

APPROPRIATION (CONSOLIDATED ACCOUNT) RECURRENT 2011–12 BILL 2011
APPROPRIATION (CONSOLIDATED ACCOUNT) CAPITAL 2011–12 BILL 2011

Cognate Debate — Motion

On motion by **Hon Simon O'Brien (Minister for Finance)**, resolved —

That leave be granted for the Appropriation (Consolidated Account) Recurrent 2011–12 Bill 2011 and the Appropriation (Consolidated Account) Capital 2011–12 Bill 2011 to be considered cognately.

Second Reading — Cognate Debate

Resumed from 21 June.

The DEPUTY PRESIDENT (Hon Brian Ellis): The honourable—Hon Sally Talbot. Sorry, I had a mental block.

HON SALLY TALBOT (South West) [3.14 pm]: Thank you, Mr Um—Mr Deputy President!

Hon Simon O'Brien: There's a few seniors' moments around today, isn't there?

Hon SALLY TALBOT: No. I was just having my own back.

I am very pleased to rise to speak on the appropriation bills. I indicate at the outset that I am not the opposition's lead speaker on these bills. The government will have to wait another couple of hours to hear our lead speaker, Hon Ken Travers. However, there are a number of remarks that I want to make about the appropriations and the budget in general. As far as the environment and Indigenous affairs portfolios go, of course, one hour is not nearly enough. Therefore, I will do what I can to indicate the main points on which the opposition endeavours to represent the community's bitter disappointment and often something that borders on disgust about the way that the government is handling both the environment and Indigenous affairs.

As the government knows, we in the WA Labor Party are always happy to make helpful suggestions that we think might be of use. Therefore, I will start by offering some advice that arises from a piece that was in "Inside Cover" on Saturday. I am sure that honourable members opposite, if they had not already seen the email, would have been delighted to know that their new media adviser, Dixie Marshall, was off the blocks with a rapid start, sending an email to what she calls "the team". I am not sure whether there is such a thing as a team on the government side, but, anyway, Ms Marshall is very optimistic about that. Of course, it was an email that fell off the back of a truck and made it into "Inside Cover". It states —

"Hi team ... I am slowly getting around to touch base with each of you ... it's been a crazy few days ... but my first impressions is this really is like the West Wing —

Poor Ms Marshall is all I have to say, but I will come back to that in a moment. The email continues —

... loads of bright young women, —

I will leave it to honourable members opposite to see whether they can recognise themselves in any of these descriptions —

cute blokes with dodgy dress sense, haggard wise old hacks.

Several members interjected.

Hon SALLY TALBOT: Does any of this ring a bell? I am getting the government very excited! I guess honourable members opposite are putting their hands up for each of those categories—bright young women, cute blokes with dodgy dress sense and haggard wise old hacks. However, I continue with Ms Marshall's email, which states —

I'm told — just like the TV show — that on Friday's we all have a few drinks together and kiss each other ... that'll be interesting!!

Hon Ed Dermer interjected.

Hon SALLY TALBOT: I am not sure, Hon Ed Dermer; this is all very, very worrying, particularly the number of exclamation marks. The email continues —

"Cath has told me about the story diary —

I hope everybody opposite knows about the story diary because clearly none of their staff do. The email continues —

... I've just checked it —

Remember, this is the email by which Ms Marshall contacts all the senior staff —

... it's basically empty for next week. So, clearly, you either don't have any ideas — and I know that is not the case — or the diary is not working.

I can see why the government appointed Ms Marshall to this job; she is a very cheerful and optimistic soul. The email continues —

Given we obviously need planning and preparation for the week/days/months ahead ... I'm keen to hear your ideas for a system in which you will participate and support. I'll be asking you on Monday. I'll also be seeking your thoughts and feedback on what you think we, as a Government, have achieved so far —

We are getting to the part of the email where I thought I might be able to help —

... along with a narrative for your minister's achievements over the past two years. —

My goodness me, no wonder the story diary was empty! Ms Marshall's email concludes —

“I don't just need your stories ... I need your talents, intellect, feedback and passion.”

I thought that was a very obvious cue for the opposition to ride in and try to save the situation, particularly by talking about exactly what that narrative of government ministers' achievements might consist of. Therefore, I will have a good go in the next 55 minutes to give Ms Marshall an idea of the narrative that might go with the achievements of the Minister for Environment and the Minister for Indigenous Affairs, although I have to say that what troubles me most about this leaked email is the reference to *The West Wing*. I think that the government may well have bodgied up the job description for the job that Ms Marshall has applied for, because if she is under any sort of impression that it was anything like *The West Wing* she will have a very disappointing time. If she had made references to *Yes, Prime Minister* or something like that, I would have said that she had been sold the job accurately, particularly if she had referred to one of my favourite scenes from *Yes, Prime Minister* in which Bernard refers to the two sorts of chairs in the ministerial offices that correspond to the two sorts of ministers. He says that one sort of chair folds up instantly and that the other sort of chair goes around and around in circles! The first of those we could loosely say refers to the Minister for Environment, and I am sure that Hon Peter Collier will be happy to wear the mantle of the second chair, straight from *Yes, Prime Minister*, that goes around and around in circles.

I start weaving this narrative and what better place to start than the road to nowhere? I only have to say “the road to nowhere” and everyone knows what I am talking about! It is of course the stage 8 extension of the Roe Highway. The obvious question to ask about this road to nowhere is: when is a road not a road? I wish that honourable members in the Liberal Party who are technically savvy enough to be able to use the electronic system that the Parliament House library has put together for media clips, would go into that system, type in “Roe 8” and see what they get. I will give them a little flavour. If they ever had a look at these articles, they would know that what we on this side of the house have been saying for two and a half years about this being a road to nowhere is the exact, spot-on truth. I suspect that the government knows it and that that is why we have this curious phenomenon in the budget of a road that is not really a road. This is a road that has been talked up, but it is a road with no money allocated to it! It is a road for which millions of dollars have been spent on community consultation, and yet there is no money in the budget to build it. Therefore, all this is very confusing. I suspect that we have a situation in which when we ask when a road is not a road the answer is that it is a road when the government talks to the marginal Liberal electorates in the southern suburbs where the electors are sold the story that Roe Highway stage 8 is better than sliced bread and that it is the one-size-fits-all cure for every ill known to humankind.

The rest of the community knows that if this road were ever to be built it would be an environmental catastrophe for the Beeliar wetlands, which are on record in an assessment from the Environmental Protection Authority as being both unique and fragile. Members should read the EPA report that notes the variety of wildlife, including all the migratory birds, and the endangered Carnaby's black cockatoo, as well as all the native flora, which would be under threat if this crazy scheme goes ahead. Of course, Aboriginal heritage sites are under threat as well. I wish the Minister for Indigenous Affairs would get himself there and talk to some of the Aboriginal people who have heritage connections to the Beeliar wetlands. I wish he would hear those stories and go back to the cabinet room, sit down with Minister Buswell and tell him how crazy this scheme is.

If members go into the library media system and type in “Roe 8”, and go through the last couple of days of media reports, they will see a reference to an article in the *Fremantle Herald* on 25 June entitled “Species threatened: Roe Report”.

Hon Simon O'Brien: There's a reliable paper!

Hon SALLY TALBOT: I know that this is in Hon Simon O'Brien's electorate and that somewhere in that soul of his he cares about the Beeliar wetlands. It is the government's own government-funded report that is sitting on the table somewhere. I could probably find the honourable member a copy if he is having difficulty finding one. It is a government-funded report that has concluded that up to 24 "uncommon species" will suffer if Roe Highway stage 8 goes ahead. Every bit of research that comes up, every bit of community consultation that goes on, confirms what a catastrophe this road would be. I did not make up the term "road to nowhere"; it is how everybody in the community refers to this road. The *Cockburn Gazette* has an article entitled "Wetlands activists rue Roe plan", which states that the \$620 million project is "a road to nowhere". Is it a \$620 million project? We do not really know, because there is no actual funding in the budget for it. There is a further report in *The West* on 3 June about the cost of the project blowing out by more than \$200 million once a full environmental assessment is done. That takes the cost from \$550 million, which was mentioned in last year's budget. It was not allocated, but mentioned. It was a casual mention of a figure like \$550 million for a road to nowhere, which has now blown out to a price tag of around \$750 million. This is an absolute disgrace. In this year's budget funding for stage 8 of the Roe Highway extension has been completely removed—not the mention of the road or the plan, just any money for it. It is a complete nonsense. I really look forward to seeing how Ms Marshall and her media team will incorporate that into the story diary.

Let us quickly move to another disaster area for the government: the issue of dieback management and forests in general. There was an announcement about dieback in the budget. I hope that our colleagues in the National Party listen to this very closely because dieback is an issue for many of their constituents and supporters. The dieback announcement referred to a figure of \$1 million. That is good news. Anyone who has actively campaigned for better measures to prevent the spread of dieback would have celebrated the news that the government had allocated one million dollars extra to dieback. The next thing we read was that the allocation was over four years. That is \$250 000 a year; it is still better than nothing. There is a program under which this budget allocation of \$1 million over four years has been made called "Turning the Tide with Phytophthora Dieback". In the estimates hearings we were able to ask what \$250 000 would buy us to improve the way we manage dieback. Before I answer that question, let me remind honourable members that all this discussion, all these decisions that were made in the context of the budget, were taking place under a big black shadow; that is, the Conservation Commission of Western Australia report from earlier in the year that made 18 adverse findings about the way the Barnett government manages dieback. I will pick out a couple of those. Hopefully honourable members who care about these things have looked at that report and use it to inform some of their discussions about forest management in their party rooms. Of particular concern was the fact that both the dieback consultative committee and the dieback response group, two of the key bodies that the Labor Party set up to control the spread of dieback and to advise the Minister for Environment on dieback management, are inactive; they have not met for months. The other thing that the Conservation Commission report found was poor management—systematic failings by the Department of Environment and Conservation—that have demonstrably hastened the spread of dieback in Western Australia. Then, there was a whole series of adverse findings that refer to DEC's complete inability to monitor the movement of soil and contaminated gravel from infected areas to uninfected areas. It was a very damning report. I was absolutely astonished when the relatively new Minister for Environment welcomed the report. To revert to my *Yes, Prime Minister* analogy, it was indeed a courageous move to welcome that report. I will say a bit more about this in a minute. The minister said that he welcomed the report on the grounds that it would give the government a chance to improve its practices, which, I think, translated means that it would focus a bit of attention on exactly what is going so catastrophically wrong with the way that the minister and the department are handling the containment of dieback.

To return to my question that we asked in estimates: what does \$250 000 a year get us in terms of dieback management? Do members know what the answer was? Two staff and "perhaps" a couple of vehicles! Frankly, that is pathetic. That is a very sad story when we know that something like dieback could see the rest of our native forest wiped out in the next couple of years. The government's grand announcement, once we start peeling away the onion skins, comes down to two extra staff and maybe a couple of vehicles.

Let me put that in context for honourable members. The Fitzgerald River National Park, as everybody knows, has been the subject of great contention recently because the Premier flew down there when BHP Billiton closed its operations. A little thought bubble popped out of the top of the Premier's head that said, "Build a road through the Fitzgerald River National Park; that will save all the local communities." Of course the people who are utterly convinced the Premier is working on a false premise are the Friends of the Fitzgerald River National Park. They have been absolutely unrelenting in their opposition to the plan to build the road and the walk tracks. I must say that having seen some of their submissions to the state and federal governments, I really take my hat off to South Coast Natural Resource Management and the Friends of Fitzgerald River National Park for the work they have done. They have put submissions together that are absolutely astonishingly detailed for a group of people who essentially work as volunteers. They have done a magnificent job. I, for one, find their arguments utterly compelling. One of the things they pointed out to me is that when we start talking about a million

dollars—two extra staff—what might we be talking about? Many honourable members sitting here will know the kinds of distances involved from one side of the Fitzgerald River National Park to the other. There are two rangers in one particular section of that park. If one ranger is unavailable for any reason, and if the unavailability of that ranger coincides with a rainfall event—not necessarily a one-in-10-year rainfall event, but just a few millimetres above what is expected—then the park is closed. That is all part of the dieback containment measures. If that happens on a day when ranger number one is not available, ranger number two has to drive approximately 150 kilometres to close the road at the other end and then drive 150 kilometres back to close it at the other end. Essentially, I am talking about a day's driving for a ranger to close a road; yet all the government can do, when it talks about improving dieback measures, is to give us a couple of extra staff and maybe a couple of extra vehicles. It is just not good enough.

Before I move off the topic of forests, I must mention something that has not necessarily been raised a lot for discussion. As far as this government is concerned, if it is silent about something, that rings all my alarm bells. It rings all my alarm bells because there are many environmental activists in the community who have been doing this work for decades. They know that when Liberal governments are silent on issues like care of the forest, it means trouble. Nowhere is that more true than in the case of the big threat hanging over our native forests; that is, the threat that this government will sanction the use of timber from native forests to go into some sort of biomass process. I have been heard very receptively by my colleagues in the commonwealth government that this must never happen. We cannot sanction an industry that uses products from native forests simply to be burned for power generation. That must not happen. I am sure there are people sitting on the government benches who would agree with me, who can see the insanity, not just in an environmental sense—I am looking behind Hon Simon O'Brien, who is not looking terribly sympathetic, but there are a couple of members behind him —

Hon Simon O'Brien: I am looking behind you, but there is no-one sitting there! You have obviously got them captivated. They're voting with their feet, Sal!

Hon SALLY TALBOT: If I can find that little place in Hon Simon O'Brien's heart where I can awaken his concern about Beeliar, I will be very happy. I am not even going to start about the south west forests. I am looking at some of the member's non-metro colleagues —

Hon Simon O'Brien: How do you get this bitter and twisted? Is it losing an unlosable election or something like that?

Hon SALLY TALBOT: I am a very happy, positive person, Hon Simon O'Brien. Most things that happen around me only add to my sense of opposition—of optimism about what we have over here —

Hon Simon O'Brien: A sense of opposition! You have vinegar running through your veins! You are a bitter and twisted individual.

Hon SALLY TALBOT: I am acutely conscious that what I am really exposing in this speech is my absolute enjoyment of every script that was ever written for *Yes, Prime Minister*. What we have on this side of the house is a government in exile. We are waiting to come back.

Hon Simon O'Brien: You're still in denial! The government in exile—Linda, Ed and Sally—what a team!

Hon SALLY TALBOT: That makes me more and more optimistic every day. As we get closer to 9 March 2013 my spirits are lifting because that is when we will be back and that is when all this nonsense can be exposed for what it is. We can start getting the Western Australian community and the Western Australian environment back on the right track.

Hon Ed Dermer: Hear, hear!

Hon SALLY TALBOT: Thank you, Hon Ed Dermer. I appreciate your support. You, like me, are an optimistic person, as we work towards that date; perhaps for slightly different reasons.

Hon Ed Dermer: I don't think so; the same reasons.

Hon SALLY TALBOT: The final thing I want to mention about the forests is this issue that the government is trying to handle at the moment. We have heard very little about this in the Parliament, but I can tell members there are a number of people in the media who are very interested in what is happening with this little tweaking of the forest management plan. A little tweaking was advertised in *The West Australian* by way of a notice on Monday that let us know it was urgent in order to raise the karri quota. Why? Because the Forest Products Commission effectively has been overlogging karri for years. I suggest that the FPC has been overlogging karri for years in the full knowledge that if it kept going the way it was going, it would exceed the maximum allowable cut under the current forest management plan. Not once has the FPC been able to satisfactorily explain whether the overlogging was a result of choosing higher productivity sites, and never has it been able to explain what that choice meant for the sustainability of the yield for first and second-grade logs. The government is now

forcing this amendment to the forest management plan through. The reaction to the suggestion from people on this side of the house and from people in the conservation movement has been, “If we’re going to look at rejigging the quota for karri, and if the government’s argument is that cannot wait until 2013–14 when we get the next forest management plan, if it is that urgent and it cannot wait, neither can the reassessment of the logging of the jarrah forest wait.” It is absolutely crucial that if we consider karri, we must also look at jarrah. We cannot wait that long to remove jarrah from the harvesting plans, given what the Conservation Commission’s mid-term forest management plan stated. That is not the report I referred to earlier that had the 18 adverse findings about the government’s management of dieback; this is a different Conservation Commission forest management plan that is equally damning of the government. The mid-term report was quite clear about the devastating effects of the drying climate in the jarrah forests. I plead with the Liberal government, in fact I plead with any member of the government who cares about the south west forests, to get into the Liberal party room and start arguing about the need to put the jarrah consideration into that rejigging of the forest management plan.

I now come to a topic that I have raised many times in this house. I know members have been waiting for the moment in my speech when I talk about the waste levy! Hon Simon O’Brien is nodding; he has been waiting for this moment.

Hon Donna Faragher: Thank goodness. We were thinking you might have moved on!

Hon SALLY TALBOT: What an interesting time we had in estimates the other day when we got to the topic of the waste levy. First of all, we asked about the number of full-time equivalents that the waste levy was funding. Talk about “Pick a number, any number.” We played around with 23, 28, 62 and 65. Some people were split between five functions of the sustainability branch, and some people were working in general administration. One of the advisers told us that he was actually partly funded from that function of DEC, so that all got very interesting. I cannot wait to get the answers to the supplementary questions that I left with the minister and the department. Could any honourable member on this side of the house believe —

Hon Simon O’Brien: There aren’t any!

Hon SALLY TALBOT: Do you know where they are? I know where they are. They are absolutely glued to their monitors. They are all in very important meetings on parliamentary business, but they are all glued to their monitors, watching what is happening in here. When the government and the department had the gall, as part of their explanation —

The DEPUTY PRESIDENT (Hon Jon Ford): I am having difficulty hearing the debate. It is not a conversation; it is a debate. Certainly Hansard cannot hear what is going on. Hon Sally Talbot has the call.

Hon SALLY TALBOT: I do not like talking about digging holes when we are talking about the landfill levy, because we might mix our metaphors, but when the government and department tried to start digging their way out of the hole they had created with all these very complicated explanations about how they organise the staffing, they then said that we could always refer back to the business plan if we wanted to know exactly what was happening with the waste levy. When I said, “Oh, that would be the business plan that we do not actually have yet”, they said, “Yes, that’s right. That’s the business plan that we do not actually have, but if we did have a business plan, you would be able to refer to the business plan and have all your questions answered.” That made me feel absolutely terrific!

Hon Robyn McSweeney: I am glad something makes you feel terrific.

Hon SALLY TALBOT: As I told members, I am a very optimistic person. Things will all change on 9 March 2013.

The DEPUTY PRESIDENT: Order! I am not going to repeat myself again: this is a debate. The member must direct her comments to me. Other members will cease interjecting, unless it is invited. Hon Sally Talbot has the call.

Hon SALLY TALBOT: We moved lightly around the question of the non-existent business plan, and then we got to the sixty-four dollar question. The sixty-four dollar question I asked the minister was: how is the decision made about which activities to charge the landfill levy on; who decides, and on what basis is that decision made? This makes extraordinary reading. I gave the government a couple of clues about what I was looking for by referring to the fact that neither South Australia nor New South Wales charges a levy on clean fill. That is the key to the problem that the government has cast for itself. The question was: how does the government decide what activities are levied? How does the government decide what to leave out of the levy and which sites it will charge for?

This gets to the nub of the problem. Anyone who reads the newspapers in Western Australia knows that the government has a major problem with the landfill levy because of the disputes it has created with companies such as Eclipse Resources. For honourable members who do not understand what Eclipse is doing, it is mining

material such as limestone, it is clean filling the space behind where the limestone has come from, and it is preparing that land for subdivisions. I asked the government whether it would look, for example, at the subdivision in Beaconsfield. Many members, such as Hon Simon O'Brien from the South Metropolitan Region, would be very familiar with this. I can tell members that the Beaconsfield subdivision today would be subject to the landfill levy. If the government was consistent and applied the same rules to a subdivision in Beaconsfield as it did to other areas of Perth where limestone is being removed and then clean fill is being put in to prepare the ground for a subdivision, then Beaconsfield would most definitely have been a site where the landfill levy was charged. It was then that I think somebody twigged what I was getting at and started to back-pedal at a million miles an hour. The reality is that the government cannot explain this. The key to the problem is that Eclipse is essentially recycling. As honourable members know, the landfill levy was set up years ago. It only started to be talked about when Labor introduced the waste avoidance and resource recovery legislation in 2007 and then of course the government whacked up the landfill levy by 300 per cent in 2009. From day one the whole purpose of the landfill levy was to increase the rate of recycling—to increase the amount of waste that is diverted from landfill and recycled. That is precisely what is happening if clean fill is used to prepare a site for development.

At the moment the system that the government is funding is the equivalent to a person walking into a transport licensing centre and asking for a certain type of licence—let us say, a car licence. The department turns to them and says, "Oh, no, you can't have a car licence. You can only have a B-double licence. By the way, a car licence will cost you \$50, but a B-double licence will cost you \$300." This is the problem that the government has set up for itself. It is fundamentally unfair. It is being challenged in court at the moment, so I am going to be a little cautious about what I say, but I have been reading the newspaper reports about the way that has been unfolding publicly. I put the government on notice that, if at any stage it can be shown that the Department of Environment and Conservation has pushed aside, at the government's insistence, the notion that companies that are using clean fill should not be paying the full landfill levy and are eligible to apply to have that site reclassified to make them not liable for the landfill levy—if at any stage the department has known that and yet ignored advice because of the effect that accepting that advice would have on its budget bottom line—then there will be very serious consequences.

I note that government members are suddenly all looking down at the paperwork that they are engrossed in, because everybody on the government side of this Parliament knows that this is the elephant in the corner. We will wait and see how long it takes us to get that final decision and what the implications of that decision are.

Curiously, when in the estimates committee I asked how many companies the government was in dispute with, and the answer was that it did not know. How could that possibly be the case? We know from the media coverage and we know from the information that has been made public that there is one company that is waging a very public legal case against the government's decision. Everybody in this town is talking about two companies being involved. I am pretty sure I know which one is the other one. Now we hear that there might be four companies involved. We have to know this. We know that somebody in DEC is sitting there, biting their fingernails up to the elbows, worrying about what is going to happen. That allocation this year, as everybody in government knows, is \$42 million. If the court cuts a swathe through that amount, the government is going to have a lot of questions to answer, particularly if it can be shown that it has already had advice that companies such as Eclipse have a valid argument and the government has deliberately pressed ahead with the counterargument just to protect its bottom line.

I know that the government has a certain amount of difficulty taking advice from me or anyone on this side of the house, so my final plea on this issue of the waste levy is to look no further than the Western Australian Local Government Association. I have given accolades before to the people at WALGA who work on waste management. It came to my attention the other day that Rebecca Brown prepared the submission and talked to the submission made to the commonwealth government on the Product Stewardship Bill 2011, which has just gone through the Senate. I was able to get a copy of that submission and I urge anyone on the benches opposite who is interested in waste management to read that submission. Very thorough, sophisticated and enlightening arguments are coming from WALGA on the issue of waste management. My prediction is that waste management will increasingly become a matter that ordinary members of the community engage with. Every member of our community will see that losing the momentum on the campaign to get towards zero landfill by 2020—as has been happening over the past two years under this government's direction—is very serious for our community. More and more people will want to be actively engaged in bringing down this government to get a better outcome for the way that we handle waste and recycling. I refer members to one short paragraph in WALGA's submission —

There needs to be a fundamental shift in how responsibility for waste management is assigned. The current assumption that Local Government will continue to provide services for all products is not sustainable. Waste is no longer simple, cheap or easy to deal with, as waste increases in volume and

complexity so does our understanding of the impacts of waste on the environment, society and the economy.

We all know that local government bears the main practical brunt of dealing with waste management. In its submission WALGA states quite clearly that —

The current assumption that Local Government will continue to provide services for all products is not sustainable.

If government members do not want to listen to me, please listen to WALGA.

Hon Simon O'Brien: Are they the only options we have?

Hon SALLY TALBOT: If Hon Simon O'Brien thinks that that is bleak, that is really his problem. WALGA is producing some first-rate material on how we need to move forward with waste management. WALGA has much more entree to the Liberal Party and its benches than it traditionally ever had with ours. WALGA is telling the government that the current situation is not sustainable and Hon Simon O'Brien is arrogant enough to sit there and laugh it off and say that he is not particularly interested in that sort of advice.

Hon Norman Moore: We are laughing at you!

Hon SALLY TALBOT: That will also come back and bite you!

Hon Ken Travers interjected.

The DEPUTY PRESIDENT (Hon Jon Ford): Hon Ken Travers may have missed my direction before. This is not a conversation; it is a debate.

Hon SALLY TALBOT: Let me move now to the topic of marine parks. It was genuinely pleasing—I know that Hon Donna Faragher is always happy when I am happy—that we saw in the budget the government creep forward on the issue of marine parks. We saw the government creep forward particularly on the two marine parks that I have raised over and over again in this place and in the estimates process for the past two and a half years. I know for a fact that the reports on these two marine parks were on Hon Donna Faragher's desk at the end of September 2008 when she walked in to put on the mantle of Minister for Environment for Western Australia. I know for a fact that on the member's desk were the completed reports on the cape to cape and Dampier Archipelago marine parks. For two years Hon Donna Faragher flicked the reports to one side; she said it was all very complicated and that she needed more work to be done. She was really running out of ways to get the marine parks off the agenda, which was proved when her successor took over the mantle and within a few months he walked into this place and said, "Guess what guys, you can have the cape to cape and Dampier Archipelago marine parks." Nothing happened for two and a half years, but now the parks are back on the agenda and that is a very good thing.

However, there is always a "but" when it comes to this mob. The "but" in this case is that when we look at the funding—Hon Donna Faragher knows exactly where I am going with this because she knows that there is a problem—we see that \$11 million is allocated to the establishment and maintenance of the two marine parks. Frankly, that is not very much money; nevertheless, \$11 million is a lot better than the two or three budgets that Hon Donna Faragher presided over that had big fat zeros for the cape to cape and Dampier Archipelago marine parks. The budget allocates \$11 million, but if we read the footnote, which of course I did, we see that that money comes from the regional community services fund. As honourable members know, the regional community services fund is one of the funds under royalties for regions. I went to the glossy brochure that the government put out titled "Royalties for Regions: 2010 Edition: Putting it back into WA communities." That is a curious slogan, but this scheme is broadly supported; nobody has ever argued with that. The thing that we argue about is that the government is not running royalties for regions in a way that is remotely open and transparent. The government has confessed that it has broken its own promise that this funding was "to supplement—not supplant". I am quoting from the glossy brochure —

An important feature of Royalties for Regions is that it has been established to supplement—not supplant—the existing provision of basic, essential infrastructure and services provided by government throughout regional Western Australia.

The government has broken that promise in the most blatant and disgraceful way. Our problem with royalties for regions is that the government uses it in a way that is simply not acceptable under modern principles of governance. Once I realised where this money had come from, I set out to assure myself that that funding was secure so that I could then assure the community. I went to the documentation about the regional community services fund and I found that it states —

The Regional Community Services Fund is designed to improve access to services in the regions.

I thought to myself: "Marine parks—are we sure that marine parks are services in the regions?" It goes on —

It supports services that have shown they are effective in enhancing the quality of life for residents in regional areas —

A marine park enhances the quality of life for residents, but is it a service? It is not clear to me that it is —

and in providing better access to government services and infrastructure.

That increased the furrow in my brow even more. Members should remember that \$11 million is coming from this fund in 2011–12 for these two marine parks. Some of the projects the fund supports include the Country Age Pension Fuel Card, the Royal Flying Doctor Service, the patient assisted travel scheme, the boarding away from home allowance, and the things we used to call telecentres—the community resource centres. Of course, nobody would question the value of any of those programs. We are in complete agreement that those programs provide absolutely essential services. Those programs clearly fit the guidelines. I remind members that one of those guidelines is that a service should be —

designed to improve access to services in the regions.

Yes, all those services tick that box —

It supports services that have shown they are effective in enhancing the quality of life for residents in regional areas and in providing better access to government services and infrastructure.

I have no problem whatsoever with any of those five services that I just listed. However, how do marine parks fit in? How does that work? I will explain how my thinking went so that everybody can be clear. I thought that maybe this was a mistake. Maybe somebody has made an error and signed off on something because they thought it came from somewhere else. Maybe someone forgot to get one of the ministers responsible for giving out the money to sign off on it and, therefore, we are going to have a big problem. I thought that maybe the government can fix this in December when it releases the mid-term review of the budget. Hon Donna Faragher has had to do that quite a few times; she has had to go back to Treasury and say, “Oops, we made a mistake; give us more money.” In any case, it would be good to have that clarified so that the minister knows exactly what he has to do before December. However, I would think it fantastic if it were to come back to me with good news to say that I could add marine parks to the list containing the Country Age Pension Fuel Card and the Royal Flying Doctor Service et cetera, and we would have marine parks and marine regions up and down our coast. We have indicative plans and the old Wilson report that identified all the areas that need some form of marine protection, and it would be great if the government could fund it all from the regional community services fund. That would be fantastic news! However, I thought the most important thing was clarity and therefore clarity is what I set out to get during the estimates process. Do members think I got the clarity I was seeking? They will not be surprised to hear that I did not. I asked how the royalties for regions money was allocated. During estimates, I asked how the marine parks fit the funding criteria of the regional community services fund. Obviously it was a question that was in danger of being consigned to the too-hard basket because the minister and his advisers faffed around and asked me to repeat it and had me rephrase my question. According to the uncorrected transcript, I then said —

I am not the only one who is totally mystified by footnote (d) and how the allocation was made in line with the regional community services fund. I guess what I am asking is: is that accurate? And ... can you give us the explanation?

Here is the answer I got —

I cannot give any explanation other than that is where the people who are making the royalties for regions allocations decided it would come from. It is not really DEC’s decision to take it from that source; it is from the royalties for regions people to take it from that source.

I then asked whether the Department of Environment and Conservation applied to royalties for regions for the money for the two marine parks.

The answer, Mr Deputy President (Hon Jon Ford), was that no submission was made to the regional community services fund for money for the marine parks. No submission was made! I ask you, Mr Deputy President, which principle of modern governance does the government want to invoke to justify what it is doing with this funding?

Here am I, asking for some degree of—I do not need certainty—explanation about how that decision was made and how marine parks fit the criteria for applying for money from that fund. I still do not have an answer. I have referred the matter to the Auditor General. I think it is one of the most serious issues that the government is yet to encounter. I can see that honourable members opposite are once again deeply engrossed in their paperwork because they can hear, from what I am saying, that there should have been an answer to that.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon SALLY TALBOT: All these funds have criteria attached to them and, as such, every member of the community must be able to look up all three funds run out of the royalties for regions allocation to see what has to be done to have a funding application approved; that is, every member of the community except DEC. DEC does not have to do that. I have no idea how that funding allocation was made—nor has anyone in our community—and the tragedy is that I suspect that no-one in government knows the answer to that question. That is a very, very serious state of affairs and one that we are a long, long way from getting to the bottom of. However, I can assure members that nobody on this side of the house will rest until we have heard the government's account of how that fund works.

In the time that remains to me I want to do a couple of things; however, at the beginning of my contribution I promised to help Ms Marshall write her narrative for government. Could government members please let Ms Marshall know whether they have or have not done anything so she can keep the story diary full? I had thought that it might be helpful for me to give her a couple of pointers about the handling of the Indigenous affairs portfolio. Therefore, let me just briefly canvass issues relating to Oombulgurri, which will come as no surprise to the minister. The minister knows that I have been asking questions about that recently. He knows that some very serious allegations have been made about the way in which his department has handled the issue of the closure of the Oombulgurri community. I also want to make some reference to the stolen wages report and I want to talk, particularly in the context of the budget, about the funding of interpreter services.

The minister took over his portfolio earlier in the year, during the peak of the budget process—in about January or February. Everybody who knows anything about government knows that in January and February, when most of the world is on its summer holiday, government ministers have their noses to the grindstone looking in the detail of their budget submissions. I acknowledge that this minister set out with all the right intentions. I heard what he said about the difficulty of the portfolio, the sensitivity of the portfolio and the need to act as a coordinator with all the various services, policies and regulations surrounding the wellbeing of Aboriginal people in this state.

My role as shadow minister is essentially to hold the government accountable for what it does in its management of Aboriginal affairs. To give the minister an idea of how I intended to do that, I singled out three issues, including interpreter services. Members may remember the tragic cases earlier in the year when two deaths were directly attributed to the failure of interpreter services. I also let the minister know that I knew about the stolen wages report, which has been on the minister's desk for the past two and a half years of the Barnett government. I also spoke about the Kimberley regional alcohol management plan. I made the point that it was the minister's chance to put his own stamp on the budget. His predecessor in the portfolio had good credentials and clearly tried to do his best; therefore, I felt that it was up to the new minister to show that he was able to get cabinet to make decisions in areas in which his predecessor had not been able to.

I referred to the funding of interpreter services because the minister had said that he was not persuaded that the funding was adequate. Indeed, he informed the house, on one occasion, that he was meeting with either the Department of Indigenous Affairs or the Department of Health—we were not sure which—to try to get a clearer picture of what was happening. I suspect that he met with Indigenous Affairs, because as the minister will know now, Indigenous Affairs funds the Kimberley Interpreting Service and the key to the KIS is that it funds services in not just the health system, but the justice system as well. Sadly, we saw the budget allocation remain exactly at the level it was last year; that is, \$200 000. I put it to the honourable members that the minister knows that is not adequate and that is why his initial response, when I raised questions in this place, was yes, the government needs to look at the matter; yes, the minister needs to talk to the people in his department; and yes the government has to prevent these types of tragedies happening in the future. Nothing has happened, and that is a tragedy in itself.

I also raised the issue of stolen wages. Everybody on the other side of this house knows that a report, commissioned by the former Labor government, was received in that government's last few days in office and has therefore effectively sat on the Barnett government's desk since September 2008. The government has not even gone so far as to release that report. Thank goodness the minister finally released the Sanderson report last Tuesday. My point to the minister is—and has been for the past six months that he and I have had an interest in this portfolio—that I know these issues are complicated but complicated is what we do in this place. The government does not have a solution, but it should at least release the material—that is, the reports—so that there can be some community discussion about how best to resolve these things. I am pleased to see that the government has released the third and final Sanderson report. I am pleased to see that; although of course the minister himself knows that there has been no determination about how or when, or indeed if, the government will put any of those recommendations into effect. It is absolutely imperative that effect is given to the

recommendations of the Indigenous Implementation Board—which was made up of some of the best minds in not just this state, but this country—as soon as possible.

In relation to the stolen wages report, my plea to the minister was: if you cannot get a decision on the report, at least release it and let us have some discussion on it. I am playing my *Yes, Prime Minister* role here; I think it was Sir Humphrey who pointed out to Bernard the difference between saying “The matter is under consideration” and “The matter is under active consideration.” “The matter is under consideration” means “We’ve lost the file”; “The matter is under active consideration” means “We’re trying to find the file.” If the minister has this report under “active consideration”, which is what I think he told me, I beg him to go back to his office tonight, find the file, bring it back here tomorrow, and let us have a discussion about it.

In the few minutes remaining to me, I must raise the issue of Oombulgurri, because it urgently needs resolution, and the minister knows that. I hope that my raising this matter means that the minister will come into this place later today and let us know his solution. I want to quote some paragraphs from the second letter I have received. The minister knows that I received a letter from Mr Birch last week; he knows that that is what I was referring to when I asked my questions in Parliament. I know that the minister has received the same letter. I also know there is a second letter that the minister has received, and I want to quote a few paragraphs from it. It states, in part —

Since Hon. Dr Sally Talbot raised questions in parliament regarding Oombulgurri I was contacted by a Department of Indigenous Affairs employee from Kununurra, who to me did not know very much about Oombulgurri.

Since my last letter dated 16th June 2011, we organised and held a meeting in Wyndham on Monday 20th June 2011 ... This meeting was attended by Traditional Owners ...

He has circulated a list of the traditional owners who were there, and there were some very auspicious attendees at that meeting—people who have a lot of experience and very legitimate claims—voicing their concerns about the Oombulgurri community. The first issue raised was housing. The letter states —

The majority of Oombulgurri residents advised that they did not want to leave their houses in Oombulgurri and that they were advised by the Dept. Indigenous Affairs (DIA) officer that services were closing down in the community and that DIA would help them apply for housing elsewhere. Oombulgurri residents advised they want to take their names off the list because they want to live in Oombulgurri.

These are very, very serious points, minister. I urge the minister to send his officers up there to sit down with this group of people. I know that the minister has the list because he has seen it going around. I also know that at the weekend the Kimberley Land Council had to take 25 tents to the camp outside Wyndham because the people who have essentially been evicted from Oombulgurri are living there without running water. I know that there are other people there, but the minister gave me a terrible answer last week when I asked him whether it was true that the department was saying that those people were not from Oombulgurri. His answer was that they were not all from Oombulgurri. That was a terrible evasion of the issue.

It is time we got to the bottom of this matter. I will continue my quotes from Mr Birch’s second letter. It states —

Oombulgurri residents were also concerned about the power station operator ... once he goes on leave they will have no one to replace him.

Oombulgurri residents will be contacting Community Housing & Works and taking their names off the list for relocation.

Mr Birch then raises the issue of food. Since the store closed, they have been struggling to find ways to get supplies into the community. I quote again from Mr Birch’s letter —

Oombulgurri residents have had to charter into Wyndham and purchase food and supplies and returning to Oombulgurri. This whole process takes residents 1–2 weeks because of financial issues.

There is nowhere else in this state where Western Australian citizens would have to live like this. The minister must resolve this situation without delay.

The third point Mr Birch makes is about lack of consultation and feedback from the Department of Indigenous Affairs. The letter states —

All Traditional Owners present at the meeting were very upset in regards to how there has been a lack of consultation with Oombulgurri Residents and Traditional Owners from DIA.

... decisions have been made by DIA and Oombulgurri Residents and Traditional Owners did not get a chance to respond ...

I will say something that I have said before: this is not just a matter of the minister standing and saying, "That's not true." That simply will not wash. I am trying to tell the minister my perception of the situation, and the residents of Oombulgurri are trying to tell the minister their perception of the situation. I am sure that the minister has come across the concept of reflective listening. Reflective listening means that he cannot just stand and say, "No; what you feel is not what you feel; what you say is not an accurate representation of what you want to say." The basic principle of reflective listening is that one has to be able to repeat back to the person who is making a case what they have just said. If this minister were to attempt to engage in a process of reflective listening, he would fail dismally.

Debate interrupted, pursuant to temporary orders.

[Continued on page 5107.]

Sitting suspended from 4.15 to 4.30 pm