

**POSEIDON NICKEL AGREEMENT AMENDMENT (TERMINATION) BILL 2021**

*Second Reading*

Resumed from 28 October 2021.

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [7.31 pm]: I am the lead speaker for the opposition on the Poseidon Nickel Agreement Amendment (Termination) Bill 2021. I say at the outset that the intent of the opposition is to support the bill and to run through a few of the issues, which I suspect will not take an inordinate amount of time. For the information of the government, at this point, unless something interesting happens in debate, I do not intend to go through to the committee stage of the bill but simply run through some of the general issues as we go. Having said that, if the debate gets interesting, we never know where we will end up, but that is the intent at this point. I do not intend to take an inordinate amount of time to deal with this.

This bill effectively terminates a state agreement act and that will allow the activity that occurs on this site to simply occur under the Mining Act. I think it behoves us to examine the role of state agreement acts. In this sort of debate, it is almost a shame that our good friend and erstwhile member of this chamber Hon Robin Chapple is not with us to discuss his view and the Greens' view on state agreement acts because they do play a pretty important role in what the state does. It is interesting that both the government and the opposition are supporting, effectively, the termination of a state agreement act to allow a mining activity to return to being under the auspices of the Mining Act. I suspect if he were here, Hon Robin Chapple would take a degree of delight and present us with a long speech in that regard. At one level, I understand that perhaps we can go through that without his contribution, but I always found the contributions of Hon Robin Chapple incredibly useful. In this circumstance, I think he would take some due satisfaction from the fact that the bill before the house today will do precisely that.

Why do state agreement acts exist? State agreement acts exist to allow significant projects to proceed because they provide a degree of tenure and certainty that is not available under other legislation. Under the Mining Act, there are constant reviews, and the proponent's capacity to deliver its outcome is more certain under a state agreement act. The question becomes which projects and proponents should be put under a state agreement act, and about the level to which we support industry development by providing them with their own special legislation. There have been a few examples recently, and I do not need to go through them in a lot of detail, but most of the supporting legislation—the Environmental Protection Act and the Mining Act and the interaction between those two, and a few other acts—for the most part manage the state development of Western Australia in a pretty efficient manner.

We could debate around the edges whether the outcomes are what we want and we can get bogged down, if we are not careful, in whether development should be approved. Those who are supportive of development versus those who consider all development something of an anathema. If we take those two groups aside, the legislation around these things generally operates to a reasonable level. It is interesting to encounter a state agreement act for which even the proponent, the Labor government and the state opposition agree that removing it will provide a reasonable outcome. According to the government and the opposition, coming under the Mining Act will provide the proponents with more flexibility to operate than it has under its own specific state agreement act, whereby everything is effectively an issue of contract law.

Hon Dr Brad Pettitt was out of the chamber on urgent parliamentary business but I was reflecting that our erstwhile friend Hon Robin Chapple would have loved to make a contribution on this legislation. I do not know whether Hon Dr Brad Pettitt is planning to make a contribution tonight, but he would have been in his element with this debate, and he would have lectured us to no uncertain end about the advantages of the other legislation above state agreement acts. Hon Robin Chapple spent many hours in this chamber in debate telling us of the plagues that state agreement acts provide.

I think the major parties on both sides of the chamber agree that state agreement acts are incredibly important to provide long-term certainty for industry. But in this circumstance we are seeing a shift away from a state agreement act to allow development to occur simply under existing legislation. I do not consider that this will be a regular event in Western Australia, but I think it is a little momentous in its own right. This legislation will pass. It passed through the lower house very quickly and it will pass through this house in a reasonably rapid manner. We should reflect that we are removing a state agreement act to allow a proponent greater flexibility in terms of the activities that will occur on a particular site. In its own way, it is important and, at a time, to be noted.

Obviously, this bill deals with the Poseidon Nickel Agreement Act, which was first enacted in 1971 for the ratification of a nickel mine that started at Mt Windarra. After that, in 1974, a second nickel mine commenced in South Windarra. We have heard of the two Windarra projects, but it is effectively two ends of the same beast, if you will. Nickel was first discovered in that region in 1969. It did not take a long time for the first discovery, according to the minister's notes here, about 18 kilometres north west of Laverton, which is not that far out of town. Nickel is obviously a highly prized mineral. What are we using nickel for? The first and most obvious use

for nickel is to turn iron ore into stainless steel and that obviously has a huge range of benefits. Funnily enough, nickel is a common element—would you believe? My understanding is that nickel is actually very common. Unfortunately, most of it sits in the earth's core, which is a little bit hard to get to and it is a little bit warm down there. It is a bit warmer than Perth is at the moment, which I know feels like it is hot enough! There is plenty of nickel inside the earth but not much of it is easy to get to, so it becomes a very valuable mineral. Nickel is used in a range of things, generally alloys. Turning iron ore alloy into stainless steel is probably the most obvious one, but there are a range of other alloys. It is also used in batteries, so it has a range of uses.

Nickel is a highly valuable and very important mineral, and when I say highly valuable, of course the price varies a bit, and it is not always the case that nickel miners make a fortune; there have been plenty of times when it has been a bit tight. But it is a mineral that has an important range of uses. It is one of those minerals that you basically cannot run a modern economy without. Security in nickel is one of those very important things that this country, along with a lot of others, is looking at. It is very widely distributed. The nickel reserves in Australia are similar to those in a range of other countries, like Canada for example. Even the Philippines and Indonesia have relatively solid nickel reserves. Worldwide, of course, it is a very sought-after material, so we want to be supportive of this industry. We want to see nickel development, as we do a range of other minerals in Western Australia. I know that not only Australia, but also other countries are looking at that security of nickel, and so these areas are to be looked after.

Nickel was first discovered in 1969. The mine started off in the early 1970s. By the time we got into the 1980s and 1990s, there was a fair variation of how much nickel these two mines were pulling out of the ground and delivering. A processing centre was developed at Mt Windarra, and that also processed an amount of gold from nearby tenures. As I understand it, the mining itself ceased in 1990 and 1991, according to the minister, but processing continued at least until 1994. Then there was a gap as the resource was looked at and moved around. In 2005, BHP, which was previously Western Mining Corporation, sold its interests to—apologies for the pronunciation—Niagara Mining Ltd, which later became Poseidon Nickel Ltd. It ended up being named after the god of the sea. At that point it was still operating under a state agreement act.

It is interesting to me that Poseidon itself instigated the termination of the state agreement act; that is, it recognised that what was in the state agreement act, which clearly and rather rigidly defined the outcomes that were supposed to be developed out of this mining sector, restricted its future. Again, that is the section that I think the Hon Robin Chapple would be incredibly interested in. Therefore, Poseidon requested the termination of the state agreement act to give it the freedom and flexibility to look at other parts of its business. To be honest, I think that that is something that all sides of politics will probably agree on, and I expect to see outrageous agreement from all parties in relation to the bill. I would be very surprised if any part of politics, the political system or government, would be opposed to the bill presented before the house tonight. It makes great good sense to allow a company the flexibility to proceed to develop and do what it needs to do, hopefully, to be profitable and employ people. To do that under the existing legislation without having to provide a restrictive individual piece of legislation to support it kind of makes sense. I am hoping, as other members make a contribution to this debate, that we see furious agreement between us all that this particular outcome is a good outcome.

Unless other members are interested in going into the committee stage on the bill, which I do not think is necessary, I am happy to take a little time to run through some of the clauses of the bill as we go. It is a very short bill of seven clauses. The first six clauses set up the bill for clause 7, which will insert schedule 3, "Termination Agreement". The termination agreement is important. It contains a few particular key clauses in this process. I take members to "Termination of Principal Agreement", which is clause 4 of schedule 3, inserted by clause 7 of the bill. The first thing clause 4(2) will do is this —

With effect on and from the Operative Date the Company is released from its obligations under clauses 3.2(a) and 3.2(b) of the Deed of Covenant and, except as otherwise provided in this Agreement, the State shall not have any claim against the Company in respect of the performance of those obligations by the Company under the Deed of Covenant.

Effectively, that will release the company of its obligations. That means the obligations under the state agreement act will be replaced, as I understand it. The minister might like to confirm in her second reading reply that the obligations of the company under the state agreement act, under that clause, will be effectively replaced by the Mining Act and then supported by other legislation, like the Environmental Protection Act. That again makes sense. I think that is a very important part of that.

Clause 4(3) of the schedule states —

Notwithstanding subclauses (1) and (2) the Company shall remain liable for any antecedent breach or default under the Principal Agreement or under the Deed of Covenant and in respect of any indemnity given under the Principal Agreement.

Once again, minister, under that clause, if the company has done the wrong thing in the past but there is a pre-existing breach of the previous agreement, the company will remain liable for any damage it might have done prior to the transfer of the operations of the company from the state agreement act to, effectively, operating under the law of the land. I will just get the minister to confirm that as well, if she will, because I think those two clauses are particularly important. We go along to clause 4, which I think is probably the most important part of what is not a particularly big bill. It states —

(4) On and from the Operative Date:

- (a) the Mining Lease shall continue in force only under and, except as provided in this Agreement, subject to the provisions of the Mining Act and, for the avoidance of doubt, shall cease to have the benefit of the rights and privileges conferred by the Principal Agreement;

As I understand it, that simply confirms that this operation will occur under the Mining Act, which I again think is a positive result. I think that is important, and I ask the minister to confirm that.

Probably the next interesting part is clause 5 of the schedule, which is headed “Cessation of Bank Guarantee and provision of Security under Mining Act”. Clause 5(1) of schedule 3, which will be inserted by clause 7 of the bill, states —

Subject to subclauses (2) and (3), the Bank Guarantee shall cease to have effect on the Operative Date.

I also ask the minister to confirm this in her reply to the second reading debate. Bank guarantees have traditionally been put in place by the state to cover environmental damage. Effectively, a company does not provide a cash amount in case they fail to deliver the outcomes to which they have committed or breach some part of the environmental legislation. Instead, a bank guarantee is provided. The bank guarantee is not, itself, a cash deposit that the government holds to be used to pay for reparations, for example; a bank guarantee is simply a letter from the bank that says that the company will be provided with that money if required. It is not a bad measure, but it is obviously not as good as having cash in the bank. I understand that under the legislation we are debating at the moment, the guarantee will be removed. Instead, under clause 5(2) of the schedule —

Upon execution of this Agreement the Company shall deliver to the department of the State responsible for the administration of the Mining Act —

The Department of Mines, Industry Regulation and Safety —

an executed security in a form according with section 84A(2) and section 126 of the Mining Act and in the amount of \$3.5 million for compliance with conditions imposed ...

I ask the minister to indicate the form that that security might take, as that will be useful in reassuring us that the company will be forced to deliver the sort of security that it kind of did under a bank guarantee, but perhaps with a little more security. What form will the \$3.5 million take? It will be an executed security. Can the minister give us an idea of what the structure of that might be? Are we talking about, effectively, a deposit of \$3.5 million or a guarantee of \$3.5 million; and, if so, what form will that guarantee take? I would be pleased if the minister could provide that, as I think it would be useful for the debate. Those are the critical points about the bill that I am interested in. If the minister can answer the questions about those key parts of the legislation, I suspect that will remove the need to go into committee on the bill. I think that would be a reasonable outcome.

That was a fairly brief contribution, but I will be interested to hear what other members of the house have to say about this bill. From my perspective, I think this is a good piece of legislation. As I say, I am intrigued that we are debating the removal of a state agreement act, which is supposed to be the top end of security for resource companies to deliver long-term projects in particular. It might perhaps be argued that this particular resource, nickel, might not be as long term as a lot of the other projects seem to be, but it is absolutely the case that this is an interesting time for us as we are seeing a state agreement being taken out of commission and normal legislation being applied.

As I close, I reinforce that the range of minerals that are available in Western Australia are critical resources, and the state needs to do everything it can to try to make use of them. It is not just nickel and lithium—a whole pile of other rare earth materials are important. I suspect that vanadium might ultimately be even more important than some of the others. I am a bit biased because we have the world’s best lithium resource in the south west, but things like vanadium might have a longer term future than lithium. I hope that lithium will stay up there for another 15 years or so until we deplete that resource a bit and make a good dollar out of it on the way through, but all these resources are critically important. I am pleased that the government has recognised that. I think this is a very good piece of legislation. The opposition is highly supportive of the bill, because I think it will provide a good outcome for both industry and resources development. I hope that we will see some widespread agreement across the chamber that this is the sort of legislation—that was a funny look; I said that there was widespread agreement across the chamber and the member thought that was a bit weird! There is lots of agreement across the chamber, member. I think this is a good piece of legislation and I am looking forward to supporting it. At this point, it is not my intent to take the

bill into committee unless parts of the debate take us to places that I was not aware of. With that, I commend the bill to the house.

**HON DR BRAD PETTITT (South Metropolitan)** [7.56 pm]: I stand to speak very briefly on the Poseidon Nickel Agreement Amendment (Termination) Bill 2021. Following on from the comments of Hon Dr Steve Thomas, yes, the Greens will be supporting this bill. As Hon Dr Steve Thomas said, Hon Robin Chapple will be watching this very closely. In fact, I wanted to rise to speak because he kindly sent me all his correspondence on this from over many years, so I will read it all out!

Several members interjected.

**Hon Dr BRAD PETTITT:** I will not do that; I will do the complete opposite! I thought it was quite amusing reading through it all, but there was a nice paragraph in a letter that he wrote to the Premier just before he stepped down. Obviously, he did not run for his seat again in 2021, but in late 2020 he wrote to the Premier and said —

As you are no doubt aware, my personal stance on State Agreement Acts is mirrored by my party on the grounds of anti-competition ... I do not intend to discuss the particulars of Poseidon's future endeavors however; I find myself aligned with the Proponent on the issue of terminating the existing State Agreement Act (1971). As I understand it, Poseidon Nickel has worked closely with DJSTI to facilitate this termination however ... we are at the whim of COVID-19 ...

He went on to say that he really hoped that this would happen before he left Parliament. It did not quite happen before he left Parliament, but the Premier did say that the bill would be introduced to the Parliament in 2021, which of course did happen, and we are now dealing with it in 2022. I want to thank my former colleague for the amount of work he did on this and everyone in this place for bringing forward a bill that I think we can all agree is very rational, offers some flexibility to the proponent and aligns very much with the Greens' view around winding back some of these state agreements where appropriate. On that basis, I am very happy to support this bill.

**HON ALANNAH MacTIERNAN (South West — Minister for Regional Development)** [7.58 pm] — in reply: I thank the members of the house for their support for the Poseidon Nickel Agreement Amendment (Termination) Bill 2021. We are all well-acquainted with Hon Robin Chapple's concerns about state agreements. I ask Hon Dr Brad Pettitt to pass on the best wishes of all of us here to Hon Robin Chapple and I hope he is travelling okay. He made an exceptional contribution over many years in this place and is a truly delightful human being.

We know that the Greens have opposed state agreements for a long time, but if we understand the history and the struggles of Western Australia to get mining development in this state, we understand why state agreements were put on the table. In 1960, Robert Menzies finally had to stop the lie that there was not much iron ore in Western Australia. That showed the power of BHP, which at that stage was entirely based in the eastern states. The absolute central power that the Big Australian had back then, in particular with the blue team, was perhaps the cause of the continuing great lie that we deliberately started in 1937, so that we did not have to export iron ore to Japan because it was occupying China. We sexed down the iron ore figures and said, "Oh gosh; sorry, we can't export very much because we because we don't actually have very much iron ore." Everyone knew that that was a fib, but it was an appropriate response to a diplomatic situation in around 1937 and 1938. But in Western Australia, everyone thought that certainly by the 1950s, after we had won the war and we were working with Japan on reconstruction, we would be honest about how much iron ore we had. But, of course, BHP, with its steel-making facilities, did not want competition from Japan, so we kept talking about that and banned the export of iron ore from Australia. When the credit squeeze of 1959 came along and we had real problems with our exchange and our terms of trade, the truth finally had to be told. Finally, we were given approval. I think the first year's export quota might have been 100 000 or 110 000 tonnes. It may have reached one million tonnes of iron ore, but over time that figure grew in order to attract the development.

We cannot underestimate how undeveloped this state was north of Geraldton, how little infrastructure there was, and how capital-depleted we were. We simply did not have the capital to do the development of ports and roads. There was nothing there. This whole idea of having state agreements was to enable these companies—the Utah mining company and Goldsworthy—to come in with their big balance sheets and develop all that infrastructure and build entire new towns. This could not have been done under the Mining Act. Port Hedland port had to be built. These things effectively were not there. A few cows were going out from Port Hedland or Dampier. This was a massive exercise that just simply could not have been done without the security of a state agreement. We must understand that that is the context in which state agreements arose, and, much later in the piece, they also applied to companies like Fortescue Metals Group, as it was battling hard to be the third force in iron ore, not just leaving it to BHP and Rio. A state agreement was absolutely essential for it to do the capital formation to allow that project to go ahead. I think with this ideological view, we must understand the practical reality of getting some of those massive projects up for which, largely, government does not provide the common-user infrastructure; all the infrastructure has to be provided by the resource company. I think there has been a very important reason for going down the path of state agreements.

**Hon Dr Steve Thomas:** We agree. That was under Charlie Court and David Brand, so we agree.

**Hon ALANNAH MacTIERNAN:** That is right, and long oppressed by Robert Menzies. We should have been there 10 years earlier. So I think we need to address that.

**Hon Dr Steve Thomas:** I bet Sir Charles would agree.

**Hon ALANNAH MacTIERNAN:** He would!

We need to address that. In this case, we have a state agreement predicated on a nickel project. Although this legislation will allow the operators to continue working in nickel operations, there is very clearly an opportunity for them to make this a much more worthwhile and viable project by extracting gold from the three or four tailing dumps there. Reading the annual report for 2021, I note the chairman said that he thought there was a sizeable gold resource of around 180 000 ounces, from the three gold tailings dams at Windarra, and the ability to also treat tailings from the nearby Lancefield. The project has changed since its conception. That is just one reason why it is no longer relevant to have this project under a state agreement as it was at the very early development of this mine as a nickel facility.

I think Hon Dr Steve Thomas talked about the name of the company. It was named after the god of the sea. Of course, he will know that the state agreement was initially with a company named Poseidon—the very famous Poseidon Nickel Ltd. That company was then bought out by Western Mining and, in turn, these interests were acquired by a company called Niagara, which appears to have decided that it wants to rebrand and take that famous historical name. We all remember the Poseidon nickel boom, which was absolutely massive news, even in the eastern states, about what was going on in Western Australia in the late 1960s. The company sought to recapture some of that history by changing its name to one very similar to that of the original participant.

I know that Hon Dr Steve Thomas raised a couple of issues in his analysis of the way the legislation works, and they are very accurate. He specifically asked about the operation of the clause 7 provisions—the termination agreement. I will just make sure I am dealing with both issues. I think he raised this issue of retaining liability for past actions. Transferring from a state agreement to a mining operation, an indemnity is effectively provided. This provision—I think it is clause 4(3)—requires that the company shall remain liable for any antecedent breach or default under the principal agreement or under the deed of covenant. Some of these obligations tend to be found in state agreements and not more generally. I am advised that they managed to get this in some of their early state agreements, and when subsequent proponents have balked at this, they have been able to refer back to those early state agreements that contain those clauses and have generally been able to do it. Very skilful negotiation ensured that, as we transition to this new arrangement under the mining legislation, nevertheless that liability for antecedent breaches remains. I am advised that this is not generally expected to cover environmental matters, but other liabilities might conceivably arise to a third party that perhaps generally are not considered and not intended. The primary focus is not to protect environmental matters.

**Hon Dr Steve Thomas:** Do you know what a liability might be?

**Hon ALANNAH MacTIERNAN:** The example given to me—I must say I find it a bit hard to see how this could arise—could be someone who suffers an accident or injury on the property. It is a personal injury matter that they might seek redress for in some way. There might be some way that it could be conceived as something for which the state is responsible. That was the example we were given. For example, someone might fall down a mine and claim the state was liable because it had not ensured that the mining company was exercising due diligence or something like that. It can be quite convoluted but theoretically it is possible. We have managed to ensure that, in this transition, that set of obligations will remain.

Then there is the question of the bank guarantee. As Hon Steve Thomas pointed out, under the state agreement, there was a \$3.5 million bank guarantee. Under this new arrangement that same obligation for \$3.5 million for mine restoration remains. The instrument that delivers this to the state is called an unconditional performance bond provided to the state by the banker for the mining company. It is a guarantee.

**Hon Dr Steve Thomas:** Is it an actual payment?

**Hon ALANNAH MacTIERNAN:** No. It is a bond. It has the same purpose, but we do not have \$3.5 million sitting in the bank. That would not be a terribly commercial proposition for anyone, but rather, it is the instrument entitled a conditional performance bond.

**Hon Dr Steve Thomas:** But it's really just a guarantee with another name.

**Hon ALANNAH MacTIERNAN:** Yes; exactly. There might be some fine points of difference between a guarantee and a bond, but effectively it is the same. It is an instrument that sits with the bank, which has the obligation to pay should the company fail to deliver on its mine rehabilitation.

**Hon Dr Steve Thomas:** That is the same as most rehabilitation funds that operate under the various other acts. That's reasonable.

**Hon ALANNAH MacTIERNAN:** That is right. One of the advantages that comes from this new arrangement is that it is covering the past, so that obligation has transferred over, but it now comes under the mining legislation and the company will now be compelled to contribute \$180 000 a year to the mine rehabilitation fund. I understand that that is an actual payment as opposed to a bond. We have the historic obligation that will exist as a bond and then the annual contribution to the mine rehabilitation fund that will exist as an actual payment that goes into that fund.

**Hon Dr Steve Thomas:** Minister, one of the issues is that the mine rehabilitation fund is a bit like Canadian superannuation—by the time it pays out all the things it is expected to pay for, it will be broke. I like the intent, but it's a problematic exercise.

**Hon ALANNAH MacTIERNAN:** All I can say is that at least we are getting \$180 000 a year, and that payment, as I understand it, does not remove the obligation that they have to rehabilitate. They still have their obligation to rehabilitate, but that is just a bit of a buffer and I think it is not intended that the state takes on the liability for a mere \$180 000 a year.

**Hon Dr Steve Thomas:** It is an effort without necessarily being a guarantee that it is completely rehabilitated, but that applies to projects across the entire state.

**Hon ALANNAH MacTIERNAN:** I guess the logic of it is that it is expected that most companies will actually be able to comply and will have the resources to comply, but there will be an insolvency from time to time. There will be a company that disappears and no longer has that ability. Therefore, that fund almost operates as an insurance for the entire system in the case of an insolvency of a mining company.

Hon Steve Thomas also commented on the range of minerals available in Western Australia. I think they really are truly amazing, particularly looking at the lanthanides—dysprosium, praseodymium and ytterbium. These are incredible things. We had—which we have sort of lost for the time being—the only dysprosium mine outside of China, yet dysprosium is an amazingly important additive to steel to hold magnetism. Many twenty-first century battery operations will need dysprosium. Unfortunately, the federal government played some pretty cheap politics around that company, and it disappeared after a couple of setbacks. I just hope it is now trying to go forward and rebuild and get reinvestment. That project at Browns Range, out of Halls Creek near Ringer Soak, is pretty incredible.

The other one I thought the member would be interested in, because it takes in the south west or perhaps more the wheatbelt, is the high-purity alumina, which is also an incredibly important resource. The recent discovery of platinum will be very important in electrolyzers and other catalytic converters. We have a major deposit 100 kilometres or so from Perth.

**Hon Dr Steve Thomas:** With alumina, minister, as a south west member you would be very pleased to know that it's because of the alumina industry that the mining industry in the south west is as big as it is in Kalgoorlie. We match the goldfields for production, thanks to alumina.

**Hon ALANNAH MacTIERNAN:** I am talking about a slightly different product, but I agree in terms of alumina. When we first got into government and were looking at how to drive advanced manufacturing, we had a forum down in Bunbury. One of the things I found incredible was that around 14 companies based in and around Bunbury qualify as advanced manufacturing. Many of those companies, as indeed companies such as Hofmann Engineering in Perth—extraordinary, biggest private engineering company in all of Australia—certainly had their genesis from the mining industry. Those in the south west very much grew up on working and providing mining services then getting into manufacturing through the south west bauxite and alumina operations.

**Hon Dr Steve Thomas:** Just as an aside, when you talk about advanced manufacturing, you don't have to sterilise the port by using that land for that. There is other land available, just in case that debate comes up. The Australian Manufacturing Workers' Union pushed its barrier.

**Hon ALANNAH MacTIERNAN:** We are looking at these things in a very rigorous way and our advanced manufacturing study being led by the South West Development Commission is underway.

Members, I think this is a positive step forward for this project, and old, historic Poseidon Nickel rises to live another day. This time, the legislative vehicle under which it is operating will change. This just continues to show the very positive and constructive relationship that governments in Western Australia have with our mining sector, because we know that that creates jobs and pathways to prosperity for many, many Western Australians. I thank members for their support and we look forward to passing this bill tonight.

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 Alannah MacTiernan (Minister for Regional Development)**, and passed.

