters of practice or procedure. The committee formed the view that in this instance the boundaries of permissible rule-making have been exceeded and there has been an intrusion into the rule-making with respect to the substantive right of parties, in this case, the existing common law right of administrative decision maker not to give reasons for a decision. The committee therefore recommends the amendment rules be disallowed.

Sixty-seventh Report — "Information Report in relation to City of Fremantle Plastic Bag Reduction Local Law 2012" — Tabling

HON ROBIN CHAPPLE (Mining and Pastoral) [10.10 am]: I am directed to present the sixty-seventh report of the Joint Standing Committee on Delegated Legislation—an information report in relation to the City of Fremantle Plastic Bag Reduction Local Law 2012.

[See paper 908.]

Hon ROBIN CHAPPLE: The local law is the first of its kind introduced by a local government in Western Australia, and possibly Australia, regarding the regulation of the use of plastic bags. The local law seeks to reduce the use of plastic shopping bags within the city by prohibiting retailers from providing single use plastic bags and requiring retailers to charge a minimum fee of 10c for each alternative shopping bag provided to customers, provided for in clause 6. The city seeks to justify the local law on the basis of waste reduction as well as to modify consumer behaviour for this purpose. The committee is of the view that the City of Fremantle Plastic Bag Reduction Local Law 2012 is, with the exception of clause 6, within the power of the Local Government Act 1995, under the committee's terms of reference 6.6(a).

The committee also recognises there are a range of views whether clause 6 of the local law is within the power of the Local Government Act 1995, has no unintended effect on any person's existing rights or interests and contains only matter that is appropriate for subsidiary legislation, and sets out these views, consistent with its term of reference 6.4(b), for the information of the Legislative Council.

The committee recommends that the Parliament take note of the range of views expressed in this report on whether the City of Fremantle Plastic Bag Reduction Local Law 2012 satisfies the committee's terms of reference in its consideration of the notice of motion tabled by the committee to disallow the local law.

HON HELEN MORTON — PORTFOLIOS

Point of Order — Petition

Hon NICK GOIRAN: I rise on a point of order with regard to a petition that was tabled a few moments ago by Hon Amber-Jade Sanderson. Mr President, I draw your attention to standing order 100, which states how a petition is to be set out with respect to its form and contents. In particular, I draw your attention to paragraph

(2)(e), which specifically states that a petition shall not contain statements adverse to a person, whether by name or office. I have now had the opportunity to peruse this petition. It seems to me, notwithstanding the certification of the Clerk—this is why I draw it to your attention or seek your ruling, whether now or at some later stage today—that it quite clearly does not conform to that standing order. The petition states —

Being the Minister for Child Protection and prioritising these Justice Centres over our children and our community proves the Minister shows no compassion.

That plainly is a matter adverse to this particular honourable member and is in contradiction of standing order 100(2)(e). I seek your ruling as to whether that petition should stand.

The PRESIDENT: The point of order has been taken. I had my standing orders out and open at the same page while the other business was being conducted to check on something myself. I will take that point of order on notice and report to the house at a later stage.

BUSINESS OF THE HOUSE — QUESTIONS WITHOUT NOTICE

Standing Orders Suspension — Motion

On motion without notice by **Hon Peter Collier (Leader of the House)**, resolved with an absolute majority —

That so much of standing orders be suspended so far as to enable questions without notice to be taken at 2.00 pm.

RSPCA — FUNCTION AND ROLE

Motion

HON RICK MAZZA (Agricultural) [10.16 am] — without notice: I move —

That this house calls on the government to investigate whether the RSPCA is transforming from an animal welfare society into animal rights activists and is losing its original core values and community respect as a credible organisation.

Before I commence my speech, I would like to make it perfectly clear that I believe that the RSPCA plays a very important role in animal welfare within our community. I raise this issue today because I am concerned that this fine institution does not lose its way and become something that the community does not support.

I refer to the brochure from Field and Game Australia. Hon Simon O'Brien touched on this in his budget reply speech. It states —

British Conservative MP Glyn Davies told a packed House of Commons earlier this year that he 'wanted his RSPCA back'.

"In my mind the RSPCA was always an animal welfare body, that's how I always saw it. But I must admit I'm finding it more to be an animal rights body," he said.

...

Another Conservative MP, Simon Hart said that the RSPCA's prosecuting role needs to be monitored given "its political and commercial activities".

There seems to be a lot of parallels between what is happening in the United Kingdom and what is happening in Western Australia. I want it on record that I want my RSPCA back.

The Royal Society for the Prevention of Cruelty to Animals was established in Victoria in 1871. It was established to prevent the mistreatment of horses. Later in that century further branches were set up in Tasmania and other states of Australia, and eventually Western Australia in 1892. Its charter was always animal welfare. However, in the eighties, the RSPCA began to evolve somewhat and took on more of a role and became more political. In fact, its web page, Political Animal Australia, has a load of pictures of puppies with hangdog eyes, which are pretty hard to resist. When we look behind that website, we see that it wants to ban many things, including rodeos and even pigeon racing, and of course it is against live export. My major concern is that the community is losing trust and is starting to view the RSPCA with some suspicion.

Earlier this year, while campaigning in the Agricultural Region and during a few trips I made recently, I talked to many people through the central wheatbelt, including a lot of farmers, people at farm supply depots and other businesses within those small rural towns. It seems to be quite a common thread that people are concerned about where the RSPCA is heading with its charter. They are very concerned that it is beginning to evolve into more of an animal rights organisation, which does not fit with what the community expects. It is not just the community and I who feel that way; in fact, the president of the Pastoralists and Graziers Association, Rob Gillam, expressed his wariness of the RSPCA. On a news item on his website, he states —

"If the RSPCA truly wants to distance itself from the animal liberation activists that have permeated its ranks and are using the organisation as a platform to end all livestock production, then they need to

acknowledge that the live export trade is not cruel and inhumane and work with the industry to improve animal welfare standards in developing nations.”

I agree with Rob Gillam on that. The RSPCA should not oppose live export; it should work with government to make sure that it establishes the correct protocols and systems of welfare to ensure that the trade operates at an animal welfare level acceptable to the community. Of course, a lot of those destination ports could do with improvement of animal welfare standards, but by banning the trade, Australia loses its influence to improve those ports of destination. The Northern Territory Cattlemen’s Association president David Warriner is bitterly disappointed by the media prominence afforded to the RSPCA’s call to ban sheep and cattle saleyards. He is also disillusioned by the RSPCA’s direction and said that it wanted to shut down everything. He asked where it would stop. So it goes on. Even Narrogin farmer Janet Thompson was very concerned about the RSPCA. In an article in, I think, *Farm Weekly*, the RSPCA responded to her concerns. The RSPCA stated that it was concerned that Mrs Thompson was misinformed about the mandate of the RSPCA and its role in Australian agriculture. Mrs Thompson disagreed and said she believed the RSPCA had had a good past record in advancing awareness of the good care of animals but things have changed. Members can see that there is quite a lot of concern within the community and community groups about where the RSPCA is heading.

In a question during the estimates hearing a couple of weeks back, I asked the Department of Agriculture and Food whether it granted funds to the RSPCA. Hon Ken Baston said that \$500 000 was granted to the RSPCA each year. I asked how the department reconciles granting half a million dollars a year to an organisation when that organisation openly opposes the department’s major initiative, on which it is spending nearly \$300 million, of live export. In fact, the department head, Mr Delane said —

... it is true they also have a lobbying function and they are unashamed about that. I think we are able to successfully work with their regulatory and education areas but clearly there are occasions when we are going in opposite directions.

Last week, the Royal Agricultural Society hosted a wonderful address out in the courtyard and members who missed it certainly missed out. It showcased a lot of the annual agricultural products we have in Western Australia. I was particularly taken by a young lady by the name Stephanie Coombes, who is only 23 years old. Stephanie is a very impressive young lady and she was named the 2013 National Australia Bank Agribusiness Rising Beef Industry Champion. I was very taken by Stephanie’s story for such a young person. She grew up in the north metropolitan area and joined Animals Australia, and as a teenager she had a view of animals. Later she ventured to the country and started to work in country areas with livestock and went on to educate herself about the agricultural industry. What was interesting in her speech was her account of her trips on livestock carriers. From farm gate to the port of destination, she experienced firsthand how the live export trade operates. When Stephanie returned, she described on social media her experiences of the live export trade and the positive outcomes she found. What was the response? Hate mail. How do we rationalise that? It seems that a lot of people who are anti-live export or anti-everything do not want to know the truth. As soon as the truth is told to them, they write hate mail. It is appalling.

One thing we also need to be very mindful of is that the RSPCA is in the extraordinary situation of having been delegated certain powers. In fact, I do not know of any other private body that has been delegated that level of power. We have to be very careful that the RSPCA does not abuse that power. An article I pulled from its website states the following —

RSPCA inspectors are appointed under state and territory animal welfare legislation. This legislation gives inspectors a range of powers to investigate cases of animal cruelty and to enforce animal welfare law. These powers are similar in nature to those afforded to police officers. In the course of investigating animal cruelty offences, inspectors are empowered to:

- enter property;
- seize animals;
- seize evidence of animal cruelty offences;
- issue animal welfare directions/notices;
- issue on-the-spot fines; and
- initiate prosecutions under animal welfare legislation.

I do not have a problem with prosecuting people who mistreat animals. I have a major problem with an organisation delegated these extraordinary powers as a non-government body. We all know that government bodies are subject to the Auditor General’s scrutiny, estimates hearing interrogation and all sorts of safety checks and balances to make sure that they do not move outside their terms of reference and serve the community in an unbiased and balanced way. I do not believe that we have those checks, balances and safety mechanisms with the RSPCA. I do not for one minute say that it abuses those powers, but the potential is there and many people have described that maybe those powers have been misused.

A large part of our community is disillusioned with the RSPCA and believes that in many cases it has just gone too far. I am very concerned, as are many other freethinking Australians, that the great institution that we once all respected—I confess that in the past I regularly donated to it—is losing credibility. That would be a great shame for the RSPCA in this state. I know that this is a very emotive issue. We talk about animal welfare and little puppies—we heard about Princess and Rex this week—and everybody loves their pets. There is no problem with that. By the same token, we must balance that with sensible accountable systems to ensure that a special organisation like the RSPCA—no other organisation I know of is delegated those sorts of powers or granted those sorts of funds for its operation—is not permeated, in the words of Rob Gillam, or hijacked by extreme views of activists and does not have its integrity diminished. Suspicion and mistrust is starting to build up in the community.

HON KEN BASTON (Mining and Pastoral — Minister for Agriculture and Food) [10.29 am]: I thank Hon Rick Mazza for this motion that he has put up today. What the member has said is interesting, and my sentiments would have been along similar lines, at least until I became a bit more involved as the minister responsible for the Animal Welfare Act, which is about 65 pages long—not that I have read the whole act yet.

We need to make a clear distinction between animal welfare societies and the animal rights political activist organisations that are springing up. The two most notable animal activist organisations are Animal Liberation Australia and People for the Ethical Treatment of Animals. Animal Liberation Australia was set up in 1976 and is based on the well-known and best-selling book *Animal Liberation* by a gentleman called Peter Singer. The book sells the idea that all animals should live in the wild and no animal should live in captivity. PETA has the simple slogan that animals are not ours to eat or wear. PETA often runs media campaigns with scantily dressed celebrities selling the virtues of being a vegan. Both these organisations are clearly hardcore animal rights activists. We need to be careful to not get that mixed up with the RSPCA.

The RSPCA and I disagree on one thing: I support livestock export and the RSPCA does not. I need to remind members of the purposes of the RSPCA, and the RSPCA needs to stick to this, as Hon Rick Mazza has said. The RSPCA WA constitution states —

The Purposes of the Society shall be to:

- promote animal welfare and kindness to animals;
- prevent or suppress cruelty to animals; and
- do all such lawful acts as the Society may consider conducive or incidental to the attainment of these Purposes.

In fulfilling those purposes, the RSPCA plays a role that government is not able to play. The state government gives funding of \$500 000 a year to the RSPCA. In Western Australia, during the last financial year, the RSPCA received more than 20 000 calls relating to animal cruelty and neglect. There were 2 787 cruelty complaints investigated by inspectors, and 14 routine inspections on pet stores, saleyards, ports and other sites. Prosecution should always be the last resort. There were only eight prosecutions, which I find quite amazing. The RSPCA also provided 102 000 days of animal care. The other role that the RSPCA plays, and for which we provide that funding of \$500 000 a year, is that, last year, the RSPCA adopted 580 animals. That included 151 dogs, 103 puppies, 118 cats, 157 kittens, 13 rabbits, nine sheep, one horse, two guinea pigs, 31 chickens and ducks, and one bull. I assure members that the government and the Department of Agriculture and Food are happy for the RSPCA to take on this role.

DAFWA administers the Animal Welfare Act, which the RSPCA sits under. Responsibility for that act was transferred to DAWFA on 1 July 2011; prior to that time, the Department for Local Government had responsibility for that act. DAFWA has a memorandum of understanding with the RSPCA, and it is currently in the process of negotiating a new MOU.

The only criticism I would have of the RSPCA is about some of the advertising that it put out with regard to the *Pearl of Para*. I did not take umbrage to it, but I believe it was over the top. That ship was in distress, because it had done a bearing on a propeller shaft after it had taken on board a load of live sheep, and it had to return to port to have that fixed, which was the right decision to make at the time. However, the inference was drawn in the press that this was a bad ship because it had broken down on a trip from America to Russia, I think it was, and 400 head of cattle had been lost. However, that ship has been rebuilt since that time. I wrote to the RSPCA to say that I did not agree with that view, and I am pleased to say that after the RSPCA had inspected all the seven levels of cattle on that vessel, it put out a positive media release about that vessel.

I believe that the RSPCA has a major role to play in animal welfare. However, I agree also with the comment by Hon Rick Mazza about the delegation of power and about how power can be used in the wrong way. That applies in many areas, unfortunately. We have seen many cases in which power has been used in the wrong way and people have ended up in jail. So I believe that DAFWA needs to always keep an eye on that.

In 2011, the Western Australian government doubled the funding to the RSPCA to the current \$500 000 a year as a contribution to the RSPCA's activities in promoting responsible pet ownership education and enforcement activities associated with companion animals. Inspectors employed by the RSPCA are not limited in their enforcement activities and can operate in all sectors, including commercial livestock and feral and wild animals. DAWFA and the RSPCA work jointly to enforce the Animal Welfare Act in Western Australia under a memorandum of understanding that describes the exchange of cases, processes for assistance et cetera. All WA police officers are empowered under that act to deal with animal welfare issues. In addition, some staff from other government agencies and local government authorities are appointed as general inspectors under the act, with power to enforce the legislation. The Western Australian government does not have the specific power to investigate the activities of organisations such as the RSPCA. However, the Ombudsman and the Corruption and Crime Commission can investigate the activities of a public officer, which includes inspectors employed by the RSPCA. If people overstep the mark and use their power in the wrong way, it is the responsibility of every one of us to make sure they are called to account.

Generally speaking, the RSPCA does an excellent job. However, I can understand why farmers sometimes take things out of context when they see people protesting against a live animal export ship and the RSPCA comes out with a comment against live exports. That is the RSPCA's Australian policy. However, I do not agree with it and I do not support it. I had a look at one of the live export ships the other day. I believe the conditions for the shipping of animals have improved tremendously over the last number of years and they are continuing to improve.

The other point that was brought up is that we need to have a say in the live export trade, as we do through the exporter supply chain assurance system, so that we will have a mechanism for teaching those countries in which there is supposedly animal cruelty—we have all seen the footage—how to better look after their animals. It is important that we have that input. We have put in place livestock inspectors and auditors in the countries to which we export live animals. I was in Vietnam the other day and I inspected a lot of cattle that had arrived the day before from Darwin in the Northern Territory. That was an ESCAS-approved abattoir and it had been inspected by the Australian auditors who had travelled to Vietnam. That supply chain control is very important.

It is very good that this motion has come to the house so that we can discuss these issues. But I believe the two groups that we need to be very cognisant of are the People for the Ethical Treatment of Animals and Animal Liberation Australia. Of course, the government is very aware that people change their minds. We have to educate people, as we did just recently at the Perth Royal Show. It is important that people see pictorial evidence of stock on ships, including how they are treated, how much space they have, their feeding facilities et cetera. The animals on these ships actually put on weight; they do not lose it.

Hon Col Holt: They're obviously stressed if they're putting on all that weight!

Hon KEN BASTON: Absolutely! Unfortunately, it is a little like this place!

Most animal cruelty problems are with domestic animals, not farm animals. That is a really important point. I totally support the amount of funding that the state government gives to the RSPCA, because I believe it is important for us to have a say. The board is set up by the RSPCA. In the past, I used to encourage my pastoral colleagues to become members of the RSPCA so that they could have a say and give it the direction that they thought it should have. I thought it would make it a better organisation if it was closely watched by the farmers who are concerned. In that way, farmers can work with the organisation to have an effect on animals in livestock shipping et cetera.

HON STEPHEN DAWSON (Mining and Pastoral) [10.41 am]: I, too, rise to speak on this motion. I do not support Hon Rick Mazza's motion. Four weeks ago, I, along with other members in this place, was very interested to receive from Field and Game Australia its *Conservation and Hunting* magazine. It is a glossy brochure. It must have been a quiet day, because I brought it into the chamber and read it with interest. An article in the magazine headed "I want my RSPCA back" pricked my interest. I think it is fair to say that, apart from Hon Rick Mazza, other members have seen this article. I think Hon Simon O'Brien may well have alluded to this article in the chamber previously. When I saw this article, I read it with interest. Given that it was probably a quiet day, I immediately went on the internet and did some research on the RSPCA in Australia. What I found while doing that research was that this article does not apply to the RSPCA in Australia and certainly not to the RSPCA in Western Australia. The minister made a very valid point in his remarks a few minutes ago; that is, the RSPCA is not the People for the Ethical Treatment of Animals or the Animal Liberation activist organisation. We simply have to look at the board of the organisation in Western Australia to know that these are not political activists. They are not people who chain themselves to trees or ships; these are real everyday people.

Hon Lynn MacLaren interjected.

Hon STEPHEN DAWSON: Yes; Hon Lynn MacLaren is right to point out that those people are real people, too. That was not my point. The point I wanted to make is that these are not real activists.

The elected members of the board in Western Australia include Lynne Bradshaw, the director of marketing for an ASX-listed healthcare company; Ian Cowie, the CEO of a local government authority; and Jeanette de Landgraft, a farmer and a Lake Grace shire councillor who will be known to many members in this place.

Hon Darren West: And a very successful farmer, too.

Hon STEPHEN DAWSON: Indeed. There is also Brad Jolly, a senior government official; and a range of others, including Don Thomson, a farmer at Tincurrin and an agriculture advisory counsellor for the WA College of Agriculture at Narrogin. Members in this place will have to admit that none of those people is the type of activist I alluded to earlier. These people care about, and have a real passion for, animal welfare, but certainly do not go on about animal rights. They are not hardcore, I would say.

I must have similar notes to the minister because I, too, have some information on the purposes and activities of the organisation, but I will point out that the RSPCA in Western Australia has been around since 1892. The constitution of the RSPCA of WA refers to the fact that it ensures the enforcement of laws protecting animals from cruelty and promoting animal welfare, and it takes whatever steps necessary to educate the community on the humane treatment of animals. It participates in public campaigns, but they are information-sharing campaigns. After debating the Dog Amendment Bill in this place this week, members may well be aware of the Million Paws Walk, a fantastic activity that happens in Perth once a year, whereby members of the general community march their dogs around the river. It involves thousands of dogs walking along the Swan River on a Saturday or Sunday morning. Everyday Western Australians—mums, dads and kids—show their support for —

Hon Simon O'Brien: Does that include restricted breeds?

Hon STEPHEN DAWSON: I certainly have not paid attention, but if I go next year, I will be much more focused on that. I will be keen to see whether there are any restricted breeds in light of the chamber's work this week.

The RSPCA holds the Million Paws Walk every year. It raises vital funds for the protection of animals in Western Australia. Some of the things that the organisation spends this money on include providing shelter for abandoned pets and getting veterinary assistance for sick or injured dogs. It lists on its website what some of the money goes towards. It indicates that \$20 will shelter an abandoned pet for one night; \$60 will provide a warm, safe bed for a homeless pet for three nights; \$260 will care for a mum and her newborn kittens for three nights; and \$480 will sterilise, microchip and vaccinate a small litter of unwanted pups. The website goes on to state —

Just by registering and fundraising you helped make a life-changing difference to these animals.

Every dollar you raised helped us towards our \$475,000 target to support our vital work for animals in need through our Inspectorate, Community Education, Animal Care Centre and Veterinary Clinic.

Hon Rick Mazza was quite right to point out that this organisation gets \$500 000 a year in state government funding, but it is my understanding that it uses it wisely. It does not use the money to target large sheep ships or anything as such; it uses it to make a real difference to the lives of family pets in particular around the state. I have looked at the website and I looked for anything sinister I could find. Yes, it refers to how to lobby government to improve animal welfare and it refers to encouraging people to write to their local state or territory MP or to the minister responsible for animal welfare, but is that a crime? It certainly is not. On a day-to-day basis most of us in this chamber would welcome our constituents approaching us on a range of issues. We, too, would tell our constituents to write to other members of Parliament or indeed to the minister to get the laws changed in Western Australia. This organisation is certainly not a hotbed of activism; it is an organisation that cares for animals in Western Australia. Yes, the RSPCA does talk about the humane slaughter of animals; I do not think there is anything wrong with that. Certainly, it holds a strong view on live exports, which I may not share, but I certainly support its right to have a view; I certainly support its right to advocate on behalf of animals, and I certainly support its right to put pressure on us all to ensure that animals are not only treated in a humane way, but also slaughtered in a humane way.

Food labelling is addressed on the RSPCA website to enable consumers to trust their purchases from the shops. If the label implies higher animal welfare standards, then the consumer is getting that. Again, I do not see that as a raging, left-wing action; it is a very fair action. If consumers want to buy free range eggs or whatever this week's fad may be, if they think they are paying for what the label says, then of course they should be getting what they paid for.

Getting back to the organisation itself, if we look at RSPCA WA's mission, it reads —

To Improve the Welfare of Animals through leadership, collaboration with stakeholders and the provision of quality services

If we look at their vision, it reads —

All animals are accepted as sentient beings treated with dignity, compassion and respect

All of these things I struggle to tie with activism. One final point I will make is that the general community supports this organisation. It receives sponsorship from the likes of BHP Billiton, P&N Bank, Channel Ten and 96FM. This is an important organisation; I do not support this motion.

HON PAUL BROWN (Agricultural) [10.51 am]: I rise to debate the motion into the review of the RSPCA. I agree with some of the comments Hon Stephen Dawson made about the RSPCA; namely, it is a very worthy organisation within our community. But whereabouts in our community does its worth stop? Where is the boundary of its worth placed in its role of supporting community concerns for domestic and companion animals as opposed to livestock and animal welfare?

The honourable member just referred to the RSPCA's mission, particularly in WA. I have a copy of its strategic plan in front of me. As he said —

To Improve the Welfare of Animals through leadership, collaboration with stakeholders and the provision of quality services

Through leadership, certainly—fantastic! However, the collaboration with stakeholders and the provision of quality services? Certainly, with the provision of quality services, again, anyone who has been out to the Malaga shelter or other RSPCA shelters would be unable to question those. Nevertheless, one would have to question their collaboration with stakeholders.

Throughout 2011, after the Indonesian cattle ban, there were numerous articles which contained numerous pictorials. I refer to one showing Andrew Wilkie, Lyn White, Tom Maguire, and Dr Bidda Jones, who is the chief scientist for the RSPCA. They are all standing in front of Parliament House. Tom Maguire, who is a vocal proponent of chilled meat exports and is always ready to highlight the failings of our livestock export industry, is standing there with Lyn White—obviously, a rabid animal liberationist. Obviously, she promotes veganism; does not want factory farming of any animals let alone the farming of animals at all. Again, it shows Dr Bidda Jones, the RSPCA's chief scientist, standing there shaking hands with Andrew Wilkie, who moved a motion in federal Parliament to ban live exports.

When Hon Stephen Dawson says that they are not against stopping livestock export, it has been the RSPCA's policy for 30 years to do so. The RSPCA has long campaigned and even stood alongside the campaigners. I refer to another photograph contained in another article here, again showing Lyn White and Dr Bidda Jones standing with Simon Sheik from GetUp, who is another very active campaigner against live exports. The Animal Welfare Act 2002 is now discharged under the Department of Agriculture and Food. It moved quite recently from the Department of Local Government to the department of agriculture. The department of agriculture is now charged with looking after animal welfare in WA. As part of that role, it also funds the **RSPCA to the tune of \$500 000 a year** to provide services to the WA public. Part of the RSPCA's funding requirement is that it provides a 24-hour complaints receival call line and response capacity, inspectorate and compliance activities for **non-commercial livestock and companion animals**, and education and extension on responsible pet ownership. **The agreement does not preclude the RSPCA from undertaking compliance activity in the commercial livestock sector, but moneys used for this purpose need to be raised from non-government sources and should not be part of the agreement.**

I question our \$500 000 donation to the RSPCA. Obviously, it is quite active both at a federal and state level. Lynne Bradshaw, the president of the RSPCA in WA, has said quite clearly that it will not change its stance on farming practices and live export. My point is that we have an inspectorate within the Department of Agriculture and Food that has six or more—the minister may be able to correct me on that—but at least six, maybe more, inspectors who deal with live export and farm animal livestock welfare.

Hon Col Holt: We increased the funding to them.

Hon PAUL BROWN: We did. Now, it has funding increase of up to \$1.6 million a year to discharge its responsibility. I suggest that the social licence the RSPCA holds is for domestic and companion animals, not the livestock sector. Its expertise and social licence from the majority of the public is to deal with dogs, cats, budgies, domestic rabbits, hamsters and guinea pigs. It does a great job. The RSPCA receives over 70 000 complaints of domestic animal abuse Australia-wide. That is where it should target its skills because its skill set is uniquely targeted to those sorts of complaints.

The agriculture department has a range of people who know livestock and the industry. It should be allowed to administer the livestock, animal export and farming section of the act. Again, I have no problem with the RSPCA administering to companion animals—that is, dogs, cats and domestic pets—but I question the need, given that the Animal Welfare Act 2002 is now back into the agriculture department, to have the RSPCA also performing the same role.

Both the farming and the live export industries have raised serious concerns with the RSPCA about its advocacy, along with that of Animals Australia, People for the Ethical Treatment of Animals, Animals' Angels and a range of other organisations. RSPCA president, Lynne Bradshaw, has stated quite clearly that she wants to work with

the industry to achieve an equitable outcome, but if the RSPCA's policy of 30 years has not changed and it wants the removal of live animal export as part of its charter, how can it reasonably expect the industry to work collaboratively with it? Without exception within the industry, this is a sticking point; everybody recognises the crisis that the industry faces with the RSPCA. In fact, recently, Dale Park, president of the Western Australian Farmers Federation, called for Western Australian government officials to carry out inspections instead of the RSPCA, stating quite clearly that the RSPCA had become a lobby group and could not fulfil its regulatory enforcement role at the same time. It is the only statute that is administered by a body other than government, so one suspects that a government instrumentality would be a far better source of inspectors than a lobby group. I support what Mr Park says; I think it is an important point to raise and this house and Western Australia has to now question the role that the RSPCA plays within the wider community.

HON COL HOLT (South West — Parliamentary Secretary) [11.01 am]: In my contribution I will follow up on some of the points made by Hon Rick Mazza and Hon Paul Brown. In my view, this issue comes down to the credibility of the RSPCA. We all know the history of the RSPCA and the good work that it does. The Minister for Agriculture and Food highlighted that a lot of acts of animal cruelty occur with domestic animals—pets—rather than those in the agricultural industry. That is where the RSPCA does its greatest work. I think we all appreciate that it is our watchdog for the way in which the community treats animals. I also know that the farming industry is probably the best animal welfare advocate in the state. Not that long ago, the number of sheep in Kojonup was pegged at one million; it is probably not as many as that now, but that does not happen unless our farmers and our industry are the best animal welfare advocates in the state.

For me, it comes down to credibility. The RSPCA, in my view, has a great deal of credibility when it comes to dealing with domestic animal issues, but I think it is at risk of diminishing that credibility when it walks into the sphere of live animal export. I recently had a quick look at its website, and on the main page there is a link with reference to live export, and a further link inviting visitors to help end this cruel trade. I followed that link to find out what was being talked about because I thought there were probably some very valid points being made, and we do want to end cruel trade. The link had the subheading, "A lengthy investigation and scientific report revealed extensive animal cruelty in abattoirs across Indonesia". Another link read, "Read the full investigation here." I thought I would follow the link and have a look at it. Perhaps members will be able to tell me who wrote that report. It was Animals Australia. Animals Australia has a report on the RSPCA website; that has to be a balanced view, surely. This is where the risk is to the RSPCA's credibility—a balanced view from the RSPCA. Is the RSPCA using a well-balanced Animals Australia scientific report? I do not think so. It was an introduction to ending live animal export. I reckon if I had dug a bit deeper, I would find the video that came out of the Middle East not that long ago by someone who called himself a vegan activist—a vegan activist who went into an abattoir with a hidden camera. That has to be a balanced video, surely. I do not know whether it is on the website.

This is the risk that the RSPCA faces, in my view. We want it to continue the good work it does, standing up for animal welfare issues in our state. We do not need it to risk its credibility with the community and the farming industry by tagging itself to activist groups that really do not have a balanced view on any of this. Does the RSPCA really believe that if we withdraw from live animal exports that animal welfare outcomes will improve in other countries? Does it really believe that? If it really believes that, it needs to go and get some more reports from other sectors of the industry that actually portray a different story from the report on its website. I remember talking to an animal activist about this and asked whether they really thought that if Australia were to stop sending live animal exports that we would see any improvement in animal welfare outcomes in Indonesia, and their response was, "Yeah, but at least our Australian cattle would be safe." That is a really narrow view of the world, to my mind. We want to keep engaging with those export markets and to have a say about how our cattle are treated in those export markets and destinations, and the only way to do that is to maintain our presence in those markets. We do not need the RSPCA risking its own credibility and at the same time risking our industries and animal welfare outcomes in those countries.

For me, this is really about credibility. Moving away from that argument will provide some balanced views, and we can feel much more confident about what the RSPCA can do for our community. We do not want to lose support for the RSPCA, because it plays a vital role; but we also do not want to risk its credibility.

HON LYNN MacLAREN (South Metropolitan) [11.07 am]: I am amazed that we are debating the merits of the RSPCA today. Any cursory examination of the RSPCA would show that it is a charity, with a board, and is a group independent of this Parliament. We are not the board of the RSPCA; this is not the place for us to debate whether the RSPCA's policy should be that it approves or does not approve of live export, puppy farms or anything else. It is not our role to debate that. If members want to debate the policy of the government and its support of the live export industry, then bring it; but if members want to debate the policies of the RSPCA, they should nominate themselves for RSPCA board membership. As Hon Stephen Dawson explained, there are some pretty expert people sitting on that board already—people who I respect and who are making decisions about the strategic direction of the RSPCA on an annual basis, in cooperation with their membership. By the way, the

RSPCA's membership is our constituents! The membership of the RSPCA extends throughout this state, and everyone who belongs to the RSPCA expects it to stand up for animals. They do not expect it only to run an animal shelter out in Malaga—which, by the way, it does a really good job of—but to actually be a voice for animals. That is why I belong, and I am sure that if any members opposite are also members, it is why they belong.

The RSPCA's vision is for all animals to be accepted as sentient beings with dignity, compassion and respect. That is a great vision, and that is why people are attracted to donate to it, year after year, and belong to it and serve on the board. For us to even consider trying to muzzle the RSPCA and stop it from speaking out for animals is not in the best interests of Western Australia. It is our job to speak up for Western Australians. The RSPCA is a community-based charity. What other community-based charities do we know that lobby against government policies? We could look at Anglicare. Why are we not debating Anglicare in this place? That organisation certainly lobbies for the homeless, more shelters and more public housing. Why do we not talk about Anglicare, the Australian Red Cross, the Cancer Council Western Australia, Amnesty International or any one of the 350 or so charities that operate within Western Australia that have reason to question government direction, and have reason to speak up for people who cannot speak up for themselves?

I say to Hon Rick Mazza that, not surprisingly, I oppose the motion. However, I welcome the debate about what advocacy roles are in the community and how the government is involved in them, because Hon Rick Mazza has raised the really important question, as did Hon Paul Brown, of who is better placed to inspect farming activities. Right now our government is failing, and historically has failed, to ensure animal welfare in the agricultural industry and that is why the RSPCA is picking that up.

I want to talk a bit about animal welfare versus animal rights. I think it is great to have animal rights people; they speak up for the animals when no-one else will. There is a place for them in our society. They are not to be disdained and spoken about negatively. Lyn White is a hero to many people in Western Australia, including me. One of the basic tenets of animal rights is that humans do not have the right to use non-human animals for their own purposes, including food, clothing, entertainment and vivisection. That is based on the rejection of speciesism and the knowledge that animals are sentient beings. May I say that Australian ethicist Peter Singer, who is regarded as one of the world's finest, was the father of the animal liberation movement. His name should be revered, not spoken of as though he is some lower-class citizen. He has a chair at Princeton University. He is an ethicist of immense respect.

We are debating this issue of farmed animals because many believe that humans have a right to use animals for some purposes but believe they should be treated better. Members will have heard me talk about this time and again. That is what we are talking about with live exports. The position of treating animals better while using them in farming practices is an animal welfare position. That is exactly the space the RSPCA operates in. Animal rights advocates want to eliminate the use of animals. The animal welfare position seeks more humane conditions for them. The difference between these two positions can be highlighted in the treatment of farm animals. I will list a few issues that are dear to my heart. An animal welfare position is the objection to cruel factory farming practices—a position I know we in this place hold. We should object, as does the RSPCA, to any cruel practice to animals, such as confining calves in veal crates, confining pregnant sows in gestational stalls, de-beaking chickens and, as I raised during the previous term of government, keeping pregnant sows in crates. These are issues the RSPCA works on; it seeks to make animal life within the farming space more humane. Animal rights groups do not want any animals to be farmed anywhere. There is no more powerful animal activist than the Western Australian RSPCA and that is why it is well supported throughout Western Australia.

Among the issues the RSPCA is working on is discouraging pedigree breeding that causes discomfort to dogs. We have seen stories on *60 Minutes* of dogs with faces so disfigured that they cannot breathe properly. That is the type of thing that the RSPCA works to stop, as well as the cruelty inherent in live exports. How can we question that? The RSPCA has stopped the confinement in small cages of laying hens and right now significant changes around Australia are poised to free laying hens from those confining cages because of the overwhelming public support for uncaged hens. The RSPCA wants to also bring an end to puppy farms. What is scary about that? I think that the RSPCA is doing a great thing. Of course it involves public pressure to change the laws. It has every right to do that. We will defend the RSPCA's freedom of speech to challenge laws that cause cruelty to animals or perpetuate cruel practices.

I am amazed that we have not heard from Hon Nigel Hallett, who spoke out last year and questioned government funding for the RSPCA, and spent time on radio promoting that notion. At the time, the public was shocked that any Western Australian parliamentarian would threaten to remove funding from an organisation as significant and well respected as the RSPCA. I cannot believe that that sound bite in the media has become a matter for debate in this chamber. We will have spent 80 minutes debating this matter in this chamber. I encourage members to lift their sights higher and to think about how we can stop cruelty to animals rather than how we can stop an organisation, the very purpose of which is to stop cruelty to animals.

HON BRIAN ELLIS (Agricultural) [11.16 am]: I had not intended to say much on this motion but there must be something about what Hon Lynn MacLaren says that seems to get me going! And it takes a fair bit to do that.

Several members interjected.

Hon BRIAN ELLIS: I endorse what Hon Rick Mazza, Hon Paul Brown and Hon Colin Holt said; we are on the same page. Let me say from the outset that I believe the RSPCA performs a very valuable function in our society in trying to prevent cruelty to animals. No-one wants to see animals badly treated. However, I believe that the live animal trade to countries that need our produce is not a cruel trade. I suppose that is where Hon Lynn MacLaren and I differ. She believes it is a cruel trade. It is not a cruel trade. That is where I think this whole argument is coming from. The RSPCA is interfering in a trade that is highly regulated. What other exporters are responsible for their produce when it lands in other countries? I do not think any other trade is regulated to the same degree or has the same amount of responsibility for its produce when it gets to other countries. That is why I say that the live animal export industry is so regulated that the suggestion of it being cruel is wrong. That is where I think the RSPCA has overstepped the mark and moved out of its core function. I agree with Hon Rick Mazza; I want my RSPCA to go back to its core functions. I do not like the idea of it interfering in a legal export industry. Perhaps it should think about farmers' economic welfare rather than the so-called welfare of the animals. Getting into bed with the extreme organisations that have been mentioned only reduces the RSPCA's credibility and relevance. The RSPCA receives something like \$500 000 of public funding and it should be aware of the responsibilities that go with that funding. The RSPCA should consider the whole community and not just radical groups that seem to be hell-bent on stopping a legitimate trade. The RSPCA should stop working against hardworking citizens who are trying to make a living. I understand the position the Minister for Agriculture and Food is in: he needs to work with a reputable organisation. The RSPCA must continue to be a legitimate organisation that works with the minister on animal welfare, not an organisation that works against that trade with radical groups. The RSPCA should be working with the agriculture minister to promote this trade. As has been pointed out by Hon Col Holt, even if we stop this trade in Australia, animal cruelty will carry on in other countries. Australia is the only country that has regulations to try to ensure the welfare of our animals is cared for in another country. On that issue, it is in the interests of all those people in the industry—farmers, traders, and exporters—to keep those animals in the best condition they possibly can. If we were to boil it down to just the money, the industry needs to keep these animals in the best condition possible to get the best return on their dollar. I will say, once again, that it is not a cruel trade; it is a legitimate trade. As I said, the RSPCA should be working with the Minister for Agriculture and Food to promote what is a legitimate, highly regulated and well-run trade. I endorse Hon Rick Mazza's motion, and point out to those who oppose the motion that they should not be surprised when we fight back, because they have it wrong.

HON RICK MAZZA (Agricultural) [11.22 am] — in reply: At the beginning of my speech I wanted to make it clear that I believe the RSPCA plays an important role in our community. A lot of that played out in this place today. As Hon Col Holt pointed out, the real concern of members is that the RSPCA is risking its credibility. Unlike Anglicare and other charities, the RSPCA is delegated with special powers of prosecution and investigation into animal welfare—as it should be. We are discussing the RSPCA in the house today because, unlike Anglicare, the RSPCA has been given government powers, along with half a million dollars. If this matter is debated anywhere, it should be in this house. Members need to have the courage to play out these things that are viewed on an emotional basis. Members should not run away from the debate because they might get a call from ABC radio talkback or have a Channel Nine microphone put under their mouth. We need to ensure that, as an organisation, the RSPCA is accountable. That is the whole reason we are debating the motion today. If we extend those powers to the RSPCA, then just like government departments that have those powers the RSPCA should be scrutinised and be accountable.

I am concerned that animal rights ideology is beginning to seep into the RSPCA. With all due respect to Hon Lyn MacLaren, that was evident in her comments today. When we have vegans running around with video cameras, we have a conflict of interest. I ask members to support the motion, and hopefully we can ensure that the RSPCA continues to be a credible organisation when it plays the important role it holds in our community.

Motion lapsed, pursuant to standing orders.

RESOURCES SECTOR

Motion

HON MARK LEWIS (Mining and Pastoral) [11.25 am] — without notice: I move —

That the house acknowledges the role of the resources industry during the global financial crisis and its ongoing contribution to the Western Australian economy.

I moved this motion today to acknowledge the contribution of the resources sector to the state and national economies. At the outset, I recently met with one of the large resource companies—I note this was prior to reading the report that I will detail throughout this discussion—and its executive did not understand the

multiplier effect or the economic impact the sector had in the community. I raise this today because the Chamber of Minerals and Energy of Western Australia recently released a document titled “Economic reach of the Western Australian resources sector”. To some degree this is the missing link I have been looking over the last couple of years. It is an analysis of the role and the incredible importance of the resources sector to Western Australia.

I will discuss the issues in the notion of the recent concept of a two-speed economy and the role of the resource sector in this so-called phenomenon. I would also like to highlight some of the analyses within CME’s paper “Economic reach of the Western Australian resources sector”. Importantly, I will comment on the potential for the ongoing contribution of the resources industry to WA. Firstly, it is appropriate to give some background or a snapshot, if you will, of state and national resource economies. According to KPMG, which put this report together for CME, in 2011–12 the resources sector contributed \$169 billion, or 11 per cent, in value-adding to the Australian gross domestic product. With respect to WA, this comprises \$89 billion, or 41 per cent, in value-added terms to WA’s gross state product—the largest sector contributor in WA. In addition, nearly 143 000 jobs were created in the WA resources sector and, importantly, some 55 per cent of those are in the regions. These are clearly hefty numbers that demonstrate the resources industry has had significant impact on the Australian and Western Australian economies, and I will elaborate a bit further on that later.

I now turn to the notion that has evolved in the media, which has been made into fact, that the resource industry is somehow responsible for a two-speed economy and that this is not a desirable thing. The CME report is timely because it provides significant analysis to counter that notion and clearly demonstrates that the resource sector contributes to the Western Australian economy through significant value-added contributions that positively impact on the metropolitan Perth area, but, more importantly, without which we would have been significantly worse off. I make it clear that I am not saying that a truck driver in metropolitan Perth on the basic wage was or is as financially well off as a truck driver in the Pilbara. That is not the issue. The issue is whether the trickle-down or multiplier effect or, more correctly, the direct and indirect impacts of the resource, has improved the wellbeing of all Western Australians, regardless of the amount of financial remuneration that each might receive for undertaking the same vocation. I will use as an example a truck driver who works in the Pilbara but who lives in the metropolitan area and is clearly remunerated—we have no doubt about that—maybe two or three times that of a comparable metropolitan-based employee. However, my point is that this Pilbara worker comes home to Perth and buys a car in Perth because he or she has the wherewithal to do that. This in turn lifts the salesperson’s and dealer’s income so they now have more discretionary income. Those families then, like we all do, spend it on a range of family-owned retail outlets in Perth, who in turn have additional discretionary income and so on and so forth. As I indicated earlier, the CME report clearly indicates that this value adding is significant for regional WA. It is important because if ever there is a need to spread the impact, it is within regional towns and communities where any trickle-down impact is critically required. As we know, these regional towns are struggling due to the downturn of the other industries out there, particularly over the global financial crisis.

As I said, there is some very good analysis of the impact on the region, specifically with respect to regional distribution of the resource sector, the regional reliance on the resource sector and the contribution to regional communities. That is all contained within this report. I guess it is with this analysis in hand that I am now more confident than ever that the notion of a two-speed economy is a figment of the imagination of some economists, sections of the media and fellow travellers to demonise the industry for its success. Rather, the analysis demonstrates that the industry should be congratulated and supported for staving off almost near-recessionary forces that have affected other countries around the world. I am sure that without its contribution, we would have been significantly worse off, particularly those most in need.

I would now like to turn to the continuing and ongoing influence of the resource sector as we go forward. Again, this will be significant. The report makes it apparent that the resource sector will continue to contribute to Western Australia’s gross state product and Western Australian and Australian employment. Large percentages will flow to Australia’s GDP. I do not have enough time available today to go into that but it is in this report for the perusal of members. In addition to these macro contributions that the resource sector makes to the state and national economies, the resource sector will continue to have a major impact on regional communities, significantly contributing to higher levels of educational attainment—again, the supporting evidence is in this report—higher incomes, population growth, the development of infrastructure in the regions, and an increase in what we might call soft services. Regional communities will also continue to benefit from the resource sector through community investments by individual resource companies such as community grants, the development of projects that create employment, training and contracting, and active community partnerships that contribute to local projects. I am quite aware that the resource sector spends a lot of time with contractors to bring them up to speed in skills and requirements that they require in that industry, and that is only a good thing.

In April 2013 the Bureau of Resources and Energy Economics valued the amount of committed projects in WA at nearly \$142 billion. That is made up of 28 projects, of which \$105 billion, or around 74 per cent, are LNG

projects, and \$28 billion, or about 20 per cent, are iron ore. In its analysis, the KPMG group also forecasts growth in WA's gross state product at 4.4 per cent. I am sure that the Treasurer would be happy to see that. That is for the 2014–15 year, which is ahead of the national gross domestic product figure of 3.1 per cent, which is consistent with what I have heard in recent times.

I recently attended a very informative CME function in Kalgoorlie where the Chinese acting consul general, Dr Liu Yutong, gave an excellent speech that outlined China's role in the resource sector going forward, which in my view reinforces what the CME's report is saying. In his address, he commented on the current economic situation of China, his perception on the prospect of the world's mineral economy and the Chinese dream, as they call it, and its essential meaning to the future development of a WA mining industry. With respect to the current economic situation, he noted that in the first half of this year, China's GDP growth rate reached 7.6 per cent, higher than the forecasted 7.5 per cent at the beginning of this year. He also noted that the Chinese government had published a forecast that by 2020 China's GDP volume should be double that of 2010. To achieve this goal, China's economy will need to maintain a seven per cent annual growth. He noted that former World Bank chief economist Mr Lin Yifu, in referring to development potential, said that China still has a robust GDP growth potential and could keep a growth rate of eight per cent for the next 20 years.

It is noted by KPMG in the CME report that there have been signs of slowing in investment within the resource sector. I think we are all quite aware of that, particularly over the past 12 months. Dr Liu also reiterated that in his address to us. Importantly, he noted that in the longer term, we should particularly take notice of China's policy of expanding domestic demand and its urbanisation process, as I mentioned earlier. The acting consul-general's third point of the Chinese dream is that there has to be significant collaboration with Australia, particularly WA. He also noted that the bilateral trade volume between China and Australia rose to \$122.3 billion in 2012. Importantly, he noted that the Australian iron ore export to China reached 340 million tonnes, accounting for 45 per cent of China's import volumes in 2012. These imports are clearly an important factor because in the first half of this year, Chinese investment in Australia increased by 83 per cent compared with the corresponding period last year. By my basic numbers, investment by China in Australia is still expanding. In the interests of time, it is important to note that the Premier's recent visit to China also reflects the bullishness, I guess, in the long term that is in this report. Although perhaps not at the peaks we have seen, there are huge opportunities in the future. This augurs well for Western Australia and for the contribution that the resource sector will make.

HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition) [11.40 am]: I rise to make some comments about this motion. Of course, the opposition agrees with the mover of the motion that the mining and resources sector is essential to the growth and development of our state. In the historical context, there are probably not too many members sitting in this chamber who would be here if we had not had the great opening up of our state in the goldfields with the discovery of gold by Paddy Hannan. We have to acknowledge the growth and expansion from those areas.

All the statistics provided by the member were very useful and we acknowledge that during the global financial crisis, while a number of other countries around the world were struggling, we were able to ride out with some ease—not total ease—the difficulties experienced by other countries and even other states in our country, because WA had a fairly vibrant resources sector. Although there may have been a slight dip in some sectors of industry at the time, we were able to recalibrate fairly quickly and get back on our feet. That was not just due to the mining sector. The former Labor government needs to take some credit for its time in power during that period. We opened over 170 mines. We were involved in setting up Gorgon, Karara, Mt Gibson, Sino Iron as well as all the other resource projects. I must mention oil as well, because there was a lot of change during our government's period there as well. A lot of things were happening leading up to the GFC, which I think assisted us to get over it. Members also need to remember that the federal Labor government instituted a very clear plan to help all businesses and families across the country with the storm brought upon them by the GFC. It introduced two stimulus packages that over time poured huge amounts of money into households and businesses to try to help them ride out the difficulties. We have to acknowledge that that happened as well. There are some issues around how some of that was managed at the state level, and do not let me mention the Building Management and Works fiasco and how this state government handled the Building the Education Revolution project part of the stimulus package.

I know we go in dips and troughs with the mining sector from time to time and WA has always led the charge on being fairly open to diversity in this sector, which I hope continues. Although it was, and still is, important that we support the mining sector, we have to ask the question, which I think Hon Mark Lewis started to touch on a bit, about where the benefits flow. Did we really see the benefit of having such a vibrant mining sector that survived and continued to thrive during that very difficult economic period? Did ordinary people throughout the state really see the benefit? We have to ask ourselves how this government facilitated the flow-on benefit to the community. I must say that I do not think it has done it very well, and with those missed opportunities we are seeing the chickens come home to roost. We have just seen the downgrade of the AAA credit rating. We have

seen the government have to break a series of election commitments because it can no longer afford to deliver on promises it made back in March. We have seen the government have to impose financial burdens on business by retaining things such as the duties tax on small business. The government now proposes cutbacks in the public sector of more than 1 000 jobs and significant cutbacks in our education and health processes. We have to ask ourselves whether, although we have this vibrant mining sector, we are really seeing the benefits now. Has that opportunity been squandered by this government? I have to say, yes, I think it has.

We are very focused on the mining sector, which is not a bad thing, but we have to acknowledge that other parts of industry needed to be supported at that time, and that is an area in which we missed our opportunity. The Premier of this state, who is now also the Minister for Science, talked about coming out of that period and he continually talked about the need to diversify our economy. He missed that opportunity because he did not put the money into that proposed diversification. In fact, he has cut back.

I will talk about my favourite area in which there have been cutbacks and opportunities missed—that is, the science innovation area. In a few weeks' time we will deal with this area through another piece of legislation to do with research funding in the minerals area. However, the Premier and this government have culled the funding to diversify that sector, and to support and help it grow as a sustainable industry to run alongside the mining and resources sector—that is, to not just run alongside the sector independently, but also support it and grow with it. The government needs to provide assistance to the resources sector to develop in other areas as well. There are significant mining companies that have their own specialist areas of innovation development and all power to them for doing that. However, this government has cut back on its funding and has now depleted our potential in the areas of biotechnology. Some work is happening in information and communications technology, but that is partially because of the awarding of the Square Kilometre Array project, a lot of which is federally funded. The government is now committed to doing that, but it should not be the only science project in town. There should be a clear plan in this state, which is missing, to put forward where we are going in the future including how we will develop various strands of the science community and jobs in those areas. We need to create job opportunities for our young people so that we do not have to say to them that their only option for employment is to go down a super pit; they can have other choices. Having those other choices is very important. I come from a mining family in Kalgoorlie and I am in the first generation of my family to get through to university. Most members of my family have worked in the mining sector and in some cases have spent their whole lives there, but people should have choice. This government, by not putting its money where its mouth is, has missed that opportunity. We saw this again with the government's recent budget cuts to the Department of Commerce. We know from the recent estimates hearings that significant numbers of staff will be culled from the innovation area and offered either voluntary or involuntary redundancies at a later date. The government will deny business the opportunity to have assistance and support to grow and develop new areas of work in this state.

Although I agree with Hon Mark Lewis that the mining sector has been our linchpin and should be one of our primary employment and growth areas in the future, as well as offer trade opportunities to other parts of the world, we should not deny ourselves other opportunities. We should not just be blinkered to the one area. We should ask: What we can do better in the science field? What we can do better in health, agriculture, education and all of our other areas of employment? How can we grow jobs in the retail sector? I agree also with Hon Mark Lewis that there are flow-on implications from the mining sector into jobs in the city. But the government needs to provide a clear blueprint or framework for how we can do things better in the future, so that when we hit a trough or slump, as we know will happen from time to time, people will not be caught short and left without employment opportunities. The Barnett government has missed the boat on providing such a plan. It accepted the stimulus package that came from the federal government and it accepted the benefit of a resource sector that was able to ride out that tough time. But it did not come up with a way forward so that we can better manage those times of downturn in the future. I say to the government, "It is not too late. Come up with that plan. Talk about what you will do to diversify the economy. Do not go out and just do the media on it, but deliver an outcome for the state."

HON ROBIN CHAPPLE (Mining and Pastoral) [11.50 am]: This is an important motion, which has three components. It talks about the role of the resource industry in Western Australia—an industry that I come from—the global financial crisis, and the ongoing contribution of the resource industry to the Western Australian economy. I want to touch on the global financial crisis. Many reasons have been put as to why Australia was able to survive the GFC. One of the key reasons is the strength of our banking sector. It is interesting that in the international media around the banking sector during the time of the GFC, there was virtually no mention of the Australian banking sector. That is because our banking sector was fiscally well managed. The only time during the GFC that the federal government had to get involved in the Australian banking sector was on 12 October 2008, when it announced a guarantee for all bank deposits of up to \$1 million, and also for the wholesale funding undertaken by banks. For that reason, Australia was able to survive the GFC remarkably well. Australia's remarkable performance during the GFC was noted by former Reserve Bank of Australia governor Ian MacFarlane in March 2009, when he suggested that this reflected Australia's four-pillars banking policy, which

dates back to the time of the Hawke–Keating government in 1990 and prevents mergers between Australia’s four largest banks. Also, prior to the GFC, Australian banks had been asked to examine their fiscal management, and they had become quite fiscally conservative. That also helped the Australian banking system to survive the GFC.

A recent paper from the International Monetary Fund argues that there is a U-shaped relationship between bank competition and stability, and that an intermediate degree of bank competition is optimal. Although the data is messy, it appears that in 2008, Australia and Canada were the only two countries in the world that had an intermediate degree of bank competition; that is, it was neither competitive nor anticompetitive. For that reason, the banking systems in both Australia and Canada were able to survive the GFC. During the GFC, the smaller Australian banks were more reliant on wholesale funding, and that is why the government put in place the guarantee with regard to deposits below \$1 million. That also helped to ensure that those banks were able to survive the GFC.

A study by University of New South Wales social policy professor Peter Saunders attributes Australia’s resilience in the face of the GFC to two factors. The first is that as a nation we seemed prepared to share the burden of an economic downturn. People wanted to keep their jobs, so they did not argue when their employer wanted to reduce their working hours. Quite a lot of major corporations and companies in the retail sector in Australia actually reduced the number of hours worked by employees so that no jobs would be lost, and the workers were prepared to take that on board.

The second factor is the federal government’s stimulus measures, which gave quite large one-off payments to people at the bottom of the income spectrum. It has been argued that the Labor government made a tactical mistake during the GFC. I do not agree with that view, but that has been argued. The argument is that if the Labor government had allowed the GFC to impact on Australia, and had put in place a fiscal rescue package only after 500 000 people had lost their jobs, people would have understood what the GFC meant to Australia. The problem was that the Labor government did such a tremendous job in protecting jobs at that time that nobody knew that there was a global financial crisis. It has been argued that we could have created 1.4 million jobs had we allowed the GFC to take effect and then resolved it after the event. It is unfortunate that many people in Australia do not believe the GFC actually occurred—in much the same way that many people in Australia do not believe in climate change. I had to throw that in!

I agree with Hon Mark Lewis that our mining sector was one of the linchpins that kept us going during the GFC. In 2009, total Chinese investment in Australia was \$16.6 billion. That made China the twelfth largest investor in Australia. It is interesting to look at the figures that led up to that. According to the Australian Bureau of Statistics, in 2005 China invested \$2.27 billion in the Australian mining sector; in 2007, it invested \$6.24 billion; and in 2008, it invested \$8.5 billion. That is a fairly consistent graph going upwards. But, bang, in 2009, in the middle of the GFC, China doubled its investment in the mining sector to \$16.9 billion. A lot of the money that came into Australia during the GFC was from Chinese investment in Western Australia. We need to remember that a lot of the profit that is being made in the mining industry is coming from the sale of some of that sector to the Chinese.

I turn now to an interesting article in today’s *China Daily* about the city of Zhaoyuan, known as China’s gold capital. The headline of the article is “Golden Age’s Days Numbered”. The next line in the article reads, “City seeks other ways to turn an honest penny.” The newspaper quotes the director of the city’s gold bureau as being concerned that the gold mines in China will be exhausted within 15 years as the country cranks up output. The article goes on to state that China National Gold Corporation, the country’s only central government-backed enterprise in the gold industry, is keen to buy mines overseas, such as GoldCorp Inc of Canada and Newcrest Mining Ltd of Australia. That is what we really have to worry about.

I will quickly turn to another point that we have to worry about—that is, the damage being done at the moment to our mining sector, and its Chinese investment, by Mr Clive Palmer. Most people will know that Clive Palmer is the originator of the CITIC Pacific Mining development near Karratha. He is currently blackmailing the Chinese because he has control of the port. CITIC Pacific has produced material ready to be put on a ship. Litigation is now going on because Palmer has control of the port and is stopping CITIC Pacific from exporting its ore from WA for purely personal pecuniary interests. The message that I am getting from major mining corporations is that that particular activity is doing more damage to our mining sector than the global financial crisis could have ever done.

HON COL HOLT (South West — Parliamentary Secretary) [12 noon]: To allow other members to have a say, I will make a very brief contribution to the motion. It is pretty hard not to agree with the motion moved by Hon Mark Lewis. There is no doubt in my mind that, without our resource industry, Western Australia would have been extremely hard hit by the GFC. If I can expand on the motion a little, I am sure that, without the contribution from the resource industry in Western Australia, Australia would have been extremely hard hit. I am sure that the world’s greatest Treasurer in 2011, Hon Wayne Swan, would have been very pleased to have a resource sector such as that in Western Australia contributing to the Australian economy. I have done some brief research on why Hon Wayne Swan was given that great honour. I will quote one article, which states —

“Swan has undoubtedly been blessed with a number of advantages, including inheriting a sound economy and the natural resources bounty that has allowed Australian trade with China in particular to boom.

There is no doubt in my mind that Western Australia was the major player in the resource boom, especially into China.

I note that Western Australia was again recently at the top of the ladder in economic growth and economic outlook. It is one of the states in Australia that continue to drive the economy not only within this state, but also Australia-wide. I am sure that no-one in this state would deny the major role that Western Australia plays. Some other states probably have not made the tough investment decisions that Western Australia has made in the past under not only this government, but also previous governments, as Hon Kate Doust mentioned. We have made some tough decisions; we have made some investments throughout the state. Not only is Western Australia now reaping the benefits, but also the whole of Australia is reaping the benefits, as was recognised in the award attributed to Hon Wayne Swan in 2011.

That leaves us with a challenge. It leaves Parliament, as the representative of the people of Western Australia, with a bit of a challenge. When do we get recognition from Canberra and the other states not only for the role that Western Australia plays in the economy, but also that we need an increase in investment by the federal government back into Western Australia? Our investment and returns are going across the Nullarbor at an increasing rate. I think it is time that we, as a Parliament, stood up to ensure that we get some of those funds back. Western Australia is 39 times larger than Tasmania. I reckon that presents some unique challenges for this state, as we all can see as we travel around, and for our investment. We want to continue to contribute to the federal economy. We want to keep contributing to Australia. We are Australians first, and Western Australians second. We want to contribute to a strong Australia. We need to do that by continuing to make some wise investments in not only our resource industry, but also some other opportunities that we know we should be tackling.

I suggest that we, as a Parliament, need to start to put pressure on our federal colleagues. It does not matter what shade of government is in power in Canberra at the time; we all recognise that we are a little forgotten over here. Often the results of elections are announced even before our polls have closed. Politically, we are a little irrelevant; we are a little impotent. It is about time that that was changed and that we send a message that we are part of this great country and we are driving a lot of the investment in, and return to, every state in Australia.

We have talked about the Browse Basin in recent times in this house. I acknowledge that if that process is taken offshore with a floating option to process the gas, we know that a lot of that money will go through the petroleum resource rent tax. We know it will come straight out of the waters just off the Western Australian coast, head off over the Nullarbor and land in the lap of perhaps the next greatest Treasurer. Who knows? He might get that award.

Hon Peter Katsambanis: And we will never see it again.

Hon COL HOLT: We will never see it again, because it will be distributed along the east coast. I am sure that some of it will find its way across Bass Strait to the great state of Tasmania. I am happy for there to be a fair bit of investment in other states to keep building our great nation, but, at some point, some of that investment must come back across the Nullarbor. I am pretty sick of the petroleum resource rent tax going across the Nullarbor without too much being seen in return. I encourage the new representatives from Western Australia to stand up and be counted. I suggest that it will be a bit harder in this federal Parliament because of the numbers on the floor of the house. We might be able to get our 15 members of the House of Representatives to stand on one side of the house, but they will be outnumbered greatly by those from the other side of the country. Therein lies our challenge. We should put pressure on all our representatives, all the people we interact with every day and friends within our own parties who travel over there. Perhaps we should start talking about a percentage of the petroleum resource rent tax. Maybe 25 per cent would be a good way to recognise the continuing investment that Western Australia makes, and the continuing role that Western Australia plays, in our national economy. We need some help to keep investing in the ways that are needed to build a state that is 39 times bigger than Tasmania, because it delivers some unique challenges for us.

Hon Stephen Dawson: I might have missed it, but are you still calling for the sale of Tasmania?

Hon COL HOLT: No; I think we should put a yellow sticker on Tasmania, put it over the pits and see how we can rejig it so that it becomes a racing economy again! I say that jokingly because I do not want to disparage Tasmania.

We recognise through this motion that the resource industry plays an incredibly vital role for Australia and for Western Australia, and it is time that we got some investment back from Canberra to help us continue with that.

The DEPUTY PRESIDENT (Hon Adele Farina): I take this opportunity to remind members about the motion. The motion states —

That the house acknowledges the role of the resources industry during the global financial crisis and its ongoing contribution to the Western Australian economy.

HON PETER KATSAMBANIS (North Metropolitan) [12.09 pm]: It is with great pleasure that I rise to speak to this motion. I congratulate Hon Mark Lewis for bringing it to the house and I very much support the motion that the Council acknowledges the role of the resources industry during the global financial crisis and its ongoing contribution to the Western Australian economy. I not only acknowledge the role of the resources industry but also congratulate it for what it has done for this state over many years and will continue to do in the future. In the short time available to me today I do not intend to restate the figures Hon Mark Lewis presented to highlight the great contribution the resources industry made to Western Australia and the whole of Australia during the GFC; that is on the record and well acknowledged. I ask members to remove those figures from Australia's gross domestic product figures and think about what would have happened had the resources industry not been chugging along and continuing to grow and to provide employment opportunities during the GFC. Australia would have gone into recession, absolutely no doubt about that; the figures speak for themselves.

It was interesting to hear the contribution by Hon Kate Doust. She talked about the spend-athon that the federal Labor government undertook during the GFC. We all remember the pink batts scheme that unfortunately led to the deaths of so many people who were installing them at the time; the burning down of people's houses; the cash-for-clunkers, which was another disaster; the overpriced school halls; and all those other ridiculous plans. How about that plan in which the government sent \$900 cheques to foreign backpackers, and when they left Australia the government tried to track them down to say, "You haven't cashed your cheque yet"!

It did all that, spent all that money and drove us into debt, and what then happened when it worked out it had run out of money and tickets for borrowing overseas? It came up with the grand plan to tax the Western Australian resources industry. It came up with its mad minerals resource rent tax, the MRRT. Originally it was the resource super profits tax; there were three versions, including the one that Ken Henry proposed in his tax review. He made hundreds of recommendations in that review, many of them very logical, but they were completely ignored by Kevin Rudd and Wayne Swan, who plucked out only one: the one through which they could get a quick cash grab from the Western Australian resources industry. The Labor government ran with the resource super profits tax; that did not work. It then came up with a cobbled-together version; that also did not work. Kevin Rudd got rolled, Julia Gillard came in, and then the government sat down with the three big mining companies in a room and let them write up the tax; that is what Labor did. Do not let it be said that somehow or other the grand spend-athon of the Rudd–Gillard–Swan Labor government saved Australia from the GFC; it did not. It was primarily the resources industry in Western Australia, because it kept chugging along as the engine for growth and at the end of the day, when the federal Labor government had run out of money, it tried to milk the resources industry for even more money. However, because it was an incompetent federal Labor government, it put together a tax that did not actually collect any money. That is what it is like; it is incompetent. I have been through that before in this house, and I am sure I will discuss it again because I keep getting wonderful opportunities to do so. Let it be on the record that it was the resources industry that saved Australia from the GFC.

I am actually one of the GFC refugees who came over to Western Australia at that time. When the mining tax in its various forms was proposed to be introduced, I was relatively new to Western Australia; I had been here only a very, very short time. It was amazing to see the reaction from ordinary people who were not directly employed in the resources sector in WA; they might have been working in a restaurant or a retail store, or running a small business, such as gardeners, house cleaners and the like. They all instantaneously realised that they were direct beneficiaries of the growth and continuing development of the resources sector in Western Australia which is why the ALP got absolutely clobbered in WA in the 2010 federal election. That trend continued in the 2013 state election, as members know, and again in the recent 2013 federal election. The people of Western Australia realised that although they may not have been directly employed in the resources sector, our state and our city were significantly dependent on the wealth generated by that sector.

It was illuminating for me to be in such a place—as I said, I was quite new to the state at the time—and to realise that ordinary people absolutely got it. If we tax the life out of the resources industry, everyone in Western Australia will suffer. Do not let it be said that it was Kevin Rudd or Wayne Swan with his little plastic gong that he got from some place overseas, calling him the world's greatest Treasurer. It is interesting that Paul Keating was once world's greatest Treasurer; Wayne Swan was also world's greatest Treasurer. The best Treasurer that Australia has had in my lifetime, Peter Costello, did not need the plastic badges or the Mickey Mouse gongs; he delivered growth for this —

Several members interjected.

The DEPUTY PRESIDENT (Hon Adele Farina): Order, members! It might be helpful if Hon Peter Katsambanis directed his comments through the Chair rather than inviting interjections. Members, Hon Peter Katsambanis has the call.

Hon PETER KATSAMBANIS: Do not let it be said that it was some sort of Canberra solution that protected Western Australia and the whole of Australia from the GFC; it was the engine room for growth in Western Australia, our wonderful resources industries.

Hon Robin Chapple, who is out of the chamber at the moment on urgent parliamentary business, raised the issue of investment from China, and I do not think he raised the matter pejoratively; in fact, I did not at all understand his raising of the issue to be at all pejorative. I welcome foreign investment to this great state; I absolutely welcome it. Foreign investment has been driving Australia essentially since the First Fleet in 1788, and we continue to attract foreign investment because we are a great place to do business. I welcome that investment and, like Hon Robin Chapple, share our investors' concerns when they start to shudder a bit. I am glad to say that, with the change in federal government, a lot of the issues around taxation, red tape and green tape et cetera seem to have disappeared for our foreign investors. No matter where the investment comes from, I welcome it, as it continues to drive growth in our state and right across our country, which leads to more job opportunities for Western Australians and greater prosperity for all of us.

In the short time I have remaining I will touch on issues raised by Hon Kate Doust about innovation. Again, I think her contribution had a bit of merit to it in the sense that we want innovation, we want to promote innovation and we would like to see our economy diversify. But where the Labor Party does not seem to get it is in the fact that it goes back to that old socialist model that, somehow or other, it is government that is going to drive innovation. The best thing that government can do to drive innovation is to create a low tax environment and to get out of people's way so that they can innovate. Cut the red tape, cut the green tape, and when people want to come in and innovate but come up against a barrier, they should be able to come to government and seek assistance—to have regulations changed, to introduce legislation, or, occasionally, to provide some very small seed funding, but it is up to the private sector to innovate. We are not going to pick winners. If we go down the path of throwing money at people we think are going to be winners, we will not be winning, we will be losing very heavily. I congratulate Hon Mark Lewis for this motion and I am very proud to support it.

The DEPUTY PRESIDENT: Order! Two people are seeking the call, but I cannot give it to both within the time remaining, I am sorry. Having just given the call to two members of the government, I will now give the call to —

A government member interjected.

The DEPUTY PRESIDENT: I acknowledge that, but three government members have just spoken, so I give the call to Hon Darren West.

HON DARREN WEST (Agricultural) [12.19 pm]: I did not intend to speak on this motion, but having said that, I commend the member for bringing it to the attention of the house. We on both sides of the Parliament acknowledge the role of the resources industry and its useful contribution to Western Australia not just at present but for more than 100 years. I also acknowledge the cohesion between the community and the mining industry in both aiding and establishing mining projects and the repayment of that faith in investment by the mining industry back to Western Australia. I felt I needed to add something to the debate following Hon Peter Katsambanis's remarks, which, sadly, sent the debate off into a debate about fiscal management. Hon Peter Katsambanis made some outrageous comments about this issue. I will touch on a couple of things. Of course, on our side of the house —

Hon Peter Katsambanis: Do you support the mining tax?

Hon DARREN WEST: I will get to that in a minute. I have a response to some of the members' comments. I do not have long, so I promise I will get to them.

Hon Peter Katsambanis interjected.

The DEPUTY PRESIDENT: Order, members! Hon Darren West has the call.

Hon DARREN WEST: We will always fight for the plight of those who work in the mining industry and we are saddened by some of the things we see in this area. We are saddened by the Western Australian state government saying one thing and doing another. On the one hand it promotes the resource industry and is prepared to stand behind it at all costs but on the other hand, it refuses to commit to training its workers and to invest in education for the children of mining families. The government wants to charge valuable workers who hold 457 visas \$4 000 to send their kids to school despite the fact they pay their fair share of tax. Those workers come to Western Australia to aid the resource industry and help get the work done, so to speak. Also, recently the government has increased fees for technical and further education courses. On the one hand, the government is saying it commends the resource industry, but in real terms it is not doing anything to support it. The mining industry needs trained and educated people. I agree that the mining sector contributes heavily to the state's economy. I will touch on one of Hon Peter Katsambanis's comments. He does not seem to realise that despite all the pre-election budget emergency crisis the then federal opposition talked about, the national economy has kept

its AAA credit rating by all three ratings agencies. The state economy has not, so how come the big contributor to Australia's economy cannot even keep its own AAA credit rating? It is absolute hypocrisy for Hon Peter Katsambanis to say the former federal government was fiscally irresponsible while applauding Troy Buswell as the Treasurer of Western Australia with the shambles that man has created. We will see the adverse effects of that for generations to come.

If the resource industry is such a contributor, why do we not whack a couple of floors on Princess Margaret Hospital for Children? We will not because, despite the huge surge of input from the mining industry, funds are going into other things such as royalties for regions to help get more Nationals elected. Rather than do something to help all Western Australians and build for the future, the Liberal–National government is all about today; it talks in three-word slogans—little one liners. Of course we need a diverse economy. We in Western Australia need to look beyond just the mining industry. Other industries make valuable contributions but have been cast aside by the state government. I refer to agriculture and to the digital office at the Department of Commerce. If anyone does not believe the digital economy is the economy of the future and argues against the National Broadband Network and the need for such digital futuristic job-creating diversification and value-adding, they should not be in this place. Those people are stuck in the realm of the 1960s. We need to be more progressive than that. Although it is difficult for a conservative government to be progressive, members opposite may want to cast their eyes on Western Australia's future.

Hon Peter Katsambanis: You still haven't talked about your position on the mining tax.

Hon DARREN WEST: I do not see the words "mining tax" in this motion, I am terribly sorry. Have another read of the motion.

Hon Peter Katsambanis: You do support the mining tax.

The DEPUTY PRESIDENT: Order, members!

Hon DARREN WEST: I do not see the words "mining tax" in this motion; I am terribly sorry. The member should read this motion. I am surprised he made a speech without reading the motion. Although my points are brief—I have had only a short time and the interjections keep flowing—of course we support that the resource industry has been great for Western Australia for a very long time, and we will continue to be and should be supportive. But we need to think outside this box and set up Western Australia as a better place for our children so that in 50 years' time people in this place will say that the digital economy was good for Western Australia too.

Motion lapsed, pursuant to standing orders.

WORKERS' COMPENSATION AND INJURY MANAGEMENT AMENDMENT BILL 2013

Second Reading

Resumed from 23 October.

HON NICK GOIRAN (South Metropolitan) [12.26 pm]: I will continue my remarks about the bill. When we left off yesterday evening, we were recognising that it has taken a Liberal–National government to come into power and effect positive changes to workers' protection with compensation insurance for workers in this state. It is remarkable that whenever we talk about workers' compensation in this place, members opposite are missing in action.

Hon Stephen Dawson: That is a bit disingenuous; we had a bill in this place before and you refused to support it.

Hon NICK GOIRAN: Interestingly, perhaps that is why on 20 October, only four days ago, the ABC reported that the Leader of the Opposition, Mr McGowan, wants better people in the upper house and to inject new talent. No wonder that is the case when members opposite do not want to contribute to the debate on workers' compensation.

Hon Kate Doust: Is that the best you can do?

Several members interjected.

The DEPUTY PRESIDENT: Order, members!

Hon NICK GOIRAN: We need to get this right. The so-called party of the workers does not want to contribute usefully to discussion on workers' compensation. A couple of brief, fairly useless contributions were made yesterday and it took for Hon Martin Aldridge to bring the standard of the debate to the level we would expect in the Legislative Council.

Hon Kate Doust: It's a shame you're racing to the gutter yourself.

Hon NICK GOIRAN: Meanwhile, members opposite were missing in action. In making those remarks I will be charitable and exclude Hon Kate Doust from that assessment because I know she was away on urgent

parliamentary business yesterday and would normally contribute to something as important as workers' compensation and the protection of workers. But the remainder of her colleagues were missing in action and that was very disappointing, I might say.

Last night we left the debate at the point of recognising that in 2009 the Barnett government approved a two-stage review of the act. My point is: why would we need to review the act and amend it if everything was hunky-dory in 2008 when Labor left the Treasury benches? It was not and that is the reason for the review and why this is the fourth piece of legislation to incrementally improve the situation for workers in this state.

I am on the record as repeatedly saying that we need to go further in this area. Over the course of this week, it has been interesting to see Hon Simon O'Brien, a very hardworking member for South Metropolitan Region, contribute fiercely in the debate on the Dog Amendment Bill 2013. I did watch him in action during the course of this week and thought to myself, "Well, how the tables have turned!" Because it was not that long ago that I was doing the same thing when he was the member in charge of the workers' compensation bill and, perhaps being a pain in the neck, moving amendments. I had some sympathy and I thought that it was interesting seeing him in action this week.

It is most unfortunate that the Attorney General, who is also the Minister for Commerce, is away on urgent parliamentary business today because otherwise, I have no doubt, we would have brought this matter to a conclusion. I am hopeful that we will be able to speedily deal with it next week. Nevertheless, I want to conclude by making some final remarks about further reforms in this area because it was only earlier this month—in fact, on 1 October—that WorkCover WA published a discussion paper about the next phase of reforms. People who have been following this matter closely—which would only be those on the government side of the chamber, apparently—would know that there has been two phases of reforms; this is the second phase. WorkCover has released a discussion paper so that people can understand where it proposes to go with the reforms. The discussion paper outlines proposals to redraft the Workers' Compensation and Injury Management Act 1981. Since 1981, this piece of legislation can only be described as having been amended relentlessly in a piecemeal fashion. That is why we now have this complex, highly prescriptive statute. Therefore, it is entirely appropriate that the government, through WorkCover, its agency, is looking to redraft the entire act. Previously I have said that we do not just want to redraft the act for the sake of it. The cynical amongst us might say that there would be people who are just having a job out of this redrafting process and it is all a very nice thing to do. I would like to see it happen but we want to see improvements as a result of the rewrite; we do not want to just see redrafting for the sake of it.

I am pleased that WorkCover has already flagged its proposal for a mandatory review clause to be inserted in the final rewrite. This is a topic that Hon Martin Aldridge touched on yesterday, which I followed up. In the Workers' Compensation and Injury Management Amendment Bill 2013 before the house, there is a review provision, but it is a narrow, discrete review provision. Proposed section 49E proposes that the minister carry out a review only of division 4A. That needs to happen every fifth anniversary on the day in which the section comes into operation. Therefore, it is a review clause in perpetuity. I made the remark last night that it is somewhat unusual to have only this particular section of the workers' compensation legislation going to be reviewed every fifth anniversary in perpetuity, but not the rest of the act. I am pleased to see that WorkCover has already flagged it with, "Well, no, that wouldn't be satisfactory. We would actually want a mandatory review clause for the whole act." Hopefully, that comes to fruition and I would certainly support it.

Another thing that WorkCover flagged is the discontinuation of the termination date. It is a fairly technical issue, but it is important. Basically, it will cut red tape in the workers' compensation system and there is an abundance of it. I was interested to hear some of the remarks made by Hon Martin Aldridge last night, which I took to mean, "Wouldn't it be nice if we could free up the system a little bit?" My observation is that will be a very difficult task, given the ongoing reluctance to do anything that would improve the capacity for workers to rightfully claim. We need to understand that as a result of this scheme, we restrict the rights that workers would normally hold under common law. If it was not for Parliament sticking its big nose into this business, people would be able to claim under the common law system, a negligence-based system, and their rights would be far more abundant. Although I need to caveat that remark with when negligence can be proved, it would be far more abundant than what this scheme allows for. Having said that, the offset is that this is a no-fault system. Therefore, where negligence cannot be proved, we, as a society, hold the view that it is in our best interest, and is the compassionate thing to do, to facilitate the rehabilitation of workers back to their jobs. It is in that way that they can continue to contribute to the rest of the economy rather than, obviously, needing to be on benefits for an indefinite period.

Therefore, I am pleased to see that WorkCover has flagged the discontinuation of the termination day. It was an unnecessary thing that was put into place previously and commonsense is now prevailing. I hope that WorkCover goes further to completely remove all of the barriers with the normal three-year limitation period. I have talked on this topic once before when Hon Simon O'Brien had the conduct of the bill. I did plead for the removal of the election provisions with the registration of documentation by WorkCover—namely, the

requirement for that election documentation to be filed in this red-tape fashion at WorkCover before someone can issue a writ in the District Court. It seems to me that if a worker has a common law action against their employer believing they can prove negligence, having already gone through the hoops of the system—including proving whether they have a 15 or a 25 per cent impairment—after completing those undertakings, why is it that we still require them to file a piece of paper at WorkCover? Is it so its staff can feel good about themselves given they still have control over the system? It is unbelievable. A citizen in this state ought to have the unfettered right to lodge their writ with the District Court if they wish to, based on legal advice given. I still oppose that particular part of the regime. It is not necessarily the matter before us in this bill, but I am hopeful, ever the optimist, that WorkCover will come to its senses. In its released discussion paper, WorkCover will bring the matter forward in the next round of reforms.

The final matter I wanted to touch on as I conclude my remarks is that I note in the discussion paper that there is a proposal to remove the regime for registered agents. That is a little curious to me. I am not too sure why we would do that. I know that there are registered agents in migration law; that is not an unusual thing. For a long time now we have had registered agents in workers' compensation. From what I gathered, it has worked well. I understand that there are only five registered agents in Western Australia, anyway. I will be monitoring that matter closely to ensure that there is proper justification for the removal of that provision. Once again, why we would want to reduce the options available to an injured worker is a curious thing. I say to Hon Martin Aldridge that is what I have experienced for some time in this area; there is a great reluctance to open the door for workers. In fact, I think it originates from a fear that somehow the floodgates will open, which is a total misunderstanding of how the system would work in practice under a proper common law regime. Nevertheless, I will continue to monitor this matter with great interest.

I commend the government and, in particular, the Attorney General for collaborating with the Minister for Emergency Services. Both are doing an excellent job in bringing this bill to the house. From what I have heard in the debate today, albeit the poor contribution by the members opposite, we are all on the same page in supporting this bill.

Debate adjourned, on motion by **Hon Peter Collier (Leader of the House)**.

COAL INDUSTRY SUPERANNUATION AMENDMENT BILL 2013

Second Reading

Resumed from 19 September.

HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition) [12.40 pm]: I rise to comment on the Coal Industry Superannuation Amendment Bill 2013 and to express the opposition's support for this legislation. Before I go through what this bill will do, I will go back to the precursor to this legislation, the Coal Mine Workers (Pensions) Act 1943, which was a significant and quite progressive piece of legislation for people working in the mining sector. Earlier today we debated a motion on the significance of the mining and resources sector in our state, both historically and into the future. When we look at the nature of the work in 1943, it was a hard slog for workers; it was dangerous work and not a job, I would imagine, in which there would be longevity for the workers. I understand that a lot of the workers would have retired relatively early, either through injury or ill health. The Coal Mine Workers (Pensions) Act was set up to assist workers in that period from when they retired until they could access commonwealth pensions, which I understand they could not get until the age of 65. There would have been a substantial gap for a lot of those workers between retirement and when they were able to obtain some sort of income. This pension scheme would have been negotiated at the time between the workers' union and their employer. It was a significant piece of legislation at that point in the history of our state, and I would imagine a fairly early pension or superannuation scheme or arrangement that would have been seen as a model for other industries. I encourage members to read in *Hansard* the words of Mick Murray, the member for Collie-Preston in the other place. Mick has had an extensive work history in the coal sector and talks about some of the background of the changeover in the 1990s to the coal superannuation scheme. He discusses in detail, from his own work experience, some of the incidents that occurred and the working lifespan of those workers. His speech encompasses a significant piece of history, and I encourage members to read it in *Hansard*, because it is very interesting to hear from someone who worked in the industry—not in 1943, but after that period.

This legislation was changed and updated in the 1990s. Members would remember that during the 1980s there were significant changes across industries, and industry-based superannuation schemes were established to provide a retirement benefit for all workers, not just a select few. Until that time, other than a scheme like a pension scheme, in a lot of industries—I know from my own experience in the retail sector—if a superannuation scheme was in place, it was provided to workers on a selective basis. I know from having spoken to people working in the retail sector that quite often getting an invitation to join the company's superannuation scheme depended on whether the boss liked an employee. I think back to what was then Boans in Cottesloe. I talked to two women, one of whom had been in the company's scheme for an extended period and the other had not. That

was simply because membership was based on the invitation of the employer, and a personal relationship, and not on whether a person had an entitlement to be a member of that scheme. Industry schemes shook the system up and gave all workers an opportunity to plan for their retirement—their future. Obviously, part of that whole process of change was the federal government acknowledging that Australia has an ageing population and it may not necessarily be able to afford to provide for a pension arrangement for every worker in our country, so other arrangements needed to be put in place.

A variety of options are available to workers in Australia now in how their superannuation payments are made. I must say my own personal preference has always been for industry schemes, because I think they provide a much better set of arrangements and a lower fee scale for working people; they are obviously established for the benefit of the members they cover and not necessarily a set of arrangements that might benefit shareholders. The coal industry superannuation scheme replaced the Coal Mine Workers (Pensions) Act in the 1990s. An advantage for people working in the coalmining sector is that they are part of a defined benefit scheme. Even with the changes that will occur under this bill that we are dealing with today, because of negotiations that have occurred—the minister can confirm this—they will remain in the defined benefit scheme. I look around this chamber and note that only a few members here today—a couple of people are away on parliamentary business—may be in the former parliamentary pension scheme arrangement, which is a defined benefit scheme. They would certainly appreciate the benefits of a defined benefit scheme versus an accumulation scheme.

Hon Peter Katsambanis interjected.

Hon KATE DOUST: I am not sure whether Hon Peter Katsambanis was in a defined benefit scheme in his former life as a member of the Victorian Parliament.

Hon Peter Katsambanis: Unfortunately I did not qualify!

Hon KATE DOUST: The member lost out on two occasions, which is unfortunate for him, but that is what life gives us and we just deal with what we get. As I was saying, members in the old scheme would certainly appreciate the benefits of a defined benefit scheme versus an accumulation scheme. I was also a member of a defined benefit scheme in my former employment; in fact, I had the benefit of two systems. Defined benefit schemes seem to be a dwindling opportunity, if you like, for people in the workforce. We have seen a number of these schemes, not dying out, but effectively shutting down over probably the last 20-odd years and members being transferred into the new accumulation scheme arrangements. That seems to be the way that most workers are saving for their future. However, this group of employees, with about 1 200 or 1 300 people involved all up, comprising 750 active members of the coal industry superannuation scheme and about 450 retained members, will still see the benefit of being in a defined benefit scheme and will reap the gain at the end of it. For those newer members in this chamber who do not appreciate that, they might want to talk to members such as Hon Simon O'Brien, Hon Barry House and perhaps Hon Ljiljanna Ravlich and Hon Ken Travers, to appreciate the difference between the two schemes. I think they are the only members in this place who are in the old pension scheme; everybody else is under a new set of arrangements post-2001. This scheme, albeit a small scheme in the grand picture compared with other workplaces, does have quite a strong base. I understand there is about \$180 million in the fund; it is quite lucrative. That is a strong financial base for its members. When discussions were taking place about how members of this scheme will be best looked after, I was advised during the briefing that a number of options were looked at around Australia and how they would find another fund. The fund that these members will be transferred into once this legislation is passed is another "black hole" superannuation fund that Queensland and New South Wales coal industry workers pay into. I do not know if I have the name of that fund —

Hon Peter Katsambanis: Auscoal.

Hon KATE DOUST: I thank the member. I understand that that has been deemed to be the most appropriate vehicle for these members to be transferred into. I know that a number of others were looked at. I imagine that the management and fees associated with those other unions would have been taken into account. I would expect that an understanding of the nature of the industry that these people work in would have been taken into account.

Some significant changes will occur once this legislation goes through, and these are spelt out quite clearly in the explanatory memorandum. The bill will allow for a successor fund transfer of all member benefits and assets from the Coal Industry Superannuation Fund to another federally regulated and complying superannuation fund. That is very important. Given the significant changes that occurred in the 1980s, superannuation in Australia has been an ever-evolving feast. We are constantly seeing change in legislation surrounding superannuation occur at a federal level. Regardless of whichever government is in this place, the rules on surcharges, additional costs or administrative fees are always changing. One has to be extremely smart to keep one's head wrapped around these changes that occur. I will give a little advert for the Western Australian Parliamentary Superannuation Board and advise members that in November there will be briefings for members of both chambers about all schemes—we have more than two non-pension schemes—to bring them up to speed with the latest set of

changes to superannuation rules. It is a challenge not just for members but for all workers across the country to keep abreast of the changes. At the end of the day, it is their money for retirement and they need to know how it is being managed and what the government is doing to tweak their superannuation arrangements. The work that is being done in the lead-up to this legislation in front of us is quite important. To ensure that there is an appropriate federal fund for these members to be transferred into is very important.

This bill will also wind up the Coal Industry Superannuation Fund and, following completion of all associated requirements, will terminate the Coal Industry Superannuation Board. That board has played a very active role in looking after the needs of the members of this fund. Once the board disappears, I think there will be some sort of body to give advice at a local level on individual members' needs. I raised a question about members having access to information at a local level. I was advised that there will still be an office or a contact point in Western Australia for members of the Coal Industry Superannuation Fund to seek advice, information or assistance. It is significant and important that that has been arranged because when the head office of a lot of funds is located in the eastern states, it is a real problem for working people to seek the advice they need from an office based in Melbourne or Sydney, given our issues with time differences. Also, there are always different people providing that advice. Having one person that the members of that fund can go to builds a relationship and assists with getting information when they need it. That has been a very positive decision. I am sure that the board was very active in negotiating that. I do not know all the members of the board but at this point I want to thank them for their contribution and hard work.

Being a member of a superannuation board is not a simple task these days. It is not just a case of turning up to a meeting and ticking matters off the agenda. Significant work is involved in understanding the detail of superannuation legislation, understanding the nature and the needs of the individuals who are members of that scheme and having to make some pretty tough decisions sometimes, particularly when dealing with members' estates and matters associated with that. It can be quite a complicated process and quite a difficult task that these board members are involved in. The board that is involved with this particular industry has done an outstanding job over an extended period. I want to acknowledge the role of people such as Gary Wood, the secretary of the CFMEU mining and energy division, and the other unions that are involved in the coal sector, particularly in Collie. Looking after their members' needs, particularly in the area of superannuation, has been a key priority. They have done an excellent job. I know that Gary has been involved with this piece of legislation that we are dealing with today.

I turn to other aspects of this legislation. The bill will convert the existing statutory framework within the Coal Industry Superannuation Act 1989 so that benefits of the type currently provided through the Coal Industry Superannuation Fund can be provided through a newly designated fund. It will ensure that the Coal Industry Superannuation Act continues to preserve the core statutory defined benefit superannuation rights for Western Australian mining workers and the corollary statutory obligation for Western Australian mineworker employees to contribute to fund those benefits consistent with the current obligations set out in regulations to the Coal Industry Superannuation Act. This piece of legislation that we are dealing with today is not onerous; it has only five parts to it. For the people working in that industry, it is a significant piece of legislation because it ensures that their financial interests for their superannuation will be managed appropriately in the future and they will get the best deal possible in their scheme. It would have been quite easy to have found another set of arrangements and to perhaps have even closed down their scheme and simply transferred them into an accumulation scheme. I do not think that would have been in their best interests. The arrangements that have been made are eminently sensible.

I also note that there is a review period in this legislation. The arrangements will be reviewed after three years. I picked up on the comments of Hon Nick Goiran. He has made a number of comments over time about the period of time allocated for a review. The review period will assess whether state legislation for superannuation is still required. Given that there have been some issues, particularly in Collie over the last couple of years, about the ownership of the mines in that area, in other situations, we would have just repealed this bill and transferred the membership of this scheme into the new scheme, which will be covered under federal legislation. That would have been tidier and a much simpler way to go. Because of some of the uncertainty about changes in ownership and some of the complications, it was decided to retain aspects of the state legislation whilst this transition happens so we can come back and look at how successful it has been and, I suppose, to use that period to see whether those issues surrounding the ownership of the mines have resolved themselves during that time. I imagine that the minister will be able to provide some clarification when he gives his response about whether the government will be willing to look at repealing that legislation in three years. He may want to talk to us about the mechanism that will be used for that review.

Debate interrupted, pursuant to standing orders.

[Continued on page 5473.]

Sitting suspended from 1.00 to 2.00 pm

QUESTIONS WITHOUT NOTICE

The PRESIDENT: Members, under today's new arrangements, are there any questions without notice?

PERTH GLORY — COMPENSATION

712. Hon SUE ELLERY to the Leader of the House representing the Minister for Sport and Recreation:

I refer to the Perth Glory compensation issue.

- (1) Did the member for North West Central make representations to the Minister for Sport and Recreation or his office on behalf of Perth Glory on this issue?
- (2) If so, on how many occasions and what were the locations?
- (3) Who was in attendance at these meetings?

Hon PETER COLLIER replied:

Before I answer the question, I take this opportunity, as I did yesterday, to confirm discussions that have been had around the chamber with the parties that the house will not be sitting next Wednesday. I will be moving a motion to that effect on Tuesday after the proceedings.

I thank the honourable member for some notice of the question.

- (1)–(3) No formal meeting between the Minister for Sport and Recreation and the member for North West Central took place regarding compensation for Perth Glory. However, the matter was raised informally in discussions by a number of members of Parliament, including the member for North West Central.

PERTH GLORY — COMPENSATION

713. Hon SUE ELLERY to the Leader of the House representing the Minister for Sport and Recreation:

I refer to the Minister for Sport and Recreation's decision to pay compensation to Perth Glory out of the capital allocation for the Perth rectangular stadium.

- (1) Was the compensation—deeds of settlement and release—that was paid to Golfwest Trading Company Pty Ltd and Klemap Pty Ltd part of the capital allocation for the new Perth stadium?
- (2) If so, was this a decision of cabinet, or the minister's own decision?
- (3) If no to (1), why was this treated differently from the compensation paid to Perth Glory?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of the question.

- (1) No.
- (2) It was a decision of cabinet.
- (3) Compensation to Perth Glory was sourced from the nib Stadium project budget due to sufficient budget capacity existing at an advanced stage of the project. Compensation negotiated with Golfwest was a contractual issue separate from the stadium and hence the stadium budget.

STATE BUDGET 2013–14 — SCITECH DISCOVERY CENTRE

714. Hon KATE DOUST to the Leader of the House representing the Premier:

I refer to the 2012–13 budget, which outlines an additional \$8.3 million over the 2013–14 forward estimates as additional Scitech funding, and the answer to question without notice 463.

- (1) Where is the \$8.3 million reflected in the current 2013–14 state budget?
- (2) Where is the \$41.5 million, five-year new funding arrangement with Scitech reflected in the 2013–14 state budget?
- (3) Where is the \$15 million funding commitment towards the land acquisition and planning development for Scitech's imminent relocation to the Burswood peninsula reflected in the 2013–14 state budget?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of the question.

- (1)–(2) See budget paper No 2, volume 1, page 80 under "Details of Controlled Grants and Subsidies" for the Office of Science.
- (3) I refer the member to part (4) of the answer to question without notice 463.

DISABILITY SERVICES COMMISSION — VOLUNTARY SEVERANCE

715. Hon STEPHEN DAWSON to the Minister for Disability Services:

I refer to the 34 officers at the Disability Services Commission who have had their voluntary severance applications approved by the Public Sector Commission.

- (1) What is the classification of the 34 officers?
- (2) In which workplaces are the positions located?

Hon HELEN MORTON replied:

I thank the member for some notice of the question.

- (1) As at 24 October 2013, 41 officers have had their voluntary severance applications approved by the Public Sector Commission. The classification of those officers are: PSA level 1, eight; PSA level 2, four; PSA level 3, five; PSA level 4, five; PSA level 5, zero; PSA level 6, seven; PSA level 7, two; PSA level 8, three; SES class 1, two; and specified calling: SC2, two; SC3, two; SC4, one.
- (2) The locations are: West Perth, 28; Myaree, six; Joondalup, six; and Victoria Park, one.

CHILDREN'S COURT — LINKS PROGRAM

716. Hon SALLY TALBOT to the Minister for Mental Health:

I refer to page 37 of the Mental Health Commission annual report, and to the Children's Court specialised mental health program Links.

- (1) Are all children appearing before the Children's Court assessed by the Links team?
- (2) If so, what form does the assessment take?
- (3) If no to (1), how are children selected for assessment?
- (4) Since the program started on 8 April 2013 —
 - (a) how many children have been assessed as suitable for inclusion in the Links program;
 - (b) how many children have been assessed as not suitable for inclusion in the Links program;
 - (c) how many children have had reports or assessments made to the court by the Links team; and
 - (d) how many children and/or their families and carers have had personal support plans developed by the Links team?

Hon HELEN MORTON replied:

I thank the member for some notice of the question.

I appreciate the opportunity to discuss the Links program. This program was funded as part of a \$6.7 million investment in mental health court diversion programs by the government. In his recent address at the Rural and Remote Mental Health Conference, the Chief Justice of Western Australia, Hon Wayne Martin, AC, commented that the Children's Court mental health team was a very significant initiative.

- (1) No, not all children appearing before the Children's Court are assessed by the Links team—only a young person whose mental health has been raised as a concern.
- (2) Not applicable.
- (3) Referral information may come from any source, including family members, carers, friends, lawyers or the young person themselves. The process will include an interview with the client and, where possible, discussion with caregivers, referrers and, where appropriate, agencies, schools and other services. This will include an evaluation of psychiatric history presenting problems including social and legal; current functioning; developmental milestones; psychosocial issues, including housing, education and community support; drug and alcohol use; family history of mental illness and family network; mental state examination; risk assessment; social and emotional wellbeing; legal issues; physical health; and abuse and trauma.
- (4) From 8 April to 30 September 2013 —
 - (a) 20 young people have been found to be suitable;
 - (b) 29 young people were assessed as not suitable and three are currently pending. Examples of reasons for unsuitability include the young person choosing not to participate and the justice matter having been dealt with on the day;
 - (c) 47 reports have been made to the courts; and
 - (d) 20 young people have care plans.

FREMANTLE PORT — CONTAINER MOVEMENTS

717. Hon LYNN MacLAREN to the parliamentary secretary representing the Minister for Transport:

- (1) Once the rail infrastructure expansion for Fremantle port is completed, what percentage share of container movements will be on rail?
- (2) What further action is required to ensure that container movements by rail at Fremantle port can keep pace with the growth freight?
- (3) Is rail the preferred method of transporting containers to and from Fremantle port?
- (4) What steps will the minister take to arrest the ever-increasing diesel fumes and noise pollution from trucks moving through Fremantle to and from Fremantle port?

Hon JIM CHOWN replied:

I thank the honourable member for some notice of this question.

- (1) The government's aim is to develop rail services to reach a market share target of 30 per cent over several years from completion.
- (2) In addition to the rail terminal expansion at the port, the Liberal-National government is committing \$15.5 million in financial support to the rail service; increasing the port's rail line capacity through building a train passing loop at Spearwood; and introducing changes at the port to improve efficiency of container transfers to key facilities such as container terminals.
- (3) Rail and road transport will continue to play an important role in the inner harbour's future.
- (4) In addition to the initiatives to continue development of diesel rail services, the government, through Fremantle Ports, is working with industry to improve trucking operations.

BUTLER TRAIN STATION — ANIMATION COST

718. Hon LJILJANNA RAVLICH to the parliamentary secretary representing the Minister for Transport:

I refer to the animation of the future Butler train station.

- (1) How much did the animation cost?
- (2) When was it ordered?
- (3) Who requested that it be produced and why?

Hon JIM CHOWN replied:

I thank the member for the question.

- (1) The Public Transport Authority paid \$7 000, excluding GST, for unrestricted use of the animation. The member may have seen it used recently on Channel Seven news to promote this very important public transport project.
- (2) June 2013.
- (3) Not Applicable

RAIL FREIGHT AGREEMENTS — FREEDOM OF INFORMATION APPLICATIONS

719. Hon DARREN WEST to the parliamentary secretary representing the Minister for Transport:

I refer to question without notice 695. Can the Minister for Transport confirm that there are provisions in the contract that allow the minister to table it in the Parliament?

Hon JIM CHOWN replied:

I thank the honourable member for some notice of the question. The answer is yes.

WESTERN POWER — MANAGEMENT MEETINGS

720. Hon SAMANTHA ROWE to the Leader of the House representing the Minister for Energy:

- (1) Can the minister confirm that Western Power held management meetings at the Vines Resort and Country Club on 27 and 28 July 2013?
- (2) If yes to (1) —
 - (a) how many employees attended; and
 - (b) what was the cost?

- (3) Can the minister confirm that Western Power held management meetings at the Novotel Vines Resort on 20 and 22 October 2013?
- (4) If yes to (3) —
 - (a) how many employees attended; and
 - (b) what was the cost?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question.

- (1) No. A workshop was held between Sunday, 28 July and Tuesday, 30 July in Joondalup. The staff involved volunteered their time on the Sunday of this workshop at no cost to the business.
- (2)
 - (a) Thirty-five.
 - (b) It was \$25 850.25.
- (3) Yes. There was a strategy review workshop at the Novotel Vines Resort and Country Club from Sunday, 20 October to Tuesday, 22 October. The staff involved volunteered their time on the Sunday of this workshop at no cost to the business.
- (4)
 - (a) Thirty-six.
 - (b) Western Power has not received the final invoice. The quote from Novotel Vines was \$24 940.

KEELTY REPORT — RECOMMENDATIONS 3 AND 4

721. Hon AMBER-JADE SANDERSON to the minister representing the Minister for Planning:

I refer to recommendations 3 and 4 of the Keelty report into the Perth hills bushfires tabled in August 2011.

- (1) What is the state of progress with recommendation 3, which relates to the transfer of the responsibility of declaration of bushfire-prone areas from local government to the Western Australian Planning Commission?
- (2) When will the government give legislative effect to “Planning for Bush Fire Protection Guidelines”, as recommended by recommendation 4?
- (3) Are both recommendations supported; and, if so, what is the reason for the delay?
- (4) If no to (3), why not?

Hon HELEN MORTON replied:

I thank the member for some notice of this question.

- (1) The government is actively investigating the options for legislative change to empower the state government to declare bushfire-prone areas. Significant work has been undertaken on this matter and a decision will be made shortly.
- (2) The Western Australian Planning Commission and the Minister for Planning have approved the preparation of a new state planning policy for bushfire and the review of “Planning for Bush Fire Protection Guidelines”—WAPC 2010, edition 2. Significant progress is being made and a draft policy and revised guidelines are in the advanced stages of drafting.
- (3) The Keelty report made 55 recommendations, with more than 80 per cent already adopted. Addressing the recommendations of the Keelty report to develop an operational bushfire risk management system has resulted in cross-government coordination spanning across multiple agencies associated with mitigating and managing bushfire risk. The Western Australian Planning Commission continues to make progress on the wider reforms in collaboration with relevant agencies.
- (4) Not applicable.

GOLDFIELDS-ESPERANCE DEVELOPMENT COMMISSION — STAFF ALLEGATIONS

722. Hon ROBIN CHAPPLE to the Leader of the House representing the Premier:

My question is in regard to the Goldfields–Esperance Development Commission.

- (1) Is it correct that the Public Sector Commissioner has had staff at GEDC offices investigating the allegations made by staff against the chief executive officer and GEDC board?
- (2) If yes to (1), when were they there?
- (3) If yes to (1), will that investigation be made public?
- (4) If yes to (1), when will that investigation be concluded?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question.

- (1) The Public Sector Commission is undertaking an examination of governance arrangements in the Goldfields–Esperance Development Commission. This is considering the effectiveness of management and administration practices and processes within the organisation.
- (2) PSC officers have held meetings or conducted interviews with GEDC staff and board members in GEDC offices in Kalgoorlie on Thursday, 3 October, Friday, 4 October and Thursday, 10 October 2013; and in Esperance on Monday, 7 October and Tuesday, 8 October 2013.
- (3) A report from the examination is expected to be submitted to the GEDC chair and the Minister for Regional Development. No decision has been made regarding the publication of the report.
- (4) The examination commenced on Tuesday, 17 September 2013 and is anticipated to take approximately eight to 10 weeks to complete.

NATIONAL PARTY — GRA EVERINGHAM — PAYMENT**723. Hon ALANNA CLOHESY to the Minister for Electoral Affairs:**

I refer to the 2010–11 political party disclosure from the National Party that showed the receipt of \$15 500 from GRA Everingham.

- (1) Can the minister explain the nature of this payment—for example, whether it was a donation, a gift of money, service and goods, a membership subscription, a loan, a return on investment or another cash or non-cash benefit?
- (2) Can the minister explain what was provided to the National Party by GRA Everingham as part of this payment?

The PRESIDENT: I will call the Leader of the House, but I believe that last section of the question was out of order because it relates to a political party. The Minister for Electoral Affairs can answer the questions that come from that portfolio.

Hon PETER COLLIER: Thank you, Mr President; I do not mind answering the question actually.

The PRESIDENT: It is up to you; you provide the answer.

Hon PETER COLLIER replied:

I thank the honourable member for some notice of the question.

- (1) The \$15 500 was declared as other income. There is no requirement to provide further information. The Australian Electoral Commission differentiates between gifts and other income only to identify obligations that donors may have to lodge a return.
- (2) No explanation required as part of the lodgement process.

BUNBURY FIRE STATION — CONSTRUCTION**724. Hon ADELE FARINA to the Attorney General representing the Minister for Emergency Services:**

Mr President, before asking my question, I point out that I have a number of questions to ask today and they are all in my name, so I will not disappoint you as I did yesterday!

I refer to the proposed new Bunbury fire station.

- (1) What is the cause for the delay in commencing construction of the new Bunbury fire station?
- (2) What is the new completion date for the project?
- (3) Will the delay impact the cost of the project?
- (4) If yes to (3), what is the anticipated increase in the cost of the project?
- (5) Is the Department of Fire and Emergency Services still working together with the City of Bunbury to progress the project; and, if not, what is the problem?

Hon KEN BASTON replied:

On behalf of the Attorney General, I thank the honourable member for some notice of this question.

- (1) Normal due diligence process has required consultation to determine an operationally fit-for-purpose facility. This consultation has been achieved within the agreed project time frames.
- (2) The anticipated date of completion is July 2015.

- (3) No.
- (4) Not applicable.
- (5) Yes.

**NATIONALLY CONSISTENT COLLECTION OF DATA ON
SCHOOL STUDENTS WITH DISABILITY TRIAL**

725. Hon SUE ELLERY to the Minister for Education:

I refer to the Nationally Consistent Collection of Data on School Students with Disability trial in WA schools and the plans to expand the collection of data in 2014–15, and for resources then to flow to schools in 2016.

- (1) Can the minister confirm that the funds for 2016 were linked to engagement in the Gonski funding from the federal government?
- (2) Given that the Premier announced yesterday that any chance of WA schools benefiting from Gonski funds was gone, where does that leave the funding for the rollout of more resources for additional teaching and learning adjustments for students with disabilities in 2016?

Hon PETER COLLIER replied:

I thank the member for some notice of this question.

- (1) Funding under the national education reform agreement, or Gonski, includes a loading for students with disability. The nationally consistent collection of data for students with disability aims to use a consistent methodology across Australia for identifying the levels of adjustment provided by schools to support students with disability who are engaged in education. I am advised that a decision is yet to be made as to whether this methodology will be appropriate for funding purposes.
- (2) The state government anticipates that there will be a renegotiation of schools funding with the commonwealth government. This government is supportive of a student-centred funding model and is keen to expedite negotiations with the commonwealth on the funding model for Western Australian schools.

ROAD SAFETY COUNCIL — CYCLIST REPRESENTATION

726. Hon LYNN MacLAREN to the minister representing the Minister for Police:

- (1) How are cyclists represented on the Road Safety Council?
- (2) If cyclists are not directly represented, what mechanisms are in place to ensure that their viewpoints are heard?
- (3) How will cycling initiatives be addressed by the Road Safety Council in 2013–14?

Hon KEN BASTON replied:

I answer on behalf of Hon Michael Mischin. I do not appear to have an answer to that question.

STATE BUDGET 2013–14 — CONSUMER PROTECTION

727. Hon KATE DOUST to the Minister for Commerce:

The Minister for Commerce is not here today, so perhaps the minister who normally sits next to him might assist me with the answer to this question.

I refer to the table under “Services and Key Efficiency Indicators” on page 643 of the 2013–14 budget papers.

- (1) Can the minister please outline why there is a reduction target of six in the number of full-time equivalent employees in the Consumer Protection area?
- (2) Does the minister agree that this will have a negative impact on the efficiency indicators for Consumer Protection; and, if not, why not?
- (3) Can the minister please explain why there has been a steady reduction in full-time staff since 2011–12 for Consumer Protection?

Hon KEN BASTON replied:

I answer on behalf of Hon Michael Mischin. I thank the member for some notice of this question.

- (1) The number of full-time equivalent employees shown on page 643 of the 2013–14 budget papers relates to both consumer protection staff and corporate services support staff for Consumer Protection. The reduction recorded between the 2012–13 estimated actual and the 2013–14 budget target is four rather than six. There will be a reduction of full-time equivalent employees in the Consumer Protection division necessary to reflect the implementation of the public sector workforce reform measure.

- (2) The reduction is expected to have minimal impact on service delivery. The reductions are being implemented in areas that have the least impact on service delivery, and Consumer Protection has a continuing focus on increasing efficiency.
- (3) The primary cause for the reduction was the realignment of the budgeted full-time equivalent employee allocation to actual use, associated with the reduction in the full-time equivalent ceiling measure applied across government in 2012–13.

FAMILY CRISIS PROGRAM

728. Hon STEPHEN DAWSON to the Minister for Child Protection:

I refer to the Barnett government's recent abolition of the family crisis program.

- (1) What services did the family crisis program provide?
- (2) Under what circumstances did the family crisis program provide assistance?
- (3) How many vouchers or cash payments were provided to people seeking assistance in 2011–12 and 2012–13?
- (4) Will the minister advise which agency will people in need now approach for this type of assistance?

Hon HELEN MORTON replied:

I thank the member for some notice of this question.

- (1)–(2) The family crisis program provided direct financial assistance to and a range of services for families and individuals in crisis. To continue to meet the needs of those families and individuals, the department will still provide the bereavement assistance program, the hardship utility grant scheme, natural disaster assistance and the state concession card, which formed part of the family crisis program, as well as providing direct assistance in situations of domestic violence, emergency homelessness and stranded travel.

Direct financial assistance for the following circumstances ceased from 2 September 2013: unforeseen crisis, under which assistance was provided for such things as a major unexpected medical expense, the repair of major essential domestic appliances such as a refrigerator or a hot water unit, or assistance when money or vital goods were stolen from an individual or family; furniture removal, when a family had to move for unforeseen or legitimate circumstances; single event household disaster, when families suffered significant loss of personal possessions through a house fire or flooding; family assistance where there is no child protection concern—this assistance to families with dependent children was for things such as a major unforeseen personal and financial crisis, expenses incurred prior to marital breakdown that left the single income recipient liable for debts, a major motor vehicle accident, serious and sudden medical conditions severely impacting family income or expenditure, the main salary earner becoming redundant, and theft of major family possessions; financial assistance for optical, under which up to \$50 was provided for a person who did not have the means to purchase the required spectacles immediately or in the immediate future; financial assistance for health equipment, under which up to \$145 was provided to help with the purchase of nebulisers and glucometers when a serious asthma or diabetes condition existed and the applicant's wellbeing would have been at grave risk without access to the required equipment immediately or in the immediate future; and the multiple birth allowance, under which up to \$250 was provided to parents of multiple births for a period of two years from the date the children arrived home from hospital to help in purchasing domestic help services.

- (3) This question cannot be answered within the time frame available and I ask that the member put this question on notice.
- (4) The department will support families to access emergency financial assistance through agencies funded by the commonwealth government and also by the state government through Lotterywest. The commonwealth Department of Social Services provides emergency relief through the financial management program. In 2012–13, the funding allocation for emergency relief in Western Australia was \$4.919 million. A list of emergency relief providers is available on the Western Australian Council of Social Service website. I have asked my staff to print that list for the member, and I will table that document as an attachment. It lists more than 100 alternative providers. Families can go to their local department district office where they will receive support to access appropriate services.

[See paper 909.]

MURRAY DISTRICT HOSPITAL

729. Hon SALLY TALBOT to the parliamentary secretary representing the Minister for Health:

I refer to the Murray District Hospital.

- (1) Is the government considering closing the hospital?
- (2) If no to (1), has the government reviewed, is it reviewing or is it about to review the hospital and services to be delivered from the hospital?
- (3) If yes to (2), can the minister indicate what services it is reviewing with a view to their continued delivery at the hospital?
- (4) Will the government guarantee that it will not be closing the hospital; and, if not, why not?

Hon ALYSSA HAYDEN replied:

I thank the member for some notice of this question.

- (1) No.
- (2) No; however, Murray District Hospital has provided a meals on wheels service on behalf of Peel Community Care Inc. Peel Community Care advised the hospital that the contract would cease on 29 November. It may be this matter that the member is referring to.
- (3) Not applicable.
- (4) There are no plans to close Murray District Hospital.

DEPARTMENT OF ENVIRONMENT REGULATION — ILLEGAL CLEARING

730. Hon ROBIN CHAPPLE to the minister representing the Minister for Environment:

- (1) Has the Minister for Environment instructed the Department of Parks and Wildlife to freeze or limit all or any investigations into illegal clearing?
- (2) If yes to (1), on what basis?

Hon HELEN MORTON replied:

I thank the member for some notice of this question.

The Department of Environment Regulation has responsibility for administering the Environmental Protection Act 1986, which includes the regulation of native vegetation clearing.

- (1) No.
- (2) Not applicable.

SURFERS POINT

731. Hon ADELE FARINA to the minister representing the Minister for Regional Development:

I refer to the upgrade of facilities at Surfers Point.

- (1) How much state government funding was provided for the upgrade of facilities at Surfers Point?
- (2) What was the total cost of the project?
- (3) Was the Shire of Augusta–Margaret River or the South West Development Commission responsible for the implementation and oversight of the project?
- (4) What conditions were placed on the funding?
- (5) It has been reported that the upgraded facilities are substandard, requiring further funding to bring the facilities up to standard. How will the replacement facilities be funded and how much state government funding will be provided?

Hon KEN BASTON replied:

I thank the member for some notice of this question.

- (1) It was \$3 460 000.
- (2) It was \$5 320 000.
- (3) The Shire of Augusta–Margaret River has oversight of the project.
- (4) No special conditions have been placed on the funding. The recipient is required to meet the requirements as stipulated by the signed royalties for regions financial assistance agreement.
- (5) Neither the Department of Regional Development nor the South West Development Commission has been made aware that the facilities are regarded as substandard.

INSURANCE COMMISSION OF WESTERN AUSTRALIA — DIVIDENDS

732. Hon ALANNA CLOHESY to the minister representing the Treasurer:

- (1) Will the Treasurer seek advice from the Under Treasurer as to whether the Under Treasurer or any Treasury official had a conversation about removing any reference of Insurance Commission of WA dividends from the midyear review?
- (2) If no to (1), why not?

Hon HELEN MORTON replied:

I thank the member for the question, but I do not have any knowledge of that question. I have not signed off on it and it is not in my file.

PUBLIC SECTOR EMPLOYEES — VOLUNTARY SEVERANCE

733. Hon AMBER-JADE SANDERSON to the Leader of the House representing the Premier:

I refer to information provided in supplementary information A13 for division 3, the Department of the Premier and Cabinet, in the estimates hearings in the other place. Will the Premier provide updated profile information for voluntary separation applications; and, if not, why not?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question. Broad demographic information on public sector employees for whom voluntary separation applications under the 2013 targeted employment separation offer have been received up to the close of business 21 October 2013 are provided in this table, which I now table.

[See paper 910.]

NIB STADIUM — GRA EVERINGHAM

734. Hon SAMANTHA ROWE to the Leader of the House representing the Minister for Sport and Recreation:

I refer to the negotiations over heads of agreement of nib Stadium with the Town of Vincent and Allia Venue Management.

- (1) Can the Minister for Sport and Recreation confirm whether he or any staff member or placement within the minister's offices had any contact or meetings with representatives of registered lobbyist GRA Everingham about these negotiations?
- (2) If yes to (1), what were the dates of the contacts or meetings and what were the names of the people present at the meetings?
- (3) Can the minister confirm whether he had any informal contact with representatives of GRA Everingham about these negotiations?

Hon PETER COLLIER replied:

I thank the honourable member for some notice of this question.

- (1) Yes.
- (2) Nick Sloan and Jason Marocchi from GRA Everingham on 30 July 2010 and 16 August 2010.
- (3) The minister may, from time to time, have met Mr Everingham or representatives of GRA Everingham in a social capacity. However, there have been no formal meetings relating to government business.

ALBANY HIGHWAY — PASSING LANES

735. Hon DARREN WEST to the parliamentary secretary representing the Minister for Transport:

I refer to question without notice 699.

- (1) Can the minister confirm that no money is currently allocated for passing lanes in the following financial years?
- (2) Can the minister confirm that the only passing lane on the Albany Highway that is currently funded in the 2013–14 budget and the forward estimates is at Cranbrook?

Hon JIM CHOWN replied:

I thank the honourable member for some notice of this question.

- (1) As previously advised in the answer to question without notice 699, projects within the safer roads program are approved by the Minister for Transport on an annual basis. The indicative allocation of funds to the program over the forward estimates is shown on page 390 of the budget papers.

- (2) It is assumed that the member is referring to the location of Albany Highway at Cranbrook. However, if this is incorrect, the member may wish to clarify. A southbound passing lane is being delivered on Albany Highway at Cranbrook in 2013–14. Further passing lanes will be formally approved for construction in other years as part of the annual endorsement of the safer roads program.

INSURANCE COMMISSION OF WESTERN AUSTRALIA — DIVIDENDS

Question without Notice 732— Answer Advice

HON HELEN MORTON (East Metropolitan — Minister for Mental Health) [2.34 pm]: I want to respond to question without notice 732 asked by Hon Alanna Clohesy earlier today. The question was put in another minister's file and I have now been given it. The answer is —

- (1)–(2) Please refer to the member's previous question without notice 633.

QUESTION ON NOTICE 293

Paper Tabled

A paper relating to an answer to question on notice 293 was tabled on behalf of Hon Michael Mischin (Attorney General) by **Hon Ken Baston (Minister for Agriculture and Food)**.

HON HELEN MORTON — PORTFOLIOS

Point of Order — Petition — Ruling by President

THE PRESIDENT (Hon Barry House): Before we resume business, I refer to the point of order raised by Hon Nick Goiran on the petition presented by Hon Amber-Jade Sanderson, whom I have confirmed played no role in framing the words used earlier in today's proceedings. I have reviewed the terms of the petition with specific reference to standing order 100(2)(e) and consider that the terms of the petition offend against that part of the standing orders. Accordingly, I rule the petition out of order.

COAL INDUSTRY SUPERANNUATION AMENDMENT BILL 2013

Second Reading

Resumed from an earlier stage of the sitting.

HON KATE DOUST (South Metropolitan — Deputy Leader of the Opposition) [2.36 pm]: Prior to the lunchbreak I talked about why the opposition thinks the Coal Industry Superannuation Amendment Bill 2013 is a good piece of legislation. I do not have a lot more to say other than I understand that this bill needs to be passed through this place reasonably swiftly as the merge status for the superannuation fund will be 31 December. The first draft of regulations is also anticipated by that same date. With those few words and based on what I have already said about our support for this bill, this is a significant change for members of the superannuation fund. It has a very long history. The coal industry has been quite progressive in providing this type of financial support for its employees. The union has been significant in its advocacy to ensure that its members are well and truly looked after into their retirement. Given that the nature of the superannuation industry is rapidly changing, the decision to shift this industry fund partially from the state—there will still be some state legislation around this—into a federally registered superannuation scheme is sensible because its members will continue to retain the full benefit of their contributions. The opposition is very pleased to support this bill and hopes that this piece of legislation has a swift passage through Parliament.

HON PETER KATSAMBANIS (North Metropolitan) [2.38 pm]: I rise to speak on the Coal Industry Superannuation Amendment Bill 2013. I do not wish to hold up the passage of the bill, but I want to make a few points about it, especially about governance for the best interests of members of this superannuation fund and other superannuation funds more generally.

It is stated in the second reading speech and in the explanatory memorandum, as Hon Kate Doust said in her contribution, that the impetus for this bill will effectively lead to a merger of the Coal Industry Superannuation Board here in WA with a federally regulated fund, the Auscoal Superannuation Fund. It is stated that the rationale for this has come about because of regulatory changes at a federal level. In many ways that is true. What the federal regulatory changes have done over the past few years is impose a series of prudential and administrative requirements on superannuation funds that add costs, particularly to smaller funds because of the inability for smaller funds to spread those costs over a larger base of members. Having had a bit of experience in this area, I believe that a lot of the additional costs and burdens that have been added to superannuation funds have been added as a result of what I consider governance failures that relate to the structure of industry superannuation funds and how board members are either elected or appointed. This particular board is a case in point. The members of this board, as it currently exists, are chosen from industry and trade union representatives. The principal act, the Coal Industry Superannuation Act 1989—I am not going to labour the point or refer to various sections—provides for the election of member representatives. Therefore, the members ought to elect

their board members as provided for in the regulations, but in the regulations that underpin the act there is no real election at all. The member representatives are appointed by the trade unions. I do not impugn the motives of the trade union representatives on these boards; I am sure most of them have the best interests of their members at heart.

Hon Kate Doust: All of them.

Hon PETER KATSAMBANIS: If honourable members want to say all of them, I take that on. Michael Williamson, the former national president of the Australian Labor Party and former national president of the Health Services Union, was once a board member of a superannuation fund; so, too, was former Labor member of federal Parliament Craig Thomson. I will not discuss that any further, because I do not want to extend this debate or delay the passage of the bill. I might also refer members of the other side to the Motor Trades Association of Australia Superannuation Fund and ask them to look at publicly available information and let me know whether all union representatives at all times can always be said to have had at heart the best interests of the members they represent. Remember, I am not talking about members of a union, but members of a superannuation fund in a choice environment.

I digressed due to the interjections from the other side, but I get back to the point. The fact is that in a modern environment, members of superannuation funds ought to have the same right as investors and members of public companies; that is, the right to elect the directors who represent them and represent their best interests, in particular, given the complex financial decisions that must be made. As I said earlier, I do not impugn the motives of the member representatives, but I do question the financial capacity of those board members appointed by industry as well as by trade unions. I note that the members of this fund in Western Australia at the moment unfortunately have members' representatives appointed by trade unions. What will happen when the fund eventually merges with Auscoal Superannuation, if the merger goes ahead? Auscoal has nine directors. I looked up the governance structure of Auscoal on its website. One is an independent director, nominated by the other trustees on the board. Four directors are employer-sponsored nominations and—I will read from the Auscoal website —

Four member Directors are appointed by the CFMEU. Three are nominated for appointment by the CFMEU and the fourth is nominated by appointment by other unions representing members in NSW, QLD and Tasmanian coal mining industry, including the Association of Professional Engineers, Scientists and Managers Australia.

Again, I have to ask: Why can members not appoint their own directors? Why do they not get a right to vote for a director, as they would if they were members of a public company? They do not, unfortunately. In today's modern environment, with complex financial interests, and the extremely complex financial interests that underpin some superannuation funds, professional expertise is needed, not willing amateurs, to look after people's funds. If members want to look at really complex arrangements, perhaps, again, they should look at the MTAA fund I mentioned earlier and work out the type of complex arrangements that members of boards with possibly good interests, probably good interests, but certainly little financial acumen or expertise, were getting their fund members involved in, to the massive detriment of those fund members. It is high time that members of superannuation funds and industry superannuation funds got a chance to appoint their own directors, rather than have them appointed by trade unions.

Lest it be said by members of the other side that these funds somehow or other represent only trade union members therefore it is appropriate that the trade union represent those members on the fund, I will refer to some statistics. The latest Australian Bureau of Statistics report on employee earnings, benefits and trade union membership, dated August 2012 but actually released in May this year, shows that only 18 per cent of people in the workforce are trade union members, which represents 20 per cent of full-time employees and 14 per cent of part-time employees.

Hon Ljiljanna Ravlich: So what is your point?

Hon PETER KATSAMBANIS: It is interesting to note that only 13 per cent of private sector employees are trade union members and even in the public sector, that bastion of trade unionism apparently, less than half, only 43 per cent, of public sector employees are trade union members. My point is, as Hon Ljiljanna Ravlich asked, that these trade union director appointments are completely unrepresentative of the membership of these superannuation funds, which on average are likely to have only one trade union member in five of the members of any fund anywhere in Australia, because only 18 per cent of the workforce is trade unionised. Even if it is a public sector fund—although there is no such concept anymore in a choice environment—and even if the fund was made up primarily of public sector employees, less than half would be trade union members. I acknowledge that perhaps in the early 1990s when a lot of these industry funds were being set up, and even back in the 1940s when the predecessor of this fund was being set up, it might have been appropriate that industry and trade unions appointed the directors; but that time has long gone. These are extremely large funds managing other people's money. They should have people with professional acumen and expertise managing and controlling the

governance of them. Members of the fund should be given the right and the choice to elect the directors who represent them. If that happened, it would be a very good day for everyone, including the coal industry employees who will be moved from the current Western Australian fund into Auscoal, which is, although not a new fund, a new fund for those members. That would be important.

If there were greater professional acumen on the boards of these companies, perhaps those additional layers of regulation that I spoke about before that have been put in place by the Australian Prudential Regulation Authority and the Australian Securities and Investments Commission would not have been required. The point is if they can reduce the level of red tape and regulation, they can reduce the costs and, therefore, increase the benefit to members.

On another point in relation to choice, if we were merging two public companies, the members of those companies—the shareholders—would have the right to vote on whether or not they merged with one company. However, in this particular case, as we eloquently heard from Hon Kate Doust, the board of directors of this fund, with no direct relationship to the members, did not ask members whether they would like to join Auscoal or another industry fund.

Hon Kate Doust: How do you know?

Hon PETER KATSAMBANIS: They did not hold a poll; I can tell the member that much. They certainly did not hold a poll. I think it is better governance. Superannuation funds should be governed as much as possible by the same rules that apply to Australian public companies. It would be much better governance if the members themselves got to choose the fund that they were merging with. I am not suggesting that this is a flaw in the Western Australian system; it is just a flaw inherent in the superannuation system. It has the potential to lead to less than optimal outcomes for the very people that the system should look after—the members of the funds; the people whose money is being looked after. That is why today I wanted to put those issues on the record, given that I had the opportunity to speak on a bill that will merge the Western Australian Coal Industry Superannuation Fund with a federally regulated fund.

I have one other associated point to make. This Western Australian fund is a small fund, but there has never been a proven correlation between the size of a fund and its performance. I am not going to blame the previous federal government for this; I think it was taken along for a ride. Over the past five or six years there seems to have been a push, mainly from the Australian Prudential Regulation Authority, to create bigger and bigger funds and to eliminate smaller funds. It is true that sometimes smaller funds have higher costs, but those costs are often, as I indicated at the start of my contribution, imposed on them by regulators to cover up governance failings that could be fixed in a different way. Eliminate those governance costs, or those structural costs that are built into the compliance regime by APRA and the Australian Securities and Investments Commission, and we will often find that smaller funds are far more nimble and far better performing, especially in down markets. I will not bore people by referring to Chant West research and other publicly available research, but we saw during the global financial crisis that a lot of the larger funds underperformed and a lot of the smaller, more nimble funds performed far better for their members, including industry funds. I put on record that I have no problem at all with industry funds, lest anyone think I have a concern with them. I just have a problem with the current unrepresentative governance structures that disenfranchise members and also lead to a situation in which directors may not have the appropriate skills necessary to look after the best interests of the members they are there to serve.

I am sure that I will get an opportunity at various other times to say more about this. I hope that people involved in reforming the superannuation industry listen to this. It is critically important that members get to choose directors who represent their interests. It is across the board. I do not suggest that this should apply only to industry funds. Some large investment companies in Australia that run superannuation funds in which people invest money should also look at their governance structures. I have made my point directly to them in the past. It is not an attack on industry funds; the whole superannuation industry more broadly should look at a better governance structure. That governance structure will mean less onerous regulation, therefore less cost to members and better benefits for members so that they can enjoy those benefits in their retirement. With those words, I support the passage of the bill through the house.

HON KEN BASTON (Mining and Pastoral — Minister for Agriculture and Food) [2.54 pm] — in reply: I will make a few comments in reply on the Coal Industry Superannuation Amendment Bill 2013. I thank Hon Kate Doust and Hon Peter Katsambanis for their support of this bill. I note that the ALP and the unions have provided their full backing to this bill. I believe that the Greens (WA) do not oppose it. The purpose of the bill of course is to amend the Coal Industry Superannuation Act. That came about because of federal government changes. They were substantial changes that would have caused a small fund like this a very heavy burden; in fact, a conservative figure was banded around of \$500 000. The Coal Industry Superannuation Fund currently has 1 209 members, comprising 736 active and 477 retained members. That fund will change when it joins with Auscoal once this bill is passed. It will amalgamate with a \$7 billion super fund that has 72 000 members. Of

course the previous 1 200 members have a fund of \$186 million. Although that figure is not to be sneezed at, federal government regulatory changes will impose additional cost factors on funds. These changes include: Stronger Super, which was introduced following the Cooper review in 2010; SuperStream, which requires more efficient administration systems and will be expensive to comply with; the revised Australian Securities and Investments Commission disclosure requirements; and additional Australian Prudential Regulation Authority reporting requirements. Those cost factors add up to an extra burden on what is a relatively small super scheme. This is obviously a benefit to coalminers' superannuation.

I will not talk for too long. One point Hon Kate Doust raised related to whether the defined benefit scheme will stay. The simple answer to that is yes. This bill was first introduced when Hon Norman Moore was in this place. I believe he went to great lengths to make sure that whatever was in a defined super scheme was carried forward. I do not know why that had any relevance to him at all!

Hon Kate Doust: I think he was a big supporter of defined benefit superannuation!

Hon KEN BASTON: I thought it was a point of interest that Hon Norman Moore was involved in this bill and wanted to ensure that everyone in this super fund would not lose out on anything they already had.

Hon Kate Doust also asked whether, at a local level, there will be a group in Perth that can actually have input into the trust. The answer to that is yes; a policy committee will provide feedback to the trustee board on local interests. The current board has agreed to stay on as that policy committee. That at least will give it some continuity, which is important. Hon Kate Doust asked why the legislation will be reviewed by the Department of Treasury after three years. I stated the reason why in my second reading speech; Treasury will decide whether or not it still needs to be in an act of Parliament. At this stage, it is for continuity. Hon Kate Doust also touched on the security aspect of it and why there needs to be an amendment to the act to change the trustees in the amalgamation.

With those comments, I commend the bill to the house.

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 **Hon Ken Baston (Minister for Agriculture and Food)**, and passed.

DOG AMENDMENT BILL 2013

Assembly's Message

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

Several members interjected.

The PRESIDENT: Let *Hansard* record universal hilarity!

WESTERN AUSTRALIAN PHOTO CARD BILL 2013

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Jim Chown (Parliamentary Secretary)**, read a first time.

Second Reading

HON JIM CHOWN (Agricultural — Parliamentary Secretary) [3.01 pm]: I move —

That the bill be now read a second time.

The Western Australian Photo Card Bill 2013 will provide for a new photographic identity card. This card will directly assist those within our community who do not hold a driver's licence, a proof-of-age card or other form of identification such as a passport to prove their identity. The Western Australian photo card will be purely voluntary and will be available to Western Australian residents aged 16 years and over. The photo card will provide Western Australian residents who have a need for photo identification with a secure document that will assist them to establish their identity within the community. Many people in the community often have a need to produce some form of personal identification to secure goods and services. Government agencies and businesses also rely on a photo identification document to provide assurance that the person they are dealing with is who they say they are.

Over recent years the Western Australian driver's licence card has increasingly been used as a primary identification document and is relied upon as a trusted and reliable photo identification document, despite its

specific purpose being to provide evidence of an authority to drive a motor vehicle. The government has been approached by numerous community groups asking for the introduction of a new photo card for those in the community who do not hold acceptable photo identification documents, in particular those who do not have a driver's licence. At present these people, if 18 years of age or over, have only the option of applying for a proof-of-age card, which, although it contains a photograph, does not have the same level of recognition as a driver's licence or passport. The government understands it has an obligation to ensure that people who are unable to obtain a driver's licence for whatever reason are not unfairly disadvantaged. The passage of this bill by the house will ensure that the community is provided with a solution to this current problem.

The photo card will make it easier for older non-drivers and people with disabilities who require photo identification but cannot obtain an acceptable photo identification document. At present, these people are forced to apply under the liquor control framework for a proof-of-age card. The CEO of the Department of Transport will administer the legislation, and photo cards will be available through its driver and vehicle service centres and agents throughout Western Australia. The department's management of and administrative control over the issuing process will allow the card to evolve with changes in identity security practices and policies. In addition, the department has the expertise and knowledge, along with the facilities and technical infrastructure, readily available to effectively deliver the photo card through its existing networks. The enrolment process and proof-of-identity requirement will have the same rigour as that required for the grant of a Western Australian driver's licence. The photo card will also contain the same security features that currently apply to the Western Australian driver's licence card, including facial recognition technology. The bill will require the CEO of the Department of Transport to maintain a photo card register and will give the department the power to correct any mistake, error or omission in the photo card register. The Western Australian community can be secure in the knowledge that the bill provides established safeguards on the release of information and photos contained in the photo card register. These safeguards mirror the existing safeguards provided in the Road Traffic Act 1974 for the release of driver's licence information.

The photo card will cost approximately \$35 and will be valid for five years, with no other fees applicable during that period. That fee will cover the administrative costs of application, including the production of the plasticised card. It should be noted that the approximate proposed \$35 fee amounts to \$7 a year. It is an estimate based on cost-recovery principles and will need some refinement as part of the annual fees and charges process. Given the low level of the annual fee and the need to recover the costs of administering the photo card system, the government does not propose to introduce a concessionary fee.

The photo card will replace the proof-of-age card issued by the Department of Transport on behalf of the Department of Racing, Gaming and Liquor. The photo card will be prescribed as an acceptable evidence-of-age document for access to licensed premises under the Liquor Control Act 1988. To ensure a smooth transition between the cards, and so as not to disadvantage holders of the proof-of-age card, replacement proof-of-age cards will continue to be provided for a period of six months following the introduction of the photo card.

I also take this opportunity to inform the house in accordance with standing order 126(1) that the bill will not give effect to a uniform legislation scheme. The Western Australian photo card will provide real benefits to a large number of Western Australian residents.

I commend the bill to the house and table a copy of the explanatory memorandum.

[See paper 912.]

Debate adjourned, pursuant to standing orders.

KIDS WHO GIVE WA

Statement

HON DONNA FARAGHER (East Metropolitan — Parliamentary Secretary) [3.06 pm]: Earlier today I had the absolute pleasure to represent the Premier at the Kids Who Give WA gala award ceremony held in the ballroom at Government House. Kids Who Give WA was launched in February 2013 for the purpose of encouraging and celebrating acts of kindness and the development of giving projects by Western Australian children up to the age of 12 years. Kids Who Give WA was established by His Excellency the Governor Malcolm McCusker and Mrs McCusker. I understand that Mrs McCusker is really the one who has taken the lead role in its set-up and in what it seeks to achieve. Indeed, in an article that appeared in *School Matters* in its 5 July to August 2013 edition, she states —

Kids Who Give WA was born out of the realisation that if we engage young people in giving—by inspiring them through examples—then we are on track to grow a generation of more caring, selfless people. Some schools already have outstanding community service programs in place and we try to use these as inspirational models for children and schools.

For over two hours, guests were constantly amazed at the variety of projects undertaken right across Western Australia by children as young as five years. During the morning ceremony, 50 awards were presented. I will just give a bit of a flavour of some of the projects recognised. Awards were presented in different categories, which included the highest participation rate and also for children coming from lower primary school. They were for students in the kindergarten to year 4 bracket. Also, individual awards were presented to children under 12 years of age, and participation awards were presented to schools engaged in giving projects for the first time.

I will just refer to a few examples. Forrestfield Primary School, which is a school in my electorate, received an award for its sustainable garden and Manna Inc partnership. I am certainly aware of that project, having provided some support to Forrestfield in the original setting up of its community garden. The work involved not only the children, but the entire school community. Its partnership with Manna is outstanding. I also refer to the Warnbro Primary School seniors' project. A range of other projects were carried out by young people supporting the community, including the Red Cross and other organisations, through fundraising, in activities such as sleepovers at the school, making and selling cupcakes, collecting donations and the like.

There were projects that supported Guide Dogs WA, the Beehive Montessori School conducted a walkathon for medical research, and Glengarry Primary School held a fete for people affected by the Queensland floods. The children in the kindergarten to year 4 classes at Yerecoin Primary School, a school with fewer than 40 students, ran a project called "Helping Hands Knitting for the Needy". I understand from what Mrs McCusker said today that children in kindergarten were knitting beanies and scarves for the homeless. They did so many that premature babies at King Edward Memorial Hospital were also given beanies. I am sure my son Harry wore one when he was in the special care nursery. Students from the Port Hedland School of the Air travelled to the ceremony today to be recognised for their Royal Flying Doctor Service care packages. It was wonderful that these young children thought it was important that other young children who have to travel with the flying doctors have care packages. The packages included handmade puppets, crayons, pencils and a variety of other things.

There were also individual giving awards. Charlotte Pilgrim-Byrne, a little girl of only five years of age from John Wollaston Anglican School, thought it was important to save the numbat. With the help of her mother, she established a fundraising website that has so far raised \$250. That may not seem a lot of money, but it is an awful lot for a five-year-old to fundraise for a cause that she believes in strongly. That is absolutely amazing. Another young seven-year-old boy, Vincent Pettinicchio, received an award for his project for the homeless. He and his friends made care packages for a number of homeless Western Australian people. Ben Healey and his friends from Wembley Primary School were awarded for their program called CHOOK, or Children Helping Out Other Kids. This was their first project and was run in collaboration with the Foster Care Association of WA. Ben and his friends asked students at their school to donate a variety of clothing, toys, books and anything else they no longer needed or wanted to use. They ended up with 2 500 articles of clothing, more than 300 stuffed toys, 1 400 books and hundreds of toys. With all this, they created emergency packs for children who are taken into foster care. A number of other groups also were celebrated at this event today.

We tend to focus on the negatives when it comes to young people, which is unfortunate, because many young people are doing good things across the Western Australian community. Today was an opportunity to celebrate the good things that young people, as young as the age of five, do for others. I congratulate the McCusker family for establishing this initiative, but, more importantly, I want to thank all the students who took part in this project and see and understand the value of helping other people who are less fortunate. It may be through fundraising that they have helped particular organisations or through just spending time with others. Time may not cost anything, but it gives a lot of enjoyment. It may be people in an aged-care facility who do not have many people visit. Young people spending time with them can have a positive impact. I congratulate all these young people. When I look at them I think that our state is in very good hands. I was pleased that a number of the schools were from the East Metropolitan Region, but, to be honest, I was just thrilled to see the projects from across the length and breadth of Western Australia.

PINK RIBBON DAY

Statement

HON MARTIN ALDRIDGE (Agricultural) [3.15 pm]: I bring to the house's attention that the Pink Ribbon Street Appeal will be held tomorrow and that Monday, 28 October, is Pink Ribbon Day. Pink Ribbon Day is run by the Cancer Council—an organisation that I am sure is familiar to many people in this house—and helps to raise funds for many thousands of women affected by breast and gynaecological cancers. The money raised is directed towards prevention, treatment, support and world-class cancer research. It is estimated that around 50 women are diagnosed with breast or gynaecological cancer every day in Australia. Breast cancer is the most common cancer amongst women in Australia and the second most likely cancer to kill women after lung cancer. Australian women have a one-in-eight lifetime risk of developing breast cancer. It is estimated that 14 940 women will be diagnosed with breast cancer in 2013.

It is important to note that most women survive breast cancer; in fact, the five-year survival rate for women diagnosed with breast cancer is 89 per cent. Breast cancer can occur at any age. It is more common in women over the age of 60; however, one-quarter of women with breast cancer are under the age of 50. In 2008, the risk of being diagnosed with a gynaecological cancer was one in 23 and the risk of dying from such a cancer was one in 63. The most common gynaecological cancer is ovarian cancer, which affects one in 79 women. As ovarian cancer is difficult to detect in its early stages, there are more deaths from ovarian cancer than any other type of cancer. In 2008, 110 women in Western Australia were diagnosed with ovarian cancer and 79 died from the disease. Cervical cancer also affects one in 157 women. Cervical cancer death rates have more than halved since the national cervical screening program began in 1991. This is the kind of progress that the Cancer Council, through its fundraising efforts and its research, hopes will impact positively on the community to support events such as Pink Ribbon Day.

In 2010, the five-year survival rate for all gynaecological cancers was 67 per cent. As with most cancers, there is a much greater chance of successful treatment if breast and gynaecological cancers are caught in their early stages. It is important that we, as members of Parliament, continue to promote public awareness. About 30 per cent of women diagnosed with cancer live in Australia's rural areas. There are significant challenges to being diagnosed with cancer whilst living in rural areas, particularly relating to travel times to access treatment, as well as the additional emotional and physical stress that that puts on a person. The Cancer Council in Western Australia has extensive contacts throughout the regions and provides support to those diagnosed with cancer through its Cancer Council support coordinators.

Pink Ribbon Day is aimed at raising awareness and much-needed funds to continue to support people with cancer and reducing the incidence of cancer among women. The Cancer Council Australia's CEO, Professor Ian Olver, said recently that although a diagnosis of these cancers can be traumatic and can greatly interrupt a woman's family or working life, cancer outcomes for many women are improving. By participating in Pink Ribbon Day or an associated fundraising event, we can help the Cancer Council to continue this trend and to continue improving better health outcomes for women. The Cancer Council Australia brings together Australia's leading state and territory cancer organisations that are undertaking a range of activities to minimise the threat of cancer. It is the leading independent funder of cancer research in Australia, which is an impressive record, having granted over \$54 million to research, scholarships and fellowships this year. It also provides up-to-date information to doctors, patients and the community to raise awareness about the prevention and treatment of cancer. The Cancer Council also coordinates a number of cancer support groups, services and programs for cancer patients, as well as acting as an advocacy group advising governments in Australia.

On Wednesday of this week my office organised a Pink Ribbon fundraiser morning tea. The event was well attended and we have currently managed to raise several hundreds of dollars. If members are interested, I still have some merchandise for sale in my Parliament House office. Your help would be very much appreciated.

I extend my gratitude to the staff of my office, including Vanessa Shehan, Joe Lundy, Anthea Wesley, Josh Nyman, Andrew Corke and Louise Cummings for assisting me with this morning tea, and also to those who attended, donated to, purchased merchandise and assisted more generally in the fundraising effort. Members can also host their own fundraising event, sell merchandise, donate or volunteer their time to help this cause. Information can be found at pinkribbonday.com.au.

Cancer has probably touched all members of this place in some way, whether by a personal experience or by the experience of a friend or family member. October each year is an important time for the Cancer Council when it conducts its major fundraising efforts for the year ahead. I note that many members are already wearing their pink ribbons in recognition of the events that will happen tomorrow, Monday and throughout the month of October, and to ensure that they play their part in supporting a very important cause for the organisation and for women in the state of Western Australia.

RICHIE BENAUD

Statement

HON DARREN WEST (Agricultural) [3.22 pm]: I am sure that all members of the house will join me in hearing the good news that after a serious traffic accident yesterday, Richie Benaud is reported to be in a stable condition in a Sydney hospital today and looks well on the way to making a full recovery.

I just want to touch on Richie Benaud, whom I, as a cricket lover, hold in the highest esteem. He began his career in Australia playing with the legendary Donald Bradman and went on to captain Australia. He then made an enormous contribution to cricket in the world of television, marketing and commentary on the game. I am sure that everyone will join me in offering the great man Richie and his family our best wishes. We wish him a speedy recovery and we all look forward to hearing him again this summer.

The PRESIDENT: Hear, hear!

MENTAL HEALTH GOOD OUTCOMES AWARDS*Statement*

HON DAVE GRILLS (Mining and Pastoral) [3.23 pm]: Mr President, I have just a —

A government member interjected.

Hon DAVE GRILLS: Did he? Can we check our facts?

The PRESIDENT: Order! Yes, he did play with Bradman. I can adjudicate on that one!

Hon DAVE GRILLS: I will have that one; thanks.

The PRESIDENT: Hon Dave Grills.

Hon DAVE GRILLS: Thank you, Mr President.

Hon Stephen Dawson: His time has expired!

Hon DAVE GRILLS: Thanks for that! It always happens to me!

I am glad that members are in a good frame of mind because I have a bit of good news. I want to make mention of Mental Health Week. Some awards were handed out during Mental Health Week at the Mental Health Good Outcomes Awards. Twelve winners were announced at the Good Outcomes Awards by Hon Helen Morton. I want to talk about those awards, as mental health is something that we have discussed in this place and it is something for which I have a bit of a liking. I am a board member of the Goldfields Rehabilitation Services for which we continually push for funding to try to make things a bit easier for the people who do the good work there that they do. The Mental Health Good Outcomes Awards celebrate excellence in the field of mental health and have been doing so for 11 years. I will just touch on some of the winners relevant to regional WA and the Mining and Pastoral Region, even though there were more.

The Edith Cowan University Award for prevention, promotion and/or early intervention service or program was awarded to joint winners, and one of the winners was the Men's Regional Health Service Initiative. That service presents a variety of community education sessions for men on physical, mental, social and spiritual wellbeing, and promotes a community-driven approach to resilience. The initiative encompasses the whole of rural and regional Western Australia and provides counselling support and critical links to professional services when required. This is a valuable service, especially in the bush, given that some of the areas in the wheatbelt have suffered with drought and hard times on the farm, and we know that some of our farmers have been driven to take their own lives. That is just one service that has a really good practical application.

The John Da Silva Award for improved outcomes in Aboriginal social and emotional wellbeing was won by a program called Alive and Kicking Goals, which is based in Broome. It is a youth suicide prevention program that aims to reduce the high suicide rate amongst Aboriginal youth in and around Broome through the use of football and peer education. That is a most important service. We spend a bit of time on Aboriginal issues and unfortunately one of those is suicide amongst young people.

The Dr Mark Rooney Award for improved outcomes in child and youth mental health sponsored by the Commissioner for Children and Young People was won by Youth Focus, which is a metropolitan-based service, but it relates to youth, so I figured I would talk a bit about it. The service works with young people aged between 12 and 25 and helps to try to put a stop to youth suicide and to reduce the impacts of depression, anxiety and self-harming behaviours, which is important. Youth Focus offers counselling services with the aim of engaging with young people before the onset of acute mental health issues. That is probably more relevant, because if we put a bit more time into the prevention of things, as we know, we probably would not have to spend time reacting to them.

The last award I want to speak of is the University of Western Australia Award for excellence in rural and remote mental health. This was won by Rural Community Support Services based in Narrogin. Rural Community Support Services is primarily a mental health service that serves 25 shires and communities across the wheatbelt and great southern regions. The service is focused on building resilience, reducing stigma associated with mental health issues and providing effective primary mental health services to geographically isolated communities. There were more awards presented, but those were the ones relevant to regional WA and youth. Good on all those recipients. The more that we as a Parliament, irrespective of what side we are from, take a bipartisan approach towards this issue, the sooner we will eventually start nailing it and have more time to talk about the good things we do instead of some of the things we should do.

COURTS AND TRIBUNALS (ELECTRONIC PROCESSES FACILITATION) BILL 2013*Returned*

Bill returned from the Assembly without amendment.

**UNCLAIMED MONEY (SUPERANNUATION AND RSA PROVIDERS)
AMENDMENT AND EXPIRY BILL 2013**

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Helen Morton (Minister for Mental Health)**, read a first time.

Second Reading

HON HELEN MORTON (East Metropolitan — Minister for Mental Health) [3.29 pm]: I move —

That the bill be now read a second time.

The bill amends the Unclaimed Money (Superannuation and RSA Providers) Act 2003 and the State Superannuation Act 2000 to provide for the transfer of state-held unclaimed superannuation, and its ongoing responsibility, to the Australian Taxation Office. This bill had previously been debated in the Legislative Assembly and passed the third reading on 13 September 2012. However, the bill lapsed because it did not complete its passage through the Legislative Council before the Parliament was prorogued on 14 December 2012.

Unclaimed superannuation typically arises when a superannuation provider is unable to contact a member with an entitlement to a benefit after a prescribed period, or when no contributions have been made by an employer on behalf of a member after a prescribed period. Centralised administration of unclaimed superannuation with the ATO will facilitate superannuation fund members being reunited with their lost or unclaimed superannuation through the extensive data matching and personal identification capabilities of the ATO.

All states and territories have agreed to the transfer of their lost and unclaimed superannuation money and ongoing responsibility to the commonwealth in support of the interests of superannuation fund members who will benefit from the centralisation of unclaimed superannuation arrangements with the ATO. Implementation of the transfer proposal will also bring lost and unclaimed superannuation arrangements of states and territories into line with commonwealth-regulated superannuation schemes, which have been required to pay lost and unclaimed superannuation moneys to the ATO since 1 July 2007.

The state's lost and unclaimed superannuation to be subject to the transfer proposal arises from two sources. The first source is unclaimed superannuation held in the consolidated account paid to the Treasurer by private Western Australian-registered superannuation funds up to and including 30 June 2007 under the Unclaimed Money (Superannuation and RSA Providers) Act 2003. The transfer amount to the ATO in this regard is expected to be around \$200 000 and therefore the transfer will have negligible impact on the consolidated account. Once this payment has been made to the ATO, the Unclaimed Money (Superannuation and RSA Providers) Act 2003 will become redundant, as no unclaimed superannuation will remain under the state's jurisdiction to be administered by the act. Accordingly, the changes in the bill provide for the expiry of the act.

The second source of state-held unclaimed superannuation is superannuation meeting the lost and unclaimed superannuation definition paid under the State Superannuation Act 2000 in relation to members of Government Employees Superannuation Board-administered schemes prescribed under the relevant commonwealth legislation for inclusion in the transfer regime. The schemes prescribed for this purpose are the West State Super, GESB Super and GESB Super (Retirement Access) schemes. Under the transfer arrangements, GESB will make an initial payment to the ATO of the accumulated stock of lost and unclaimed superannuation in relation to members of the accumulation schemes at the transfer implementation date and subsequent ongoing payments to the ATO in accordance with ATO reporting and payment requirements. The transfer amount to the ATO in this regard is expected to be around \$13 million. These payments are fully funded and will be met from the Government Employees Superannuation Fund and will therefore have no impact on the consolidated account.

Pursuant to Legislative Council standing order 126(1), I advise that this bill is a uniform legislation bill. It is a bill that ratifies or gives effect to an intergovernmental or multilateral agreement to which the government of the state is a party. I table the explanatory memorandum and commend the bill to the house.

[See paper 913.]

Debate adjourned and the bill referred to the Standing Committee on Uniform Legislation and Statutes Review, pursuant to standing orders.

House adjourned at 3.33 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

VOLUNTEER FIRE BRIGADES — TRAINING**293. Hon Darren West to the Attorney General representing the Minister for Emergency Services:**

- (1) Will the Minister advise what training the Department of Fire and Emergency Services delivered to any of the 16 volunteer fire brigades under the control of the City of Albany between 1 January 2011 and 11 October 2012, with details of:
 - (a) the nature and duration of that training;
 - (b) to which brigade(s) it was given; and
 - (c) by whom it was delivered?
- (2) Will the Minister further advise, for that time period, how many personnel from each brigade listed received Incident Controller Level 1 recognition?

Hon Michael Mischin replied:

The Department of Fire and Emergency Services (DFES) does extend training opportunities to Local Government brigades in the interest of community safety, however DFES does not possess the power to compel Local Government volunteer brigades or individual volunteers to undertake training. Local Government authorities are responsible for the establishment and maintenance of bush fire brigades.

- (1) (a)–(c) [See paper 911.]
 - (2) Prior to 13 November 2012 there was no Incident Controller Level 1 course.
-

