

*Landfill Levy — Statement by Minister for Environment*

Resumed from 23 June 2009.

*Motion*

**Hon SALLY TALBOT:** I move —

That the statement be noted.

At last we get to debate this ministerial statement. Let me refresh the minds of honourable members who may not have been paying the close attention to this matter that I have been paying it. This is the ministerial statement made on Tuesday, 23 June 2009, more than two years ago, when Hon Donna Faragher, the Minister for Environment at the time, came into this place and announced that the plan the government had adopted as part of the budget in May 2009 had fallen in a very large heap and was badly in need of rescue. The government's attempt to rescue it was outlined in this ministerial statement. The minister read the government's own amendment bill and discovered it could not do what it announced in the budget it would do. That was because the budget did two very significant things. The budget of May 2009 increased the landfill levy by 300 per cent. That same budget also effectively ended the hypothecation of the waste levy to the waste account. I have put it on the record many times in the past that that was a key part of the waste avoidance and resource recovery legislation, which were introduced into this Parliament by the Labor government. A key part of those acts was that the money collected from the landfill levy went straight into the waste account, and 100 per cent of that money was to be used for improving the way we deal with waste and, much more importantly, putting in place recycling and re-use measures.

I have also canvassed these issues at some length in this place before, but I will not go over all that now because there have been some recent developments this week that I think are the key points to understanding how this sorry saga has evolved over the last two years. To quickly recap, in that same budget in which the government announced this cash grab of something in the region of \$52 million from the landfill levy from ending the hypothecation to the waste account, so that money went straight into the consolidated revenue, Treasury turned around and took the money straight back by reducing the appropriation to the Department of Environment and Conservation. We ended up, effectively, with a zero-sum equation but a fundamentally altered political and economic basis by which DEC gets its revenue to spend on other programs such as air quality, threatened species and myriad other programs. At the heart of the Department of Environment and Conservation now is an income stream that increases with every tonne of waste sent to the tip. That means that on the one hand we have all DEC's flowery statements, which we now know are just that—empty rhetoric—about reducing the amount of waste going to landfill and about increasing recycling and resource recovery. On the other hand, there is this very, very substantial revenue stream. Somewhere between one-fifth and one-sixth of DEC's overall revenue now comes from the waste levy. That in itself is a very serious problem.

Let me point out what has happened along the way. Two important things have happened in the past two years that are worth remarking on in the context of noting this ministerial statement. The first is where we get to the heart of this problem and realise how serious it is. I speak with some knowledge here because a local government in my town of Mandurah, where my office is, made the strategic decision that it could be more environmentally responsible by trucking all its waste to Dardanup. That trip uses something like 1 300 litres of diesel a week, but it saves Mandurah council about \$2 million over three years. Because Mandurah is an environmentally responsible council and has probably one of the best reputations in Australia for its commitment to sustainability, it has chosen to put the bulk of that money into schemes that pay for waste avoidance and resource recovery. As many honourable members know, Mandurah is led by Mayor Paddi Creevey, whose commitment to sustainable practice has been demonstrated for many, many years. Good on Mandurah for doing that, but the government should hang its head in shame because, effectively, the government has outsourced its responsibility to put in place responsible environmental practices. It is relying on the goodwill and commitment of people like Mayor Creevey to get some environmental benefit out of the processes the government has put in place for the use of landfill and full resource recovery. That, clearly, is not a pattern that will be followed all over the state; it cannot possibly be. That is why the WARR act was set up the way it was—to provide this very substantial pool of something like \$18 million or \$19 million in the first couple of years of operation. Clearly, as was indicated in the debate on the waste avoidance and the resource recovery bills, which most honourable members will remember well, that levy was going to rise over a period of years, just as it has in New South Wales and other states that are going down the same path.

The fact that the government suddenly increased the budget by 300 per cent was not a problem, particularly because of the amount that was set. But it was a major problem doing it in such a condensed time frame when big and expanding local governments such as Mandurah have to watch their rate line very carefully. I am sure many people in this house have seen the very well-rehearsed presentation by the Mandurah CEO, Mark

Newman, in which he shows that the Mandurah population base has risen much more quickly than the rate base could ever hope to increase, so there is a huge shortfall of funds. A council like that simply could not wear that massive increase all at the same time. If the result has been a better environmental outcome, it is solely down to the goodwill, skill and commitment of the City of Mandurah and absolutely zip to do with anything this government has done. That was the first problem. For local governments now, the government has effectively outsourced the responsibility for getting good environmental outcomes out of reducing landfill.

The second thing is the massive financial conflict of interest now lying at the heart of the Department of Environment and Conservation. It is simply unsustainable. Why do we have to rely on adequate funding for programs such as—I am picking two out of the air; not wishing to make a pun on air quality—air quality and water and threatened species protection coming from the amount of waste going to landfill either staying at the rate it is or increasing, because as it increases we get more money to spend on DEC's other programs? That is fundamentally problematic. I cannot see how anyone on the other side of the house can mount an argument for it. I have been waiting now for two years for the defence to be made of that scheme and I have never heard it. I have never even heard of an attempt at it. I cannot even analyse the argument and give a critique of it because it has never once been put forward. Of course, there is another problem associated with that second point about this fundamental conflict of interest with the funding of DEC's recurrent expenditure, and that is that, from the moment in 2009 when that 75 per cent of the money raised from the income from the landfill started going into DEC consolidated revenue, DEC will not delist something as waste.

We can go back to the EP act for the definition of "waste". It is now years and years old. It is a catch-all definition of waste. It allows the department to engage in the kind of practices that I am about to describe. When an argument is mounted that something perhaps should not be captured by the landfill levy because it is not waste, the government is happy to have this very broad definition of waste that allows it to keep grabbing that income. I am sure that honourable members know what I am leading to. I am leading to the incident that has been very much in the foreground of people's attention for the last six months or so—that is, the claim by at least three industry players that they are being charged the landfill levy without justification. At least three industries claim that what they are doing is recycling. I have had a very close look at their case and their argument. I have been briefed by a couple of their executives and I have been through their data and operations in some detail. They have obviously been able to convince not only me but also a series of lawyers that there is a big problem because these cases are now being heard in the courts. We await that outcome with considerable interest.

I will tell members who has everything at stake here and who has everything to lose. It was a very serious matter for the companies because in some cases now they have been withholding the payment of the landfill levy for many, many months. That potential liability has grown over the months that that money has been withheld. The body that has the most to lose is DEC. If DEC is shown to be wrong, particularly if DEC can be shown in the courts to have structured its arguments in a certain way, DEC will find that the problems it had in 2009—when Treasury gave with the one hand in the shape of the thumbs up to the increase in the landfill levy but then took away exactly that amount with the other hand—was a high point in its career because what is about to hit it if this court decision goes the wrong way will be of crisis proportions when it comes to the management of DEC's budget. DEC will suddenly find that it cannot charge the landfill levy when the material that is being put into the land is clean fill that is effectively being used as recycling. Some honourable members, particularly those who represent the electorate of South Metropolitan, will know the case I am talking about. We referred to it during estimates only a few months ago and got some very strange answers from the department about its intentions. People who are filling land, often for industrial development but in some cases for residential development, are doing that work that developers require to proceed with their subdivisions, yet DEC is trying to charge them the landfill levy that is supposed to be charged on rubbish going to the tip. The Department of Environment and Conservation is arguing that sites that have been designated as residential areas for their purposes will be classified as tips and therefore the landfill levy is appropriately charged. I have done a considerable amount of work on bringing this matter to the attention of the community of Western Australia.

A couple of articles written by Peter Kerr were published in April and May this year in the *Australian Financial Review*. The first article was headed "WA hits pay dirt with tax" and states —

Claims that the West Australian government's waste management levy would reduce the amount of trash ending up in landfill have been undermined by budget papers that reveal the tax has raked in millions more than expected.

The state government increased landfill waste levies by 300 per cent in 2009, to improve Western Australia's poor recycling record.

But the increase was mainly used to fund the Department of Environment and Conservation (DEC), prompting claims it was a cash grab rather than designed to boost recycling. It also sparked claims of a conflict of interest, given the department's budget grows with increases in waste sent to landfill.

The latest figures show that over the current and previous financial years, the levy has bolstered government coffers by \$8 million more than originally forecast, due to unexpectedly high levels of waste.

Rather than declining in coming years, as landfill waste was expected to fall, the levy is now tipped to reap almost \$43 million a year.

The article concludes by stating —

The levy is the subject of a High Court challenge on the grounds that some companies convert landfill sites into industrial and residential developments.

Such firms argue that the tax is an unconstitutional impost on the production of land.

I thought that Mr Kerr's article was very interesting because he talks about the amount by which the levy had bolstered government coffers. That was \$8 million in the past 12 months. An interesting thing happened in the 12 months before that. Hon Simon O'Brien would remember very, very well that when he was taking the appropriation bills related to the midyear financial review through this house, I asked him some questions. I can see that he remembers it well; it is etched in his memory. I asked him to explain why DEC had had this quite substantial top-up in the midyear review at the end of 2009. The answer was that the monthly rates in April and May of 2010 had dipped dramatically. There was no explanation for that. Suddenly each month was down by about \$4 million. This is the kind of unpredictability that relates to this sort of measure and why it is fundamentally flawed to rely on a measure like this for consolidated revenue in a department such as DEC.

On 29 April, in an article headed "Levy loss would cost WA \$100m", Peter Kerr wrote —

The West Australian government is staring at a \$100 million budget black hole if a High Court challenge to its waste-recycling levy succeeds.

Local company Eclipse Resources has challenged the state's levy on the grounds that Eclipse regenerates landfill sites into industrial and residential developments. As such, Eclipse argues, the tax is an unconstitutional impost on the production of land.

That is quite an extensive article, to which I refer honourable members with an interest in this issue. It outlines the problem. My understanding is that the problem is not confined to this \$100 million black hole because at least two other companies are involved. If DEC does have to redefine the definition of waste, as I said earlier, it will be by way of a crisis that DEC will have to deal with.

I have been making this point for many, many months. There has been periodic coverage in *The West Australian*. Much to my delight, this week I found that perhaps the government is beginning to hear the message because I saw some comments in the media by Hon Phil Edman, who as a member for South Metropolitan has a great and abiding interest in protecting his constituents from the unfair moves that we are talking about in this ministerial statement. Hon Phil Edman took what the media would call the unusual step—I think it is what Sir Humphrey would have called courageous—of publicly challenging Premier Colin Barnett, saying that the state government's controversial landfill levy was flawed and a risk to otherwise sound industries. Good for Hon Phil Edman! He is the only government member who has taken up the issue on behalf of his constituents. Hon Phil Edman is saying that Eclipse is quite rightly claiming exemption from the landfill levy because its business model of backfilling limestone quarries with inert material, in other words clean fill like building rubble, is unfairly targeted. Hon Phil Edman goes on to say —

The levy, which was contentiously increased by 300 per cent as part of the government's first budget in 2009 —

I must say that at that point I am not certain, from the reporting, that Hon Phil Edman actually said that it "was contentiously increased". I accept that might be a bit of journalistic narrative.

**Hon Simon O'Brien:** What are you quoting from?

**Hon SALLY TALBOT:** I am quoting from thewest.com.au

**Hon Helen Morton:** On your website?

**Hon SALLY TALBOT:** No; I do not have a website, but I am sure that Hon Robin Chapple will be able to help the minister out.

I will read this quote without the clause in the middle that talks about the contentious increase. The article reads —

Mr Edman said the levy ... was being "wrongly applied" and was harming "good, environmentally sustainable" businesses such as Eclipse.

He said while the levy was designed to encourage recycling it was having the perverse effect of driving up dumping as people sought to avoid to extra cost and offload waste illegally or outside the metropolitan area, where it is not applied.

I understand he put this out as a statement, so if Hon Simon O'Brien is not familiar with what his colleague said, I am sure the government has a system —

**Hon Simon O'Brien:** I do not see every statement that every member puts out.

**Hon SALLY TALBOT:** I am sure the government has a central collecting system for all the statements from Liberal Party members. I am sure one of the minister's colleagues would be happy to give it to him, because this article does say that Hon Phil Edman put out a statement.

In that article, Hon Phil Edman says —

“The irony is that the levy is forcing more of this material to tips and threatening the existence of recycling operations like Eclipse.”

This is where we get to the heart of the problem. As Hon Phil Edman says, the government is forcing more of this material to tips. That is exactly what has happened in the last few years. I realise that Hon Simon O'Brien might not have seen this, because this again comes off a website—from bowmanassociates.com.au. It is commenting on *The West Australian's* article of 29 June on the landfill levy in WA, which many honourable members would have seen—this was a couple of months ago. They refer to a national survey of waste and recycling levels. Guess where Western Australia was on the recycling table? It was right at the very bottom.

**Hon Robin Chapple:** In the same hole that we made.

**Hon SALLY TALBOT:** “In the same hole that we made”, as Hon Robin Chapple said. That is an absolute disgrace. When the Labor government introduced the Waste Avoidance and Resource Recovery Act in 2007, it was hailed internationally as being world's best practice legislation. It gave Western Australia a world-leading start to begin that march towards zero, which is still the catchcry that is being used on the Waste Authority's site, “Towards zero waste by 2020”. Western Australia had the best possible start towards that objective. What has happened in the last three years is that we have fallen into the bottom of this black hole that the government itself started within a few months of coming to office. The rot has set in. At the end of June we saw this disgraceful table published in the national media that showed that Western Australia had the lowest rate of recycling amongst every Australian state and territory. We saw reports that attributed that to the state government's increase in 2009 of the landfill levy—so it is not just me. I know that some honourable members get upset because they think I am unduly negative about these things, but it is not just me; every stakeholder and commentator noted that that result was directly attributable to the state government's increase in 2009 in the landfill levy, which was intended to increase recycling rates. This was an ABS study, so if members think the figures are wrong then please come in here and show us the evidence that that is the case. Members opposite are in government; they have every chance to do that; they have unlimited opportunities to come in here and correct the record if they think that is wrong. Sadly, my feeling is that it is not wrong; it is absolutely spot on.

I will just go through it one more time: it is because this government has set up a system where there is absolutely no incentive to reduce landfill; that is not for the ordinary member of the community, not for people who go home and have their two bins, who compost, who utilise kerbside recycling, who put their newspapers out and their bottles in one pile after taking the tops off. When we think of the system that we have in place, it should be working well. I can tell members that everywhere I go, everyone I talk with, from the top to the bottom of the state, wants to talk about the fact that we were bottom of the list in that table. People want to know why, when they have all these domestic systems set up at home and we seem to have all the infrastructure with all our local governments. I have paid tribute before in this place to the work that the Western Australian Local Government Association does with its experts on waste management. I think they have produced some superb work and I have nothing but admiration and praise for the role that local government takes in this. People want to know why, with all that infrastructure in place, we are still bumping along the bottom when it comes to these results. The answer is that the government is doing nothing.

**Hon Robyn McSweeney:** We are doing nothing again!

**Hon SALLY TALBOT:** I know that Hon Robyn McSweeney has been out of the house on parliamentary business and she is only just now wanting to come up to speed very quickly on this debate, but I am talking about the fundamental compromise at the heart of DEC's funding, whereby there is no incentive to reduce the amount of waste going to landfill because every time they divert one tonne of waste from landfill, they lose money to fund DEC's core programs. It is very, very simple. It is not more complicated than that. One does not have to have a postgraduate degree in economics to know there is something profoundly wrong with that system. We have this massive contradiction at the heart of the Western Australian system. We have a community which is hungry for change and which wants to see that the amount of effort they put into their recycling is actually

making a better world and is moving waste out of landfill because, after all, once we get a price on carbon we are going to have local governments in a very serious bind about what they do with their landfill sites because of the amount of carbon that is generated from those sites, so we absolutely must reduce. There was a bipartisan commitment to do this—up until the point when this government won office and walked into this place and changed the basic rules about how waste is managed. We thought that we had bipartisan agreement about the absolutely urgent necessity to reduce the amount of waste going to landfill. However, the government has a nineteenth-century way of thinking about how we deal with waste. It is what people thought 150 years ago when they started developing Western Australia. As the metropolitan area became a city and we started industrial development, it was assumed that one problem we were never going to have was what to do with the waste. We live in a big country, a big state; we have plenty of room—no problems! It is not like parts of the United Kingdom where county council boundaries are pushing each other's tips backwards and forwards; we thought we had plenty of space. Decades ago now we realised that that was a terrible mistake and that we had to be more creative about the way that we dealt with waste. The answer, of course—I have said over and over again, and one does not need a postgraduate degree in economics or to be a scientist to work this out—is to stop talking about waste and to close that circle so that we see our metaphorical bag of waste as having a core value, whether it is calorific value or recycling value. It has been done in other parts of the world and other parts of Australia, but here we are slowly trundling back through the 1960s and the 1950s. If this government stays in office another two years we will probably be back to tipping our slops out into the street again. Over the last three years, it has been a backward slide down into old-fashioned practices that are simply unsustainable in our modern understanding of how we need to deal with waste.

I will leave my comments there, because I know there are other members who are keen to have their say about this ministerial statement. But I say again, it is a very sad day when we have to go back and make comment on a statement that was tabled in this place more than two years ago. All we can say is that in the two years that have elapsed since that time, things have gone from bad to worse.

**Hon HELEN MORTON:** I have some comments to make about this statement. It is just that after hearing that rather emotive kind of —

**Hon Robyn McSweeney:** Condescending

**Hon HELEN MORTON:** Yes, condescending, again—someone who can see only the negative, cannot find the positive, because she does not want to look for it; does not want to see anything good that is happening but only wants to see what is bad. I want to tell Hon Sally Talbot about some of the things that have been achieved by the state government. The state government is using a combination of legislative reforms and targeted programs to encourage Western Australians to reduce, re-use and recycle waste.

Several members interjected.

**The CHAIRMAN:** Members, let us just understand that there is still 20 minutes left on this motion today, and I believe about another eight or nine minutes in the next sitting week. If members want to seek the call, by all means they should stand up when the minister is finished, and I will give them the call. In the meantime, can we listen to the member on her feet, because I am sure Hansard is finding it difficult, as am I, to follow the debate.

**Hon HELEN MORTON:** Thank you very much, Mr Chairman. It is very surprising that whenever I get up to speak, there is a person on the other side of the chamber who tries to speak over the top of me because she does not want to hear what is being said.

On 1 January 2010, the government increased the landfill levy to provide an incentive to reduce the amount of waste going to landfill. The government's decision to increase the landfill levy creates a further disincentive to dispose of waste to landfill and, at the same time, encourages increased recycling. Since the increase in the landfill levy on 1 January 2010, there has been a reduction of 12 per cent in household waste to landfill. Through the funds generated by the landfill levy, we are also supporting smarter ways for communities to reduce waste and increase recycling.

Since 2008, the government has reinvested around \$15.6 million from the landfill levy into the waste and recycling sector through a range of grants and programs, including Waste Wise Schools, the community grants scheme, and the household hazardous waste program. The recently released 2009–10 "Recycling Activity in Western Australia" report indicates that last year alone, an additional —

*Point of Order*

**Hon SALLY TALBOT:** Mr Chairman, can I ask that the minister identify the document that she is reading from?

**The CHAIRMAN:** You certainly can.

**Hon HELEN MORTON:** You might need to just refresh my memory, Mr Chairman, but I understand that as a minister I am not required to do that.

**The CHAIRMAN:** Order! The ruling is quite simple. The member can ask the minister to table that document now, or at the end of her speech. The minister is right in saying that documents quoted by a member are very different from those quoted by a minister. However, the point I would make is that the standing order states that —

A document ... quoted from by a minister, unless stated to be of a confidential nature, or such as should more properly be obtained by Address, may be called for and made a public document.

So I will leave that with the minister.

**Hon HELEN MORTON:** Thank you very much, Mr Chairman, and I am really sorry to disappoint everybody, but these are merely speaking points, and they will be in *Hansard* in full; but if the member wants an extra copy as well, that is absolutely fine by me. I do not have a single problem with that whatsoever.

Several members interjected.

**Hon Sally Talbot:** I will ask the minister to table the document.

**The CHAIRMAN:** I think, members, given that the minister is halfway through quoting from whatever she is quoting from, I will ask —

**Hon Sally Talbot:** She said she wasn't quoting.

**The CHAIRMAN:** Excuse me for interrupting you, member, but I might suggest that come the end of the minister's discussion, if you so wish to pursue that particular line, you may then ask the minister if she can put that particular document on the record—whatever document that may well be.

**Hon SIMON O'BRIEN:** On this point of order, Mr Chairman, I seek some clarification. My understanding is that the relevant standing order relates to quoting from a document, and the need to identify the document and so on. Unless I am very much mistaken, I do not believe the minister has been quoting from someone's document. She is using her own notes. There is a very big difference, I would have thought, between quoting from an independent document from a third party, and using notes. When one is using notes, the normal, common understanding of the term is that one is not quoting; one is using one's own notes. Therefore, it seems to me that the point that the member has been making—namely that the minister is allegedly quoting from a document—is in fact incorrect and ill-conceived.

Several members interjected.

**The CHAIRMAN:** Once again, Hon Sally Talbot is well within her rights to ask the minister to table that document. But the minister has given a response that these particular notes are her own; and, as far as I can see, that is the end of the discussion.

*Committee Resumed*

**Hon HELEN MORTON:** Thank you very much, Mr Chairman, and I would certainly agree with you. For those people who are really keen to get hold of this information, it will be in the uncorrected copy of *Hansard* tomorrow morning. I am not sure where I got up to now, so I am looking to see whether I need to start again. Basically, I vaguely recall having made this comment, so I will make it again.

Since 2008, the government has reinvested around \$15.6 million from the landfill levy into the waste and recycling sector through a range of grants and programs, including Waste Wise Schools, the community grants scheme, and the household hazardous waste program. The recently released 2009–10 "Recycling Activity in Western Australia" report indicates that last year alone, an additional 800 000 tonnes of waste was recycled compared with the previous year. In total, about 4.48 million tonnes of waste was recycled over the period 2008–09 through to 2009–10. The amount of recycled waste in 2008–09 increased by an impressive 46 per cent over the amount recycled in 2007–08. The report also shows a significant increase in the recycling rate of construction and demolition waste, with a total of 1.9 million tonnes recycled over the period 2008–09 through to 2009–10. This period saw a 186 per cent increase in the amount of concrete recycled and an 86 per cent increase in wood and timber recycling. The amount of cardboard and paper packaging recycled also increased by 137 per cent. I think that they are very impressive figures and they basically demonstrate the benefits. If members are looking for the good outcomes from this landfill levy, they will see them in those figures.

I will not make any comments whatsoever about the Eclipse Resources case because that is currently before the courts and therefore it is not appropriate to comment on that at this stage.

**Hon SIMON O'BRIEN:** I will try to be brief so that Hon Robin Chapple has an opportunity today to make a statement. I certainly want to comment in response to the very lengthy remarks Hon Sally Talbot made over

about half an hour at the start of the consideration of this ministerial statement. The member reprised a lot of what we have heard in the couple of years since this ministerial statement was made. However, she introduced a new aspect that related to some activities by Hon Phil Edman. I want to respond to that because Hon Phil Edman is away on urgent parliamentary business at this moment, so I will tell the chamber about Hon Phil Edman and the Eclipse Resources matter.

Hon Phil Edman is a very hardworking member for the South Metropolitan Region. I have had the opportunity, as has Hon Nick Goiran, to work closely with him over a number of years. I can personally vouch for his tenacity and commitment to advocating for interests, be they individual, business, collective or community interests, in the South Metropolitan Region. His motives in some public remarks that he made lately were very well motivated and properly constructed. The substance of what Hon Phil Edman brought to light recently is a situation confronting a local firm called Eclipse Resources. I do not seek to comment on or debate the particular circumstances of that issue in this place, as that is getting beyond the matter before us, which is to note a ministerial statement from a couple of years ago. However, given that Hon Phil Edman was mentioned, he deserves to be defended to the extent that I think he needs to be defended. Hon Phil Edman is doing exactly what a responsible elected member should do in bringing to the attention of government what is possibly an unintended consequence of a policy that has already been debated at great length in this place over the past couple of years—at very great length. This government is certainly open to receive referrals from any member if an unintended consequence or some unfortunate unintended result of the government's policy in any matter, including this, becomes apparent. I understand that Hon Phil Edman is working with the relevant members of government to find a solution to this problem. In doing that, do members know what he has done? As we contemplate this statement that was made two years and three or four months ago, I want this chamber to note that Hon Phil Edman has not only done the right thing by those interests in the South Metropolitan Region and possibly others where potentially there might be similar unintended consequences visited on like operations, but also achieved more in his brief involvement in this matter than the opposition achieved, particularly the opposition spokesperson for environment, in those two years and three or four months. He has achieved a heck of a lot more! Do members know what? He has also received more notice for it in the broader community, all of it supportive. Therefore, he has achieved more in what he is doing, and it is those sorts of actions that tend to make members grow in stature and respect. Do members know what? This government and the party that I represent actually welcomes that sort of initiative by its members—so good on him. I am sure that the minister will work through that matter and will no doubt be cheered in *The Echo* by Hon Sally Talbot. Hon Phil Edman is showing the member how it is done; it is about being effective and just getting on and doing the job. I think it is important we note that aspect because that is the only new element that has been introduced in the debate —

**Hon Sally Talbot:** What? You've admitted you're wrong—that's the only new element!

**Hon SIMON O'BRIEN:** I have made no such admission. It provides a useful counterpoint, I think, to show what a vacuum there has been from the official opposition over the past couple of years about this matter. It shows how ineffectual collectively, but certainly individually, members opposite have been, and it contrasts, does it not, with the energetic, new, bright, vibrant members that I am very glad to say are supporters of this government.

Government members: Hear, hear!

**The CHAIRMAN:** I give the call to Hon Robin Chapple, but there are only about two minutes.

**Hon ROBIN CHAPPLE:** In relation to the original statement —

**Hon Helen Morton:** You've only got two minutes, so I say, "Put it on your website and we'll read it."

**Hon ROBIN CHAPPLE:** It is already up!

The original statement made by the then Minister for Environment, Hon Donna Faragher, was that the government introduced the Waste Avoidance and Resource Recovery Amendment Bill 2009 in the Legislative Assembly on 18 June 2009. The minister stated —

Currently, landfill levy charges in Western Australia are well below those in other jurisdictions ...

I really need to point out the fact that the Western Australian landfill levy charges are still well below those of any other jurisdiction. In fact, when we look at South Australia, which has 67 per cent recovery and recycling, I think that this state, as Hon Sally Talbot pointed out, is in a woeful position.

We need to put on the record again that the Greens (WA) certainly did support the landfill levy; the problem was that the levy was robbing Peter to pay Paul; it was the great waste robbery. The legislation did nothing at all to use the funds from the levy for waste recovery or, indeed, a container deposit scheme or any of those sorts of things; it literally stripped the money out and passed it back to CALM or DEC —

**Hon Donna Faragher:** DEC.

**Hon ROBIN CHAPPLE:** I corrected myself, honourable member; I have been around a fair while and have dealt with different names of different organisations.

Anyway, the legislation gave the money to the Department of Environment and Conservation to be in charge of the blood bank. Therefore, DEC is in the situation whereby its income is based on the amount of landfill. I think Hon Phil Edman was actually quite right when in the article in *The West Australian* —

**Progress reported and leave granted to sit again, pursuant to temporary orders.**

*Sitting suspended from 6.00 to 7.30 pm*