



Parliamentary Debates

(HANSARD)

FORTIETH PARLIAMENT
FIRST SESSION
2017

LEGISLATIVE COUNCIL

Thursday, 9 November 2017

Legislative Council

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

SUPREME COURT — PARLIAMENTARY VISIT

Statement by President

THE PRESIDENT (Hon Kate Doust): Members, I make a statement—a reminder really—on the invitation to the Supreme Court that has been organised for Monday, 27 November 2017. I draw your attention to the invitation extended to members of the Parliament of Western Australia by the Chief Justice of Western Australia, Hon Wayne Martin, AC, to visit the Supreme Court. The visit will include an opportunity to observe a sentencing hearing and to participate in a discussion on sentencing principles with the Chief Justice during an informal light lunch. The visit will take place on Monday, 27 November 2017 from 11.15 am in the Supreme Court, Stirling Gardens. Members are asked to confirm participation and any dietary requirements by 20 November 2017 with the executive assistant to the Clerk.

PAPERS TABLED

Papers were tabled and ordered to lie upon the table of the house.

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

Seventy-second Report — “2016–17 Annual Report Hearings” — Tabling

HON ALANNA CLOHESY (East Metropolitan — Parliamentary Secretary) [10.03 am]: I am directed to present the seventy-second report of the Standing Committee on Estimates and Financial Operations entitled “2016–17 Annual Report Hearings”.

[See paper 862.]

ENVIRONMENTAL PROTECTION AMENDMENT (CLEARING FOR FIRE RISK REDUCTION) BILL 2017

Notice of Motion to Introduce

Notice of motion given by **Hon Dr Steve Thomas**.

DISALLOWANCE MOTIONS

Notice of Motion

1. Shire of Bridgetown–Greenbushes Cemeteries Amendment Local Law 2017.
2. Shire of Victoria Plains Bush Fire Brigades Local Law 2017.
3. Conservation and Land Management Amendment Regulations 2017.

Notices of motion given by **Hon Robin Chapple**.

McGOWAN GOVERNMENT — PERFORMANCE — POLICE AND EMERGENCY SERVICES

Motion

HON MARTIN ALDRIDGE (Agricultural) [10.06 am] — without notice: I move —

That this house expresses concern with the McGowan government’s handling of the police and emergency services portfolios, including but not limited to —

- (a) the government’s inability to resolve the industrial dispute with Western Australia Police Force;
- (b) the reduction in support and recognition of emergency service volunteers by a 50 per cent cut to the emergency services volunteer fuel card;
- (c) the uncertainty surrounding the future of a rural fire service in Western Australia;
- (d) the haphazard approach taken by the government to funding certainty and the continuation of the south west emergency rescue helicopter; and,
- (e) the impact machinery-of-government reforms will have on frontline services, including response capacity.

Hon MARTIN ALDRIDGE: Remarkably, only months into this government we have to stand and debate a motion of this calibre about the very serious concerns facing the police and emergency services community as we head towards what could be a very difficult fire season indeed. I am sure the substance of this motion could be debated for some time beyond the one hour and 20 minutes allocated this morning. I also note that as we approach the end of the sitting year with only a few weeks remaining, it is of interest that today we have no fewer than three ministers unavailable to Parliament. To mention them specifically: the Premier, the Leader of the House in the other place and the Leader of the Government in the Legislative Council. The two senior figures of the government responsible to the Legislative Assembly and the Legislative Council respectively are clearly too busy to clear their diaries to deal with the priority business that this government seeks to put through this Parliament before the year's end. It reminds me of a similar occasion in the last Parliament when I think the then Leader of the Opposition, Hon Sue Ellery, rose to her feet on a sitting day and suspended standing orders so that we could debate the inability of ministers to attend Parliament. That all flows into a theme today about the double standards of the McGowan government.

Obviously the two ministers in question in the motion are struggling to perform in their portfolios. I do not think anybody would argue that one of them should not even have made cabinet after their performance during the last election campaign. I guess we will never fully understand the internal machinations of the Labor Party and how Hon Fran Logan survived the shuffle after the election and was appointed to cabinet. Nevertheless, he is there and his management of the emergency services portfolio could be described at best as ad hoc and reactive.

One of the areas on which I want to focus today as the Nationals' spokesperson for police and road safety is the ongoing dispute between Western Australia Police Force and this state government. No-one could dispute that that is having a significant impact on the morale of police in this state. I think that in time, if not already, it will also have an impact on the safety of the community of Western Australia.

I want to revisit some of the history of why we have got to this point, noting that I do not have a lot of time. When I came into this house in 2013 as a new member, one of the first bills that we dealt with was the Workforce Reform Bill 2013. I am sure that many members opposite will remember this bill, because they spoke at length during both the second and third reading debate and in the consideration of the report from the Standing Committee on Legislation that followed. The intention of the Workforce Reform Bill 2013 was to amend the Industrial Relations Act 1979 —

... by requiring the WA Industrial Relations Commission to take into specific account in its various considerations the government's applicable public sector wages policy statement, the financial position and fiscal strategy of the state, and the financial position of the relevant public sector entity.

That is a direct quote from the minister's second reading speech in this place on 28 November 2013. The debate that followed was very interesting. I spent four years on the government benches listening to many of the lectures that were delivered by the members then opposite in the Labor Party. A long trail of interesting remarks were made at that time.

Hon Darren West: You're still opposite!

Hon MARTIN ALDRIDGE: It is interesting that Hon Darren West has interjected, because I want to start with him. The gift that keeps on giving said on 18 March 2014 —

I am touched when members opposite say that they care about the workers of Western Australia. However, it is clear from the actions of the government that they were only words. The government's actions are very different from its words. I look forward to a division to see if Hon Peter Katsambanis follows up the care and compassion he professes for the workers, by not supporting the legislation that is before us. I look forward to another enthralling contribution from the honourable member on the value he places in, and his implied compassion towards, the workers of Western Australia. I look forward to his contribution with great anticipation.

I am sounding like a cracked record, but once again we have a bill that has not been particularly well thought through and is in front of the house for all the wrong reasons. Members on this side of the house who have spoken before me have articulated some of those reasons.

I will not support the bill because, of course, anything that erodes the rights and conditions of Western Australian workers that have been fought for over a long time will not get support from anyone who has been a long-term member of the Labor Party and supporter of the labour movement, and I will articulate why.

That was a strong address from Hon Darren West. He went on to say —

I do not believe this bill treats public servants with any fairness or decency. Our public servants are very hardworking; they go to work every day and many work unusual hours. They set their alarms early, and people are happy to do their jobs.

He said also —

Government employees now feel they will be treated as being inferior to their private sector counterparts. It should never be the case that people feel that the government is not a good employer, and that perhaps the private sector might be a better employer.

He then went on to make some specific remarks about the WA Police Force, which is obviously relevant to the debate before us. He said —

I do not think anyone who gets up every morning and goes to work should be discriminated against in the way this bill will do. I will go into some more detail later on, but I am just making some overarching points. I think when a deal is struck, whether that be by union negotiation or a deal negotiated directly with the employee or whatever the case may be, a deal is a deal. When an arrangement is struck with a group of employees—the government being the employer in this case—that is that. If the government was not prepared to pay it, it should not have done the negotiation.

Those are very strong words from Hon Darren West. I draw members' attention to an editorial in *The West Australian* of 6 December 2016, as we headed into the election campaign. The editorial states —

It is good to see the WA Labor leader show the gumption to put the public interest ahead of the wishes of a union that helps to prop up the party he leads. Mark McGowan has adopted the Government's policy of inflation-only pay rises despite opposition from the public sector's biggest union.

Let us not forget also the opposition from the Labor members in this house when we were dealing with the Workforce Reform Bill 2013. The editorial went on to say —

Treasurer Mike Nahan has limited wage deals to the 1.5 per cent consumer price index, helping to keep spending growth below 3 per cent over consecutive Budgets.

Given the parlous financial circumstances, it is a sensible policy that Mr McGowan was right to adopt.

...

The reasoning, according to CPSU/CSA State secretary Toni Walkington, is that public servants have borne the pain of the loss of jobs in the public sector and the people who have remained "have had to do a lot more with less".

It is interesting how the tide has turned on this issue. Remember, Hon Darren West—a deal is a deal. I look forward to Hon Darren West's contribution to this debate.

I return to the comments made by Hon Darren West in the debate on the Workforce Reform Bill. He said also —

I got to the part of my remarks tonight concerning the submissions that had been made to the Standing Committee on Legislation. I took particular interest in the submissions put by the WA Police Union. Clearly, policing is a very difficult and trying work environment. I will always pay my homage to those men and women who serve the community in the way that I think I would be unable to. I am not sure I could do the job that police do. From time to time they have tough assignments. I acknowledge the good work that they do.

Members of the Labor Party clearly do not acknowledge or stand by the commitments that their party took to the last election.

There is plenty more that I could reference, and unfortunately Hon Samantha Rowe and Hon Stephen Dawson will be spared, because I have run out of time, and it would certainly be disorderly to bring into the debate Hon Kate Doust, the now President, who was at that time the shadow minister responsible for the bill.

The PRESIDENT: Who spoke in an extremely articulate way in that debate!

Hon MARTIN ALDRIDGE: Yes.

I wanted to reflect on some of the history. The Labor Party in government is using the provisions that were allowed for under the Workforce Reform Bill to enact its wages policy. I do not think anyone could dispute that the Labor government's wages policy is stronger and tighter than the policy that the Liberal–National Party took in government in relation to indexation of wage increases to CPI.

I now want to talk about some aspects of the industrial dispute between the WA Police Force and the government. The industrial dispute is long and ongoing. The police did not think, given the strong assurances that were made by the Labor Party going into the election, that the now government would depart from the view put by the Labor Party when in opposition. The now Premier said when in opposition that he could honour the policy of the then Liberal–National government in relation to indexation to CPI, but he did something very different after the election. During the election, the now Premier talked about public service reform, departmental amalgamations and reductions in the senior executive service. That was the extent of it. The Labor Party rallied against capping public sector wage increases at CPI. It also rallied against voluntary and involuntary redundancies in the public sector. It committed to maintain the 1.5 per cent or CPI indexation wages policy. In doing so, it deceived every public servant in this state.

When the Premier announced the government's wages policy, he said we should not forget that police in Western Australia are the highest paid police in the nation. He went hard on that for about a week, and I saw some social media posts that members of the Labor Party were sharing about how police in WA are the highest paid

police in the nation. At the police rally, which the Premier attended and spoke at, he did not mention that remark. The facts are that they are not the highest paid police in the nation—far from it. When we compare the hourly rate paid to police in WA—which is where I think the government was being sneaky, if not shifty—with the rate paid to police in other jurisdictions, our police are not the highest paid at any rank or at any level within that rank. New South Wales largely leads the nation in pay for police officers. The statement that was used to defend the government’s change in position was factually incorrect.

We hear time and again that the government is honouring and delivering its election commitments. It is interesting that members opposite take a different view to different election commitments. The government believes it is sacrosanct that it deliver its Metronet policy, but it has clearly dispatched its election commitments to the people of Western Australia on public sector wage increases, tax increases and many other issues.

We in the National Party took a different position on the state’s finances. We were brave enough to take that position to the election. We were brave enough to face the well-funded campaigns from industry that challenged those positions. On the other hand, Hon Mark McGowan, the Premier, paid lip-service not just to the voters of Western Australia but to the public sector and the WA Police Force. He said nothing and, worse still, he allowed the unions in this state to use workers’ money to support his election campaign on a premise that was, at best, misleading to the people who campaigned for his election. Advertisement after advertisement, media statement after media statement, union newsletter after union newsletter were rolled out, most of which are still on the website if members want to look at them. They said Mark McGowan had a plan for jobs. What Mark forgot to tell them was the fullness of his plan. There is no suggestion of 3 000 public sector job cuts, and no mention of the cap to public sector salaries or the even more extreme amalgamation of government departments in this state. He then had the gall to stand at the front steps of Parliament during the police rally not that long ago and tell police officers in this state to suck it up. He tells us that the budget is in a mess and everyone needs to share the pain.

I will go back to the theme of “Double Standards McGowan”—everyone does not mean everyone. It is certainly not BHP and Rio Tinto. We learnt this morning that the Treasurer will continue to pursue the gold industry, despite the Legislative Council’s will regarding the government’s position, and the Labor Party’s broken promise of not increasing the gold royalty rate in Western Australia. Sharing the budget pain certainly does not extend to the office of the Premier. Members may not realise that there is an exclusive club of members of Parliament; it is called the parliamentary pension scheme. It is a very generous scheme that was closed in the early 2000s with the election of the Gallop government. At the time, members of Parliament had the option of moving off the parliamentary pension scheme and onto superannuation. The Premier was one of those MPs. In answer to a question I asked him last week, he confirmed that he continues to be a member of the parliamentary pension scheme. He stood on the steps of Parliament and said that the finances are a mess and that everyone needs to do their bit and share the pain. But not him. It is not just the Premier. The Minister for Police, Hon Michelle Roberts—who is relevant to the debate before us today—is also a member of the scheme. The two main architects of resolving the dispute between the WA Police Force—the Premier and the Minister for Police—continue to benefit from being members of the parliamentary pension scheme, despite the opportunity for them to give it up voluntarily in the early 2000s.

Hon Alannah MacTiernan: Was Brendon Grylls a member?

Hon MARTIN ALDRIDGE: No, he was not.

Hon Alannah MacTiernan: He was not?

Hon MARTIN ALDRIDGE: No. That brings me to another interesting point. The current membership of the group has grown from four to five members since the last election. How could that be? How could it grow from having four members of the parliamentary pension scheme to five? Hon Alannah MacTiernan might have some explaining to do with her return to the house.

I have another example of this government’s double standards.

Several members interjected.

The PRESIDENT: Order! Member, I have been listening to this debate and I am not sure about the relevance of your earlier comments. Perhaps you might want to focus on the five key parts of your motion.

Hon MARTIN ALDRIDGE: Thank you, Madam President. The government talks about sharing the load of the state budget, which is why this is relevant. The two principal ministers in question are certainly not sharing the pain with the Western Australian community.

There are other areas of dispute. Interestingly, police campaigned pre-election and post-election, for stab-proof ballistic vests. The government wandered around for months saying the vests were too heavy and expensive, that police officers would not wear them and did not need them and that they were not warranted. Despite this, Mark McGowan’s “200 Fresh Ideas for WA” policy committed to providing stab-proof vests for security staff at major hospitals. It is utterly remarkable to give stab-proof vests to security staff at major public hospitals—a “fresh idea” by Mark McGowan—but to say that Western Australian police do not need them. That is

extraordinary. When I asked the Department of Health during estimates how it was going with the rollout of the stab-proof vests, the department said that it had to do a review, plan and undertake some consultation; so much for a fresh idea. I think it was more of a brain bubble and the government wanted to think about how it would be done later. The government has also committed to the redress scheme that is required for medically retired officers. We still have not seen this government bring anything of any substance to Parliament.

I will run out of time and will have to rely on other members to address other points of this motion, but I think the issue will plague the government unless it is prepared to do something to break the impasse. I will reflect on just a couple more things. When Mark McGowan was the Leader of the Opposition, he wrote a letter to the president of the WA Police Union, George Tilbury, on 9 March 2016. It was in response to the WA Police Union's pre-election submission. I quote —

Dear George

Thank you for your copy of the WA Police Unions 2017 Pre-Election Submission. I apologise for the delay in responding.

I committed to leading a government that is supportive of our police officers and sincerely acknowledges the job they do in often the most difficult circumstances.

It is a very similar message to the comments Hon Darren West delivered to this place during debate on the Workforce Reform Bill 2013. It would be nice if the Premier just acknowledged that he took a position to the election and that he is not prepared to honour that commitment to the public sector workers of Western Australia and the Western Australia Police Force, which is in a prolonged industrial dispute with the government.

I want to conclude by saying that there are many other areas of concern regarding the WA Police Force, not the least being the machinery-of-government reforms. When I asked the WA Police Force about its preparations for the government's machinery-of-government reforms, not just reductions to the SES but for the impact of a reduction of 3 000 full-time equivalent positions, it was clueless. It has a target from the government, but God only knows how it will reach it by, I think, March or April next year. The public service generally has no idea what its individual targets need to be and certainly, from the answers I received to the questions I asked yesterday, there is no further clarity about that, including, importantly, what impact it will have on frontline police and emergency services. The WA Police Force and police generally are regularly voted amongst the most trusted professions in this country and the world, and there is a good reason for that. It is a shame that the WA Police Force cannot say the same for this government.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [10.27 am]: I rise to make a few comments on this motion moved by Hon Martin Aldridge. In 20 minutes, he really did not use the time to set the case for why this motion is important. In fact, he really did not talk about the elements of the motion. He spent at least half his time talking about a range of other issues that had nothing to do with this motion before us. It is important to put some things on the record regarding the police and emergency services portfolios, bearing in mind that they are two different portfolios, not one, as the motion states.

I will start by acknowledging the tremendous work police officers do on a daily basis to protect our state and our population. They go above and beyond the call of duty on a daily basis and I congratulate them for that. The industrial dispute is before the Western Australian Industrial Relations Commission, so I will not delve into it. I understand the commission is working with the two parties to reach common ground. The question is: why are we in this circumstance? We are in this circumstance because of the last government's spending and because it did not manage the finances very well. It went from a small debt to a forecast debt of up to \$42 billion by 2020.

Several members interjected.

The PRESIDENT: Order! Minister, order! The previous speaker was listened to in silence. The minister should also be listened to in silence.

Hon STEPHEN DAWSON: Thanks very much, Madam President.

I was saying that the last government saddled us with massive debt—up to \$42 billion in forecast debt by 2020. That is one of the reasons we are in this situation at the moment, and members opposite need to remember that. They have short memories. They spent a long eight and a half years on the treasury bench, they stuffed up the budget, and they have to remember that. They keep forgetting.

We are trying to address the massive debt that the previous government left us with. We find ourselves in a very difficult place and we are trying to share the pain. One of our decisions was a wages policy of a \$1 000 increase applying to everybody across the public sector. That really seeks to recognise the true state of the state's finances. We would love to give everybody a bigger pay rise, but the fact is we cannot afford it. It is not only the public sector workforce that is getting a less than optimal deal; obviously members of Parliament are also sharing the pain, and the community would obviously —

Hon Martin Aldridge interjected.

Hon STEPHEN DAWSON: What money back? The member had better be careful about what he is saying. What is he accusing me of?

Hon Martin Aldridge: I said, have you paid your motor vehicle allowance back?

Hon STEPHEN DAWSON: What is the member suggesting?

Hon Martin Aldridge: I think there was some double-dipping happening by ministers.

Hon STEPHEN DAWSON: I beg your pardon; are you making allegations against me? You had better be careful. You had better be careful, because there are no allegations to be made against me, because I am not double-dipping. I am a regional member of Parliament and I have a car in regional Western Australia, as ministers or members are entitled to, so be careful. Just be very careful, member, of making allegations.

Several members interjected.

The PRESIDENT: Order! Minister, keep going.

Hon STEPHEN DAWSON: Thanks very much, Madam President.

Members of Parliament also will not be getting a pay rise for the next few years, and that is fine. We have to shoulder some of the pain, too.

In relation to the motion in front of me, I have congratulated the police. The Western Australian Industrial Relations Commission is dealing with the two parties at the moment and hopefully we will get a resolution soon, but I will not comment further on that issue. Certainly, the police do a great job in this state and I want to be the first to acknowledge that.

I turn now to some of the other areas included in the motion—firstly the uncertainty surrounding the rural fire service. I want to remind members of a couple of points. The Minister for Emergency Services and in fact the Premier also, on a number of occasions, have said that we are committed to implementing the recommendations of the January 2016 Waroona bushfire special inquiry. The Minister for Emergency Services has been busy over the last seven months doing a range of things. Certainly, the recommendations of that inquiry included that the state government create a rural fire service to enhance the capability for rural fire management and bushfire risk mitigation at the state, regional and local levels. As has been said before, the implementation of those recommendations is not something that can be done overnight. Work continues within government on tackling that issue. We do not want to be rushed on it, and we are very keen to ensure that we actually get it right. Those conversations are happening within government.

Certainly, we are not resting on our laurels. The Minister for Emergency Services has undertaken a range of things over the last few months, including a bushfire mitigation summit. I know that a number of members in this place have attended that. I think Hon Tim Clifford, Hon Ken Baston, Hon Colin de Grussa and a range of members from this place attended. Mr Terry Redman from the other place attended. It was a very important dialogue to have. Not only did members of Parliament attend it; members of the community also attended. We obviously had representatives from government agencies, but we also had environmentalists and representatives from Bush Fire Front Inc. There was a range of people with an interest in this very important area in a room, together, talking about this very important issue. Hon Rick Mazza is the other member of this place who was present at that event.

The minister has been undertaking a range of conversations. At that forum, a range of issues and ideas were put forward and it was a common theme and agreed that we should all work together on this issue. The minister has been working on that. There were discussions at that forum about a rural fire service, including several options for how it could be structured to provide the best service to regional Western Australia. Those conversations are continuing to happen and I encourage members, if they have an interest in this area, to speak to the minister. He is still open to ideas and is still working through those issues. The Minister for Emergency Services is proud of the consultation that he has undertaken since he has been minister, as he should be.

He has also been busy visiting the state: he has been in the Kimberley, the Pilbara, the south west and the great southern, talking to people in those communities to make sure that their concerns are included in his deliberations in relation to the rural fire service. He has travelled extensively through fire-prone areas such as Manjimup, Pemberton, Nannup and Collie, and, again, he has consulted members of those communities to ensure that their voices are heard and that he understands what those communities need with regard to a rural fire service. He is working on those things, and he has also been the first to acknowledge the fine work being done by volunteers throughout the state in tackling fires, because, of course, it is not only government entities that fight fires; it is also volunteers on the ground, in communities, on a daily basis, who are helping keep the state safe from bushfire. He continues to have those conversations, and he is working very closely to ensure that the views of volunteers at the coalface are taken into consideration in the deliberations on a rural fire service in this state. There is strong demand from the community for a rural fire service; it is a very complex issue, and he is dealing with it at the moment.

Hon Jim Chown: No, it isn't.

Hon STEPHEN DAWSON: Absolutely, it is a complex issue. Where does the member live? Absolutely it is.

Moving on to another element of the motion before us, because I am very keen to ensure that we try to address the points put forward by Hon Martin Aldridge —

The PRESIDENT: Minister, before you proceed, there is a bit of noise floating around the chamber and it is actually hard to hear. I am sure it is difficult for Hansard, so if people need to have a conversation, they might want to step outside briefly.

Hon STEPHEN DAWSON: Thanks very much, Madam President.

The other issue I want to briefly touch on is the issue of machinery-of-government changes; that is the fifth item in the motion. As members know, the machinery-of-government change process commenced from 1 July this year, in which a range of agencies were amalgamated. There has been little or no impact on emergency services as a result of those machinery-of-government changes. In fact, there was zero change to the Department of Fire and Emergency Services, so that agency remains as it was and continues to do good work throughout the state. The only impact has been the movement of the Road Safety Commission back into the Western Australia Police Force, because it was there previously. I fail to see how that amalgamation would have any impact on the frontline services delivered by police; it would not have any whatsoever. In fact, it will hopefully provide benefits to the state and ensure that what were previously two agencies will work in tandem and in the same direction.

Within two months of taking office, the Premier announced the largest reforms to public sector structures in close to two decades, and we are still in the early days of those reforms. Obviously, the changes took place from 1 July and the amalgamations are happening and are going along very well. We are starting to see benefits being rolled out as a result of those changes. Before those changes, Western Australia had by far the largest number of government departments in this country; we had 41 departments of state, compared with 22 in South Australia, 20 in Queensland, 10 in New South Wales, and only seven in Victoria. After the changes, the number of Western Australian departments of state was reduced by 39 per cent to 25. This exceeded our election commitment to reduce the number by 20 per cent. The changes are about saving money, both immediately and in the long term, to ensure that duplication across government is removed. That is vital. In these tough economic times, we have to spend wiser. We cannot be as profligate as people have been previously. We have to ensure that agencies are delivering for communities, and that has not always been the case under previous governments of both persuasions.

Overall, those changes will provide a net saving to the state and will contribute to the important budget repair that is being undertaken at the moment. As with the machinery-of-government changes in other jurisdictions, it is difficult to precisely quantify future savings at the time of amalgamations, but we will certainly see and understand how much money will be and has been saved as we move forward.

They are the couple of the issues in the motion that I wanted to deal with. I understand the Minister for Regional Development also will make a contribution about a number of other issues in the motion. I thank the member for bringing this motion to the house. It is important for us to use Thursday mornings to debate important issues to the community. He failed to really address the areas in his motion. However, I hope I have been able to at least put on the record the view of government about certain elements of the motion.

HON Dr STEVE THOMAS (South West) [10.41 am]: As one of the few members in either house who lives in the middle of a fire-prone region—I live between Donnybrook and Kirup in an area that backs onto state forest—I am particularly pleased to take this opportunity to make a few comments about emergency services management and fire management. I am particularly pleased also that the honourable member who moved the motion included the volunteer fuel card issue, because it is an issue I have taken up with the Minister for Emergency Services. I think the minister has demonstrated adequately that he is without doubt the new Inspector Clouseau of the fortieth Parliament and the new government, bumbling along and probably causing as much own damage as he has caused to anybody else. He even has the accent! The new Inspector Clouseau is firmly on target. Let me give a couple of examples of that. Unfortunately, he has a habit of falling over his own feet, much like the famous French detective.

Let me raise the volunteer fuel card scheme, because that is a good example. It was in the budget. When we looked at the budget, we determined that there was a significant cut to the overall volunteer fuel card scheme. The amount of money available for the volunteer fuel card was halved; it dropped from \$1.9 million to a cap of \$1 million. There is nothing in the budget to suggest what impact that might have on local volunteer emergency services brigades and units; there was no comment in the budget whatsoever. I suspect that the reason that is the case is that the minister probably did not know, because he did not understand the budget process or the budget papers, and so he has bumbled along. It was raised as an issue; I raised it fairly early on. It was put to the minister's office that there was a significant cut to the volunteer fuel card scheme. The first answer I got was that the fuel cards had not been used; according to the 2015–16 budget, they were never used. Only \$300 000 of the amount had been used. It was only after that report came to me that I explained to the journalist involved that that was, in fact, the first year that the fuel card had been made available to anybody. It took some time for it to be advertised and it took some time for people to realise that this money was available to those great volunteers who race around in bushfire-prone areas in particular, protecting their communities, families and infrastructure. The first full financial year that the fuel card was available was 2016–17. The actual estimated expenditure put forward in the budget released only a couple of months ago was \$3.2 million. When the fuel card was available, emergency service

volunteers throughout the state, particularly in regional areas, took advantage of it. The first answer from the minister was that they did not use it. It was obviously and palpably a nonsense. It was not true. That was the first-rate defence by the minister! I think he struggles to understand the budget process.

I was particularly pleased to see the volunteer fuel card component in this motion, because the amount has been capped at \$1 000 per brigade or unit. Ultimately, if that was the government's intent, it should have simply said so during the budget process. It should have told the community. It could have run the story about financial management that we have just heard from the Minister for Environment. That is fine; that is the line that the government runs. But none of that occurred. Effectively, it has been hidden. It was only after a series of questions about the changes, and making it obvious in this place and in the media, that the government was dragged kicking and screaming to acknowledge it. Initially, the Premier and then, ultimately, the Minister for Emergency Services acknowledged in a press release a couple of weeks after the budget that there had been a cut. It took a couple of weeks to acknowledge and, perhaps, for someone to explain to the minister that this was the process that had been gone through. The outcome was that volunteer emergency services workers, in particular volunteer bush fire brigade workers, who make up around 22 000 of the 29 000 or so volunteer emergency service workers across the state—that is not to say that the volunteer fuel card was restricted to bush fire brigade volunteers, because it was not; it was available to all the others as well in regional areas—had available to them a \$2 000 fuel card per brigade or unit, which the government cut in this budget to \$1 000 but did not tell anybody about. It did not acknowledge that. I do not think it has ever been mentioned. I do not know whether the Minister for Emergency Services has stood in the other place and told everybody that the volunteer fuel card amount has been halved. Certainly in this chamber, because of the process we go through, we are determined to hold the government to account and, in particular, to get the truth. The truth in the budget process is sometimes very hard to get hold of because things get hidden. In this budget process, the cut to the volunteer fuel card was either hidden or simply left out because the Minister for Emergency Services did not understand the budget process and did not realise that capping the volunteer fuel card payment in the budget would have a financial impact on the amount that could be claimed at the unit level. I do not know whether this is a case of deliberate obfuscation or simply unfortunate ignorance. Either way, the result was that we had to drag out of the government the truth that the fuel card amount had been halved.

I would like to raise a couple of issues but, unfortunately, I have very limited time. I will make a few comments on the rescue helicopter station near Bunbury. It is a very good service that was introduced by the previous government. In fact, I had a little bit to do with that in the intervening period when I was in the wilderness. When I worked for the federal member, there were issues with the Environment Protection and Biodiversity Conservation Act that had to be addressed to allow construction —

Hon Jim Chown interjected.

Hon Dr STEVE THOMAS: It is the wilderness of the federal sphere!

We had to do some EPBC act work to get that structure built. A multimillion-dollar hangar was built and services were provided for that helicopter. The first \$7-odd million for the operating expenses of that multimillion-dollar development was put in the first year's budget. In my view, there was no possible way that any government, be it a Labor government or a Liberal–National government, would not continue to fund that particularly important service. To be honest, I think it was inevitable. I was a little concerned not to see it in the budget this year. It was funded to the end of this financial year under the previous government's last budget for the 2016–17 financial year. It was a very useful budget that demonstrated that the funding for the volunteer fuel card was in the forward estimates.

Hon Alannah MacTiernan: No; that is not correct.

Hon Dr STEVE THOMAS: It is, minister; have a look at my previous statements. I can give the minister the page number of the *Budget Statements* on which there is an appropriation attached to the 2019–20 year. I refer the minister to those comments in *Hansard*. In terms of the emergency rescue helicopter stationed in Bunbury, I was particularly pleased that the newly elected member for Bunbury, who is a very old friend of mine despite him having joined the other side, spoke in the media not so long ago to advocate that he would very strongly lobby the government and fight for the Bunbury rescue helicopter. This was reported in the media in the south west region a couple of weeks ago. I was very pleased to see that, because the first thing that told me was that the government had already decided to fund the helicopter. As is the way with governments, the local member was given the freedom to pre-announce his campaign, so that it would, hopefully, work with the timing of the announcement of the successful campaign in the not-too-distant future. The only thing I would say is that I am not sure that he got his timing right, because if the government had held on for a couple more months, he could have had a couple more months of campaigning for this outcome and he could then have announced it a bit closer to the budget with an extra bang in the budget. I think he could have stage-managed this just a fraction better.

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [10.51 am]: I appreciate that oppositions need to do these sorts of things, so I am not going to be outraged by the motion or by some of the inaccuracies that we have heard. I will start by picking up the theme of the Minister for Environment that we have actually had to do some very, very hard things to claw back the growth in expenses, because that was what was driving our debt and deficit problem in this state.

Hon Martin Aldridge: Why didn't you take it to the election?

Hon ALANNAH MacTIERNAN: What did we not take to the election—that we were going to deal with debt and deficit?

Hon Martin Aldridge: Your plan.

Hon ALANNAH MacTIERNAN: We did, absolutely. As the member would understand, we put forward a very clear plan. We made it absolutely clear that dealing with debt and deficit by reining in expenditure growth was absolutely critical.

Several members interjected.

The ACTING PRESIDENT: Members!

Hon ALANNAH MacTIERNAN: Thank you, Mr Acting President; let us not bring on the clowns. In the first year of the previous government, there was a 13 per cent growth in expenses. Over that government's first term, there was average expenditure growth of 7.4 per cent year on year. Even when the bottom had fallen out of the revenue, the previous government was still growing expenditure at over four per cent per annum in its second term. We had to turn that around. We have had to make some hard decisions.

I just want to raise another point today—that is, the question of over-programming. Mr Acting President (Hon Dr Steve Thomas), you will be very interested in this because you are a little sceptical of some of the royalties for regions projects. There was in excess of \$600 million of over-programming in the royalties for regions budget, which built up a bow wave of expectation across the regions, all based on the assumption of putting it in the budget and never spending it. When we came to government and tried to put some truth and rigour around the budget, there was outrage from community after community.

Hon Jacqui Boydell interjected.

The ACTING PRESIDENT: Hon Jacqui Boydell! The minister has the call.

Hon ALANNAH MacTIERNAN: Thank you, Mr Acting President.

Hon Jacqui Boydell interjected.

The ACTING PRESIDENT: Minister, take a seat for a minute. Hon Jacqui Boydell, on some occasions in the chair I have defended you against interjections from the other side and you frequently do not take them, so I ask you to extend the same privilege to the minister on her feet.

Hon ALANNAH MacTIERNAN: Thank you, Mr Acting President.

Hon Jacqui Boydell interjected.

The ACTING PRESIDENT: Order!

Hon ALANNAH MacTIERNAN: In addition, a number of programs were not fully funded across the forward estimates. These were often very significant programs, such as the rescue helicopter. A lot has been made of some campaign that was run about this. I just want to get a bit of honesty and accuracy about some of the details of the rescue helicopter proposal. It is true —

Hon Nick Goiran: You should laugh!

Hon ALANNAH MacTIERNAN: No. Let us be clear about this: there was no allocation beyond this current financial year in the last budget of the previous government. It was unfunded by the previous government in the last two years of the forward estimates of the 2016–17 budget. Clearly, it was one of those black holes that needed to be corrected. As members in this place know from the estimates process and from the documents that were provided in the estimates process, we did have an allocation for 2018–19 in the administered items provision of the budget. We made it clear that these items were those for which we were trying to get a better understanding of how they would be funded over the future of the forward estimates and that we wanted a review of the way in which these services were to be delivered. Of course, the rescue helicopter service was always going to be a project that would be funded into the future, by either government.

Hon Martin Aldridge: Are you saying that the rescue helicopter had funding for it in the administered items of the royalties for regions budget?

Hon ALANNAH MacTIERNAN: Yes. I have shown members those documents. Hon Jacqui Boydell has a copy of the list of administered items, which includes the rescue helicopter. There is no secret. It was tabled in the Parliament.

Hon Martin Aldridge: You refused to table them in estimates.

Hon ALANNAH MacTIERNAN: I have already tabled those documents.

Hon Martin Aldridge: Table them again.

Hon ALANNAH MacTIERNAN: I will try to find them. I am happy to provide it again to members, but in that list of administered items that I provided in response to a question by Hon Jacqui Boydell—I think there might have been a similar question from Hon Diane Evers—there was already a reference to it. The Premier and the Minister for Emergency Services made a very clear statement in the last week that this is now going to be funded across the entire forward estimates. We are recognising that this is an important service and one that we want to keep, so there will be a budget allocation across the entire forward estimates to give this service some stability. I am not critical of members opposite, because I think that if they had got back into government, they would have funded it, but it was another one of those black holes that was not provided with funding in the last two years of the forward estimates of the last budget. We have now fixed that.

It is true that the emergency services volunteer fuel card is part of what might be described as a gift to the members of volunteer bush fire brigades and emergency services brigades for their personal use, as I understand it. The card specifically states that it is not to be used for brigade purposes, so it is for their personal use. We have had to reduce that to \$1 000. It has been in operation fully for one year, as Hon Dr Steve Thomas pointed out. This was only taken up to any great extent in the 2016–17 financial year. We have had to make the hard decision to rule a line under the \$2 000 “gift” and reduce it to \$1 000 per brigade to try to effect budget repair. We certainly did not want to chop it out entirely. We recognise the value of volunteers. The Minister for Emergency Services has been talking to a lot of people in the bush about the functionality of the card. A single card is issued per brigade and is given to the unit leader and feedback has shown that there is apparently some difficulty and impracticality in the way it is shared among the members of the brigade. These are the issues that the Minister for Emergency Services will look at in the future.

Hon Dr Steve Thomas is certainly one of the more capable members on the other side and normally he speaks with considerable accuracy, but we have a slight dispute here because the feedback that I have been given, even as the member was speaking, is that there was no allocation in the 2019–20 budget, which was the last year of the forward estimates of the previous government. There was no allocation in that out year. We have made sure that it will now be funded at a reduced level, which is more affordable and sustainable. Members, I appreciate the debate, but we are very proud of the work that we are doing to effect budget repair.

HON JIM CHOWN (Agricultural) [11.01 am]: My congratulations to Hon Martin Aldridge for moving this motion. Once again in private members’ business we are debating a motion that displays the disingenuous, dysfunctional and at times dishonest government we have in Western Australia in regard to a host of issues pertaining to frontline services. I will address a couple of issues in the extensive motion that is before us today, including the pay dispute between the Western Australia Police Force and the government. There is also an issue with the rescue helicopter, but I am waiting for more information about that.

I turn to the police pay dispute. I do not understand the issue that Labor governments have with Western Australia Police Force. When Hon John Kobelke was the Minister for Police in the previous Labor government in 2006, there was an ongoing dispute about not only wages but also having enough officers on the ground. In fact, at one stage it appeared that more officers were resigning from the police force because of a lack of wage increases than could be recruited. At the time, the government decided to recruit officers from overseas. It went to the United Kingdom and Ireland, both of which have a similar police force system to the one we have in Western Australia, and started to recruit police for this state. The government found out that the police officers who came to Western Australia were not under any contractual arrangement that obligated them to remain in the police force. Some officers who came from the United Kingdom and were incorporated into the police force decided after a few months to go elsewhere and take up a higher paying job in the security forces or mining companies et cetera. What is interesting is that the South Australian government had the same issues and problems. It recruited officers from the United Kingdom as well; however, its recruits were obligated through a contractual arrangement to remain in its police force for three years. That is part of the dysfunction of Labor; we see it on a regular basis and it is expressed in this house on a daily basis.

I will read the mission statement of the Western Australia Police Force because it is worthy of a few minutes here today. It states —

To enhance the quality of life and well-being of all people in Western Australia by contributing to making our State a safe and secure place.

Frontline police officers go out on a daily basis, on our behalf, and do all sorts of things from attending car wrecks to putting their lives on the line. Most of the time when they put their lives on the line, they are not aware that they are putting their lives on the line. They do that on a daily basis. Here we have a government that made a commitment. Prior to the election, the now Premier made a commitment that he would increase police officers’ salaries by one and a half per cent. In 2008, the previous Labor government had the same issue but then the Liberal and National Parties won government. I will quote from the media release of the then Minister for Commerce and Treasurer, Hon Troy Buswell, dated 5 June 2009, which states —

Minister for Commerce Troy Buswell has welcomed the Western Australian Police Union board’s decision to give in-principle support to the Liberal-National Government’s increased pay offer of eight per cent over two years.

The offer represents a 1.75 per cent increase on the State Government's original offer, boosting it from 6.25 per cent over two years to 8 per cent over two years.

...

"The previous government spent six months locked in a bruising battle with WA Police's last pay claim,"

...

That is what we are seeing today. The Labor government now has a bruising battle with the WA Police Force—and it has been ongoing for seven months. We heard a minister today say that the matter is under discussion. Seven months on these people are waiting for an outcome on a promise that the Premier made prior to the election. I will quote the shadow Minister for Police, Hon Peter Katsambanis, who said —

"Western Australia's police officers are simply asking the Premier to honour his election promise of a modest 1.5 per cent pay increase," ...

"Just three days before the election, Mr McGowan reaffirmed his promise to police and told voters Labor had made affordable commitments that would be met through savings in recurrent spending.

Those were comments made by our current Premier three days before polling day that anybody in this state would believe. What has happened? The police have been offered a \$1 000 pay rise. It is the slipperiest thing that I have ever heard, and there is a lot of slippery statements coming out of this government. We are hearing them on a regular basis.

Even journalist Paul Murray made a statement in an editorial on 17 May, which was not long after the election, and said —

The bread-and-butter issues were covered in just one line: "Negotiate cross-government general agreements which maintain penalty rates and commuted overtime allowances whilst maintaining the current wages policy."

That was a clear promise to the police department and the people of Western Australia to keep the Barnett government's state wages policy of 1.5 per cent indexed increase each year. Members might ask: what is the big difference between a pay rise of \$1 000 and a 1.5 per cent pay increase? I will go through the hourly rates for police officers in other jurisdictions and compare them with what police officers receive in Western Australia. Hon Martin Aldridge said that he omitted to state that the hourly salary rate of Western Australian police officers is based on a 40-hour week, whereas it is based on a 38-hour week in other jurisdictions, so there is a large difference. In fact, if we go through the pay rates of a constable through to a senior constable—I assume that constables comprise the largest number in the make-up of the police force—they are some of the lowest paid in the nation, whereas in 2009 they were some of the highest paid. Their pay rate has slipped backwards year after year. The arrangements were, and on the promise of the Premier, that they would receive a 1.5 per cent increase. I note that if the Premier honours his commitment of a \$1 000 increase per annum, as opposed to a 1.5 per cent increase per annum, the difference for a constable on the lowest increment will be \$185 while the difference for a constable on the highest increment will be \$388. They are not large amounts, but we will get to the list of broken promises by this slippery government—"No more increases. No more taxes. We will pay down and rectify the budget problem as you would address a house mortgage." I will go through the list of increases that everybody in this state has to pay. The price of electricity went up by 10.9 per cent and water and sewerage went up by six per cent. Motor vehicle licences went up. There was an increase to motor injury insurance of 2.8 per cent, drivers' licence fees went up by 1.5 per cent and vehicle licence charges increased by 5.5 per cent. The emergency services levy increased by 3.3 per cent.

Several members interjected.

Hon JIM CHOWN: Members!

The ACTING PRESIDENT: Members!

Hon JIM CHOWN: Let me reflect on the salary increase of \$1 000 per annum as opposed to the 1.5 per cent increase promised by the Premier. Adding up all of those cost increases, we find that the average household will have to pay around an extra \$438 per annum, based on this current government's increases. Let us also remember that the Labor Party ran an advertising campaign about the price of electricity, opposing the sale of 51 per cent of Western Power and advocating retaining it in its current format. It said that there would be no more increases to charges other than inflation increases. This is from the Western Australian government Treasury. I heard the current Treasurer say to expect an increase in electricity charges next year, so over two years, we will see an increase of around 16 per cent. Regardless of that, the difference between a salary increase of \$1 000 and 1.5 per cent per annum is still below the average increase in charges to every household in this state of \$438 per annum. These police officers are well within their rights to ask for that commitment to be made. They will still be hundreds of dollars behind in their standard-of-living requirements. Quite frankly, I think these officers do a fantastic job on behalf of the Western Australian community. In fact, their workload has increased and is increasing every year, yet they are expected to sit back and take it on the chin.

HON RICK MAZZA (Agricultural) [11.11 am]: I would like to thank Hon Martin Aldridge for bringing this very important motion to the house. I apologise if I go over some ground that might have been discussed this morning. I had some very urgent and unavoidable parliamentary business to attend to. I will leave the part of the motion on police to others. I am sure it has been discussed here and I know other members after me will want to talk about police. I was particularly interested in parts (b) and (c) relating to volunteer firefighters and the fuel card, and the rural fire service. I live in the sticks and I am very mindful of the threat of bushfire; I have bush all around me out there. I appreciate what the volunteers in the volunteer bush fire brigade do in this state. We have some 26 000 men and women who put in their time. Not only do they attend fires, but also, obviously, they put in a lot of training. It becomes almost a lifestyle thing for many of them as they spend a lot of time training and attending to fires et cetera. I appreciate what they do for us. The Economic Regulation Authority report into the cost of a rural fire service suggested that a paid rural fire service would cost some \$500 million to establish, so those 26 000 men and women who give their time to this state in those bush fire brigades are worth about \$500 million to us. What are we doing to them? We are halving their volunteer fuel card amount. We were rewarding them with a bit of help with fuel and here we are cutting it in half. We were giving \$1.9 million to support that volunteer fuel card and that has been cut to \$900 000. I think it is absolutely disgraceful that we would cut that fuel card amount. I know there are many challenges in the budget, but if we are going to spend \$34 million upgrading the SmartRider card, surely we can afford \$1 million towards the fuel card for volunteers. I am very disappointed that the government has seen fit to cut that.

I turn to the establishment of a rural fire service. We really need some certainty. I agree with Hon Martin Aldridge that we need certainty surrounding a rural fire service. We had the report from Euan Ferguson in response to the horrific fires at Waroona. We are in the fire season. The fire season has just started and I am sure there will be some fires to attend to very, very soon. Hopefully, they will not be as significant as the Yarloop and Waroona fires. The report recommended a separate rural fire service and here we are into another fire season two years later and we still have not made any decisions about that. One of the models suggested by the ERA was worth \$4.2 million. It would be very, very affordable to administer the current structures we have in place with our volunteer brigades and the 26 000 men and women who support those brigades. I think that is very good value for money. Again, if we can spend \$4 million on a regional film program, I am sure we can spend \$4 million on a rural fire service. It is about prioritising where the money should go.

I really feel we need to make some decisions very soon. I would like to see the fuel card reinstated. I think it is something that this government has an obligation to do. We need to also make a decision on the rural fire service one way or another very soon so that people have certainty about what path we are going to go down. I know what I will support. As members know, I have a motion on the notice paper about establishing a separate rural fire service and some of the structures surrounding that. We might get to debate that next year. I support the motion put by Hon Martin Aldridge. As I say, I think we could redirect some of the funding and expenditure that we have; rather than pork-barrelling, we could put it towards some very, very important emergency service undertakings in the state.

HON DARREN WEST (Agricultural — Parliamentary Secretary) [11.16 am]: I will be brief, because I am cognisant that other members will speak on the motion. I thank the honourable member for bringing the motion forward. I will run through the motion very briefly point by point. I will not spend nine minutes on Hon Martin Aldridge; I will deal with the motion. The first part of the motion is about the government's ability to deal with the industrial dispute with the police. That is an ongoing matter, but I make the point that under our proposal, a constable in the police force in Western Australia will get a pay rise of 1.4 per cent. I think the public understands the need for restraint.

The second part of the motion refers to the reduction in support and recognition of emergency service volunteers with the cut to the fuel card. My local brigade chose not to take up the offer of the fuel card, because as far as the members of that brigade are concerned, they are volunteers and they will do their bit for the state. They do not want handouts for fuel. Many other volunteer fire brigades also did exactly that. We do not need the amount of money that the former government allocated to the fuel card. We do not need that much money.

Turning to the point about the rural fire service, that process is underway. The minister held a very useful rural fire summit.

Hon Martin Aldridge: Do you support the minister?

Hon DARREN WEST: The minister will make his decision with all the information that he garners. I am not the minister, as the member is aware, so I will leave it to the minister to make the decision. I am sure he will make the decision in the best interests of regional Western Australia.

I turn to the emergency rescue helicopter. The National Party knows that this was to be funded. I have here the response to a question asked in estimates that states —

The list of projects captured under Administered Items as election commitments with a notional allocation for ongoing funding of \$77.5 million includes: —

Amongst other things —

- South West Emergency Rescue Helicopter Service

That was always going to be funded by this government and, as the minister points out, it would always have been funded by the last government, but hysteria was whipped up in the electorate by the National Party, and it even extended to the wheatbelt. The Perth emergency helicopter was put in by a Labor government in 2003. Here I am, answering emails and letters from people who are petrified about the loss of this service that was never going to be taken away.

Hon Martin Aldridge: Is it like BAHA?

Hon DARREN WEST: We have heard the same about the boarding away from home allowance. People are generally of the view that there is no assistance whatsoever next year for them to send their children to boarding school.

Hon Martin Aldridge: We have never said that.

Hon DARREN WEST: The National Party has implied that and people believe it. When I write to them explaining that the total amount of assistance to children at boarding school will increase, they are very relieved to hear that news, because they have been given the impression by the National Party that no assistance is available next year for children for BAHA.

The emergency helicopter was of course advocated for by the member for Bunbury, the man who got the 23 per cent swing, Don Punch, MLA, former CEO of the South West Development Commission. He had a very big hand in getting the helicopter to Bunbury in the first place. As if it and the people of the south west were going to be abandoned when Labor holds more seats than any others in the south west! As if those things were going to be abandoned by this government! The National Party's campaign was ridiculous, extreme and fearmongering.

The final issue addressed by the motion is the impact that the machinery-of-government reforms will have on frontline services.

Several members interjected.

The ACTING PRESIDENT: Members!

Hon DARREN WEST: It is about the impact that the machinery-of-government reforms will have on frontline services, including response capacity. Can the member explain to us how bringing the Road Safety Commission and Police together will have an impact on frontline services? Go figure! I do not think anybody believes that. The public supports the machinery-of-government reforms. Everywhere I go, the most common comment I get is, "The reforms you've made to the public service are great." I will let members like Hon Charles Smith have a go because he is a former policeman and I am sure he has a view. But the National Party of Australia, led by Barnaby Joyce—50 per cent Kiwi—has no credibility at all left in this house.

HON CHARLES SMITH (East Metropolitan) [11.20 am]: I thank Hon Martin Aldridge for moving this motion. It is always good to see him move a solid motion. I will be brief because I want to allow time for another member to speak.

I take the house back to May this year when a survey was released by serving police officers, commenting about their job. I will read a few comments from my notes to give members the gist of what happens in the real world. The first is —

The crooks are winning. We are unable to attend jobs in a timely manner. No group has the ability to conduct a proper investigation as we are all so pressed for time.

Here is another —

Police are not able to provide the service the public deserves and we are being thrown under the bus. I have never been less proud to represent WA Police.

Here is another —

It doesn't matter how you try and bend it, we just simply need more police officers to give the community a good level of service.

Through that survey we know that officers say that they are fatigued, stressed and overworked. What a chance for the new Minister for Police to come in, show her mettle and rescue the police. But, no; instead, Mrs Roberts, who was a vocal critic of Frontline 2020 in opposition and called it a failed model, came into government and said —

"In areas where metropolitan policing is currently working there is no point in changing for change's sake."

Does the minister have any idea what she is talking about? Posing with Constable Care will not bring crime rates down. Tweeting from the Liquor Store Association while desperate police hope for liquor restrictions in the Pilbara will not reduce domestic violence and end child abuse in Aboriginal communities. The people at the coalface told the government that they are desperate for help and were bluntly ignored, and it is going from bad to worse. I feel sorry for the two former police officers who sit on the Labor benches in the other place. They must be hanging their heads in shame. I know they are, because I talk to them. Bloody-mindedly, including you, minister —

Hon Alannah MacTiernan: I don't get that impression! I get the impression they are very proud to be members of the Labor government —

Hon CHARLES SMITH: No; they hang their heads in shame.

Several members interjected.

Hon CHARLES SMITH: The treatment of the police by this government is disgraceful.

Even though the government tried to push on with its promise to create 24-hour police stations, the reality is that the central division of the regional operations was disbanded. That was a frontline, key operational response unit; 23 officers were taken off frontline duties. Members may agree that it is hard to stop burglaries or assist battered women when members of the police force are just pushing pens. Another fail.

I have never come across a more anti-police government. Take, for instance, the Premier's language on concerns that the Construction, Forestry, Mining and Energy Union had about its enterprise bargaining agreement. He was all conciliatory and empathetic. On the police enterprise bargaining agreement it is, "My way or the highway." I wonder why that is.

Before the election, Labor adopted the former Liberal–National government promise of a 1.5 per cent pay increase. The government backtracked in April when it announced public sector cuts and said that there would be a flat \$1 000 pay rise. The government not only offered a flat \$1 000 pay rise, but also raised Government Regional Officers' Housing rents, obliterating any pay rise. What a way to attract police to regional towns! Policing is a difficult and dangerous profession, with many criminals intent on doing the police harm. This is what sets the police apart from the rest of the public service. I wonder whether the government actually gets that.

To conclude, I will briefly mention the number of police leaving the job. Every year for the past few years in excess of 100 police officers have left the job because they just do not want to do it anymore. There is no excuse for not paying police properly. The only thing stopping the government is its ideology and anti-police fervour. Pay the police properly, recognise the work they do, recruit at least another 500 officers and implement a fully back-captured workers' compensation scheme and do it now!

HON COLIN de GRUSSA (Agricultural) [11.25 am]: In the remaining time, I firstly acknowledge the men and women who serve our communities in the emergency and police services. I will return to a comment made not long ago by Hon Darren West about the National Party somehow whipping the people of the south west into a frenzy about this emergency rescue helicopter. I found that comment quite ironic, coming from those who perpetrated the "Mediscare" campaign of a few years ago. There was this idea that we were somehow whipping people into a frenzy, although the Labor Party did that because there was no funding in the budget. Nowhere in the budget can I find a line item that says that the south west emergency rescue helicopter will be funded beyond this current financial year. We did not whip that frenzy up —

Hon Jim Chown: So you're saying that the minister has misled Parliament.

Hon COLIN de GRUSSA: I cannot see it in the budget. Page 224 of budget paper No 3, if I remember correctly, is the royalties for regions section of that budget paper, but it shows nothing for the emergency services helicopter in the south west.

Hon Jim Chown: So the minister has misled Parliament.

Hon COLIN de GRUSSA: If it is hidden behind another line item, that is tricky and reactionary budgeting. It means that this government reserves the right to change its mind and introduce things as it sees fit, rather than actually planning and budgeting. It goes back to that ad hoc approach that Hon Martin Aldridge was talking about and why he moved this motion: "We'll just hide a few things in a few different line items, and when the public reacts and doesn't like it, we'll bring it in." This is what this is all about. It is sneaky and deceptive and misleading budgeting.

Motion lapsed, pursuant to standing orders.

OCCUPATIONAL SAFETY AND HEALTH AMENDMENT BILL 2017

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Alannah MacTiernan (Minister for Regional Development)** read a first time.

Second Reading

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [11.28 am]: I move —

That the bill be now read a second time.

The purpose of the Occupational Safety and Health Amendment Bill 2017 is to increase penalties for offences under the Occupational Safety and Health Act 1984 to better align with the penalties in the model Work Health and Safety Act, with a further increase for inflation since 2010. For ease of reference, I will hereafter refer to the Occupational Safety and Health Act 1984 as the OSH act and the model Work Health and Safety Act as the model WHS act.

With the exception of Western Australia and Victoria, all other Australian jurisdictions have already implemented their versions of the model WHS act. As a consequence, penalty levels in the OSH act are significantly less than those applying in most Australian jurisdictions. In September 2014, the former government tabled the Work Health and Safety Bill 2014 as a green bill for consultation purposes. The green bill included penalties consistent with those in the model WHS act. However, the former government did not progress the green bill to Parliament.

I am pleased to report that the McGowan government is currently expediting the development of a work health and safety bill for Western Australia. This work is being conducted by the minister's Ministerial Advisory Panel on Work Health and Safety Reform. The bill will amalgamate the general industry sector and the resources sector. Thereafter, the relevant industry regulations will be developed by the panel. In the meantime, the McGowan government is increasing the OSH act penalties for general industry. The current OSH act penalties have not been increased since 2004. The current penalties do not meet community expectations and do not act as a sufficient deterrent. Examples include a \$9 500 fine in January this year for failure to take reasonable care, causing a workplace death; in June, a \$7 500 fine was imposed when a labourer was seriously injured after falling through a skylight; and, in December last year, a \$17 000 fine was imposed for a workplace fatality. This government considers these penalties inadequate. They do not adequately penalise those who put employees and the general public at risk. They do not send an appropriate message to employees about the value of their health and lives. They do not send the right message to the families of employees who do not return home safely at the end of their day. The McGowan government's increased penalties will provide a real incentive to comply with workplace safety laws. They send a clear message about the importance of maintaining a safe workplace.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

This bill sends a clear message that the McGowan government is committed to ensuring that all workers return home safely from work. I commend the bill to the house.

For the information of members, I also table an explanatory memorandum.

[See paper 863.]

Debate adjourned, pursuant to standing orders.

MINES SAFETY AND INSPECTION AMENDMENT BILL 2017

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Alannah MacTiernan (Minister for Regional Development)**, read a first time.

Second Reading

HON ALANNAH MacTIERNAN (North Metropolitan — Minister for Regional Development) [11.32 am]:
I move —

That the bill be now read a second time.

The purpose of the Mines Safety and Inspection Amendment Bill 2017 is to increase penalties for offences under the Mines Safety and Inspection Act 1994 to better align with the penalties in the model Work Health and Safety Act, with a further increase for inflation since 2010. For ease of reference, I will hereafter refer to the Mines Safety and Inspection Act 1994 as the MSI act and the model Work Health and Safety Act as the model WHS act.

With the exception of Western Australia, Queensland and Victoria, other Australian jurisdictions have already implemented their versions of the model WHS act for their mining industry. The former government had announced and was developing the Work Health and Safety (Resources and Major Hazards) Bill. The provisions of the proposal were the subject of a decision regulatory impact statement and these were discussed extensively with stakeholders. The proposal included penalties consistent with those in the model WHS act. However, members will recall that the former government did not progress the bill to Parliament.

I am pleased to report that the McGowan government is currently expediting the development of a work health and safety bill for Western Australia. This work is being conducted by the Ministerial Advisory Panel on Work Health and Safety Reform. The bill will amalgamate the general industry sector and the resources sector. Thereafter, the relevant industry regulations will be developed by the panel. In the meantime, it is important to increase the MSI act penalties for the mining industry along with general industry. The new penalties will provide an increased incentive to comply with workplace safety laws and ensure that penalties meet community expectations. Furthermore, the updated penalties will highlight the importance of maintaining a safe workplace. The current MSI act penalties have not been increased since 2004. Increasing penalty levels in the MSI act will ensure that Western Australia's penalties for the mining industry are consistent with most other Australian jurisdictions.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

This bill sends a clear message that the McGowan government is committed to ensuring that all workers return home safely from work. I commend the bill to the house.

For the information of members, I also table an explanatory memorandum.

[See paper 864.]

Debate adjourned, pursuant to standing orders.

APPROPRIATION (RECURRENT 2017–18) BILL 2017
APPROPRIATION (CAPITAL 2017–18) BILL 2017

Cognate Debate

On motion by **Hon Stephen Dawson (Minister for Environment)**, resolved —

That leave be granted for the Appropriation (Recurrent 2017–18) Bill 2017 and the Appropriation (Capital 2017–18) Bill 2017 to be dealt with cognately.

Second Reading — Cognate Debate

Resumed from 11 October and 31 October respectively.

HON Dr STEVE THOMAS (South West) [11.37 am]: Thank you, Mr Deputy President, for the opportunity to sum up the conversation around the appropriation bills and the first budget of the new government. We should bear in mind that we are only six or seven months away from the government's second budget. Those who are aware of the budget process will probably know that the first negotiations and discussions about the 2018–19 budget are already underway. Departments will have already been approached for their wish lists and policy directions. Governments have very little rest in the budgetary process in the first 12 months or so following an election. We do not have an enormous amount of sympathy. We understand that a lot of work goes on within that process.

I am pleased that we could debate both the recurrent and capital works budgets concurrently. Capital expenditure in the budget process is not treated in the same way in every jurisdiction as it is in Western Australia. It does have an impact on the final budget bottom line. In a federal sense, capital works are included in a single appropriation and within a larger budget.

That gives us a fairly specific and more realistic view of the budget bottom line. A small business person who presents a budget for taxation or other purposes does not present a capital works budget and a recurrent expenditure budget. Their capital works, and their loans, drawings and interest paid, are all part of their overall budget. They have to budget for loan payments and for capital works. It is all part of the same budget.

The budgets of Western Australian governments have traditionally been presented in a way that is different from the practice followed in many other states. The capital works budget is presented as a separate budget item. Not everyone is good at combining the capital works budget and the recurrent expenditure budget to work out the real bottom line for the state of Western Australia. The budget balance in a particular year, or what we call the general government operating statement, may come in at a plus or minus figure. When we include capital works, we generally shift everything to a much more significant minus figure, which means we are deeper in the red.

I am not saying that this government is doing things differently from any previous government. However, I recommend to members that when they browse the budget papers—as some of us do quite intently—they look at the cash statement. People wonder why in the budget process we have a set of accrual accounts for the general government operating statement, a capital statement that basically shows the assets and liabilities, and a cash statement. The cash statement is particularly important because it indicates where the money is flowing. The way in which the budget deals with capital works hides the true picture. The actual surplus or deficit looks different depending on which part of the budget we look at. I suggest it would be good if in the future the Public Accounts Committee or the Standing Committee on Estimates and Financial Operations could look at the way in which we report our overall expenditure to see how we might be able to get a more realistic view of where the money is coming and going.

While I am on that topic, I take this opportunity to reflect on a conversation between the Minister for Environment and me during budget estimates about the government's debt reduction plan and repayment process. I know we put the minister on the ropes a bit, or in a corner, but the minister handled himself magnificently in avoiding giving an answer. I believe that in *Yes Minister* terms, we would phrase it as the minister obfuscated brilliantly. The minister was very good. The debt reduction policy of the government is that in the first year, it will put in \$160 million or so, from a one-off windfall in duties, and in the following years it has budgeted for a \$35 million or \$36 million contribution from the government's insurance arm. At this point, that is the extent of the government's debt reduction strategy. My question to the minister in budget estimates was: at the rate of repayment

under the debt reduction strategy as listed in the budget, how long will it take the government to pay off the current debt? We know that the government intends to pay off the debt like a mortgage. How will that \$35 million or \$36 million contribution to the debt reduction strategy compare with the interest the government is paying on its borrowings, which I understand is in the region of \$1 billion a year? I would have thought it would decrease interest payments by only a small percentage. My question to the minister was: on the basis of the payments into the debt recovery account, how long will it take to pay off the \$33 billion, heading towards \$43 billion, of government debt over the forward estimates? The answer from the minister was excellent. He advised that it would take beyond the forward estimates to repay that debt. I think we are looking at fairly well beyond the forward estimates at the current rate of repayment. The government's debt reduction strategy is a little iffy at this point. Obviously, in about seven months the government will have an opportunity to correct that with a new budget. We hope we will see more detail at that time on the government's debt reduction strategy and that it will be able to boost the \$35 million or so that will come off our debt. I have done a bit of a calculation. If we assume zero interest on the debt held by Western Australia, mostly in government-issued bonds, and if that is paid off at the rate of \$35 million or \$36 million a year, it will take in the region of 400 years to pay off that debt. That is a fair bit of time to pay off a debt. I would like to think we could accelerate that a bit more.

The government effectively has no debt reduction strategy as yet. The government has a couple of years to address that. It will have to look at whether it can use one of the various pillars of debt management. One of those pillars is asset sales. The government has indicated that the former government's proposal to sell Western Power is not on the table. I suspect that by the time a future government might relook at the potential sale of that asset, that asset will effectively be valueless. An opportunity to sell that asset at this point, no matter what the government thinks its value might be, might be better than the scrap metal price that we might get in years to come. There are other assets that the government might look at selling. I will be intrigued to see which assets the government identifies and how it will be able to maintain the value of those assets to the point at which it might realise their capital worth. One possibility is ports and port infrastructure. Hopefully, in the May 2018–19 budget there will be significantly more detail about the government's debt reduction strategy.

Another pillar of debt management is expenditure savings. The government has cut some things to make expenditure savings. One example is the volunteer fuel card. To be honest, so long as the government is up-front and genuine, preferably in advance, but certainly in the budget papers, that it is cutting expenditure here and there in order to make savings, that is the right of the will of government. Although we say in this house that we hold the government to account, in the end, in just over three years, the government will be held to account by the electorate for the decisions it makes. Our job in this house is to expose and make the public aware of where the government has made cuts. My biggest issue with the cut to the volunteer fuel card is not that the government did it but that the government hid it on the way through and was not up-front about the process. I refer to the comments of Hon Alannah MacTiernan at the time. I think she is aware that in the 2016–17 budget—the last budget of the former government—there is a line item with an amount of \$1.9 million for the volunteer fuel card for 2019–20. The minister and I will continue that argument. I understand the point made by the government that the volunteer fuel card is funded under a memorandum of understanding until 2018–19 and there is no extension to that memorandum of understanding into 2019–20 and onwards. That is despite the fact that this line item is in place in the budget. It is a moot point to argue that there is no additional memorandum of understanding. The current memorandum of understanding is still in place. A new memorandum of understanding is not renegotiated until the old one is close to expiry, so I think that argument is rather immaterial to the debate. The reality is that there was a budget line item. Unfortunately, the government had to defend the Minister for Emergency Services' comments in which he did everything he could to not admit a cut had been made. He then came out with some reasons and excuses that beggared belief, the first being that the volunteer fuel card was not taken up, when it was oversubscribed in its full financial year. That was absolutely astounding and indicated an inability to read the budget papers.

Another thing came out of the debate we had earlier today. I am not sure this point has been made; I certainly could not make it from my exalted position during the rest of the debate after I had spoken. As I said this morning, I accept that the government had every intention of funding the south west rescue helicopter going forward. I agree with Hon Alannah MacTiernan and I think we both said this morning that no matter who won government, funding would be found for the helicopter. The Minister for Environment would be aware that I asked a specific question on this in the budget estimates process and was advised to look for some funding in the 2018–19 budget in May. I accept that the Minister for Regional Development has suggested that the south west regional rescue helicopter was part of the budget process but was not in a line item in the budget. It came as additional information and was always included in the extension program of the royalties for regions budget. I am prepared to take the minister's word on that one—absolutely. However, that raises an interesting question, which I do not think we got to in the debate this morning. If funding for the south west rescue helicopter had been set aside in the royalties for regions budget the whole time, why did the member for Bunbury spend a couple of weeks telling the media that he would be spruiking for its inclusion in the budget? If the money was already in place, why did the newly minted member for Bunbury have to advocate for it? He told people throughout the region that he would fight strongly for the

delivery of the service. As I said, I agree with Hon Alannah MacTiernan; I think it was always going to be funded. But two members of the government stood today and said that the funding was already in the budget; it was just in the supplementary part that we could not read in the budget papers. I am absolutely happy to accept that, except that it makes an entire mockery of the member for Bunbury jumping up and advocating for it. I think the government probably missed the timing a bit. I think it probably should have got a bit more media for a couple more months and then magically announced the success story in March or April next year in the lead-up to the next budget to give it a bit of a springboard for the defence of the seat of Bunbury. The member needs to look at his advice on that, because I think it was probably a misstep. I probably would have advised him to do it a bit differently. The government has acknowledged that the project was already funded. It was merely then a case of announcing it at the most appropriate moment. I know that governments of all persuasions do this.

Hon Darren West: There was quite a lot of detailed negotiation and planning to do before we could announce the money. There was no plan going forward by the previous government for the south west rescue helicopter and it did take quite a lot of work to get to the position we got to.

Hon Dr STEVE THOMAS: Hon Darren West, I absolutely accept that the negotiation process was still in train and that there was work to do, but the government's defence today was that the money was always there. The government did not say initially that the money was always there and that the fine points just needed to be worked out. In fact, the government has put in a little bit more money than was there previously on an annual basis, which is a good announcement. The money was always there. Well done, government! That is fine. We appreciate that. We think that is very good, but why was the campaign by the local member necessary? Why did the government not just make an announcement some weeks ago, around the time of the budget process, that the money had always been there but that the fine print was being negotiated? The government was then caught on the hop a bit. I always assumed that the money would be provided. I put out no media statements; I did no media on the impending closure of the service or anything. I always assumed it would have to be funded. Perhaps the rhetoric that occurred around this process resulted in the government moving a bit sooner rather than later, and maybe that is why the new member for Bunbury was part of that announcement, although I do get that the opportunity to do media when cabinet is in town means that the government is also looking for things to announce. There might be a double political meaning to this process. That happens in governments of any ilk, but I am not sure it leaves the community with the sense that we are sage and educated financial managers when we politicise processes such as this. The outcome was good, but the process was a little questionable. The outcome, although good, was, in my view, inevitable. That was a reasonable outcome.

I will also mention the overall budget process. We have discussed that not having capital works in the budget process and presenting the budget as two bills leaves us a little unaware of the state's real financial position. I would also like to discuss the overall budget picture and how we make savings. I accept much of what the minister said. I thought his response to the debate on the tabled budget papers was good. I have said the same thing; every member of the Legislative Council is interested in reducing expenditure and making sure that we make the best use of government expenditure but then, as the minister noted, most members tend to stand up and also advocate for additional expenditure for issues they are passionate about. Although that is very common and might be considered normal, in that process we lose track of the state's overall budgetary situation. As I have said a couple of times in this place, I am interested in trying to stimulate what I call literate economic debate. I urge all members to look at how we might manage that process, because I am concerned that the standard of economic debate, not so much in this chamber, but across the state of Western Australia, has declined dramatically to the point at which we are now talking about alternative political parties forming on single issues based on a tiny subset of economics. I find that immensely disturbing. Surely in governance and in Parliament, a broad approach to and a broad view of economic management is absolutely essential. We are bogged down, as the minister rightly said, when we talk about economic management for the first part of our speeches and then start to call for additional expenditure on our points of interest in the second half. There is a disjoint between our economic management and how we deliver what we are delivering. I am quite concerned that the standard of economic debate across the state has declined remarkably in the time I have been following economic debates. It is not just a disease of Western Australia, necessarily; the economic debates around the commonwealth budget are not necessarily any more enlightening. The commonwealth budget also has a significant deficit and debt problem, and although the commonwealth government merges capital and recurrent expenditure, it also struggles with how it manages its budget.

I think that has shifted significantly. Historically, the Australian government has gone significantly into debt in the wake of major historical events. When I say "major events", I mean things like World War II —

Hon Darren West: They still have a AAA credit rating, member. We don't.

Hon Dr STEVE THOMAS: Yes, that is right, yet the debt levels per capita are not dissimilar. The net debt level in Western Australia is around \$33 billion, heading towards \$43 billion; the commonwealth net debt is getting close to \$400 billion and gross debt is now more than half a trillion. On a per capita basis, it is not dissimilar. Governments across the board have a significant issue with how they manage that.

I am going to refer to what I think are some of the shortfalls of major economic processes. I have mentioned in this place before that I am no fan of Keynesian economics. I know members usually roll their eyes when this level of debate comes up! Keynesian economics generally suggests that in difficult times, government picks up the slack through major investment, going heavily into debt on the basis that it will pay it off when times become good. Keynes himself was a fairly conservative economist; I suspect he might even have been in the Liberal sphere of the political spectrum, but he made a fairly fatal mistake, in my view. He made the mistake of assuming that human nature would ensure that debt would be paid off in the good times. Certainly, we have seen a classic example at the commonwealth government level of that not happening, and therefore a classic example of the failure of Keynesian economics.

It is a little like the classic failure of communism. The theory of communism is quite sound; everybody works very hard and everybody gets the benefits of that. It is a perfectly reasonable theory. The problem arises when we attach human nature to it. What happens is that not everybody works hard and some people get more than others. Human nature seems to be a fairly selfish exercise, and the same applies to Keynesian economics. Under that theory, when things are tough, everybody says that the government has to spend to make sure that the economy is stimulated. There is no better example of that than what the 2008 Kevin Rudd commonwealth government called the stimulus packages. Members might be aware that I spent some years working in the federal sphere, and I have never quite understood why even right-wing conservative Liberals agreed that the stimulus packages were necessary and, up to a point, a good thing. We are talking about a total of a couple of hundred billion dollars, probably 98 per cent of which was, in my view, completely wasted. The great claim of the Rudd government at that time was that it saved 80 000 jobs by effectively spending money on projects to stimulate wage payment.

Hon Darren West: We avoided a recession.

Hon Dr STEVE THOMAS: That is a good point, Hon Darren West, and I am going to come back to it in a minute. I am happy to take that interjection, but just hold it for a second, because I am going to get there.

The argument is that 80 000 jobs were saved on the basis of government spending. My argument is that the government extended those 80 000 jobs only temporarily and that we did not go into recession because of the underpinning industries of Australia, which at that point still included the mining construction boom in Western Australia, not because of the Rudd government's stimulus spending. Members might note that I have actually charted this in this chamber. There was not a significant drop in revenue to the Western Australian government, for example; it flattened out for 12 months and then continued to rise. Over time, I will have a bit more to say about government coffers. There was stagnation in Australia and a drop in some areas of the economy, but in my view Rudd's expenditure basically maintained jobs, but many of them were not maintained in the long term. Many of those things were simply a short-term sugar hit for which the state —

Hon Adele Farina interjected.

Hon Dr STEVE THOMAS: Well —

Hon Alannah MacTiernan: It's the "animal spirits", as Keynes would say.

Hon Dr STEVE THOMAS: I accept that that is the argument, and it was certainly Rudd's argument at the time.

Hon Adele Farina: It's more than just an argument.

Hon Dr STEVE THOMAS: I do not accept that the link exists. Sorry; Hon Adele Farina is right —

Hon Adele Farina: I interjected; I should be apologising!

Hon Dr STEVE THOMAS: I do not accept a link to the level that the Rudd government did. If it is argued that we saved 80 000, what is government's role? Is it to remove and interfere with the marketplace at that level?

Hon Alannah MacTiernan: The marketplace had completely failed. It was uncharted waters.

Hon Dr STEVE THOMAS: I disagree with that.

Hon Alannah MacTiernan: Look at what happened to the American economy. People were sitting there, watching this massive collapse and saying, "Well, what can we do?" It was a risk, but we had to take that risk.

Hon Dr STEVE THOMAS: The member raises a valid point, but the issue is that at the end of that process America did several things. In particular, it seemed to be fixated on quantitative easing, so it printed trillions of additional dollars to inject into the marketplace. Australia did a small amount of that and I think ultimately Australia took a better position on that. At the end of that process, even though they did not have the same response, the American economy recovered, as the Australian economy has largely recovered, and continues —

Hon Alannah MacTiernan: No, they went into over 10 per cent unemployment. That didn't happen here.

Hon Dr STEVE THOMAS: No, it did not, but the argument —

Hon Alannah MacTiernan: There were massive foreclosures on mortgages.

Hon Dr STEVE THOMAS: Yes, but I disagree that —

The ACTING PRESIDENT (Hon Robin Chapple): Members, I am enjoying the conversation, actually, but I do not think it is quite appropriate at the moment, so if the member could continue to address the Chair, that would be great.

Hon Dr STEVE THOMAS: Sorry, Mr Acting President; we will come back to that.

My argument is that we do not address debt reduction strategies particularly well. Hopefully at some stage we will have a more fulsome debate about expenditure during difficult times, but the point I was getting to as part of an interesting debate was that as we move into better times, those repayments do not tend to be made. Governments during better times are also under enormous political pressure these days to provide various incentives for re-election. I do not necessarily blame governments for that, but —

Hon Alannah MacTiernan: We left a debt of \$3 billion. After seven and a half years, we left a debt of \$3 billion, not \$43 billion.

Hon Dr STEVE THOMAS: Okay, but I have to speak through the Chair now, so we will come back to that later.

The issue is that we are not very good at coming back and paying off that debt, and the pressure is very, very tough. This is where Keynesian economics falls over. We have not been able to repay debt for probably some decades now. One of the issues that we face in that regard is the way we now approach elections. There has been—let us go out on a limb—a dumbing-down of debate in the election process. For generations, people would vote along ideological lines for the benefit of the country and for a number of other reasons, and I think that has shifted, particularly in the 1990s, so it has been with us now for 20 years. Far more people now simply vote on what election promises are made in their particular patch, and I think that is —

Hon Alannah MacTiernan: Or a general assessment of the quality of the government.

Hon Dr STEVE THOMAS: There is some of that.

Hon Alannah MacTiernan: I just point out that we did actually have surpluses when we were in government. We did actually have surplus budgets, so that thesis that governments won't pay off debt —

Hon Dr STEVE THOMAS: I accept that.

The ACTING PRESIDENT: Members, thank you for the explanation. The honourable member has the call and he will address the Chair.

Hon Dr STEVE THOMAS: Thank you, Mr Acting President. I will talk a little about that history before we move on. What we call the mining construction boom commenced around 2001. There were some glimmers prior to that, particularly in the north west when activity started to move along, but in reality the explosion, particularly in iron ore exports to Asia, all started at about that time in a significant way. At that point, gas also was going through a fairly major expansion. That had a significant impact on revenues to the then government. I was in the other place between 2005 and 2008 and I had the joy of spending some time as the shadow Treasurer to then Treasurer Hon Eric Ripper. In my view, Eric Ripper was quite a reasonable Treasurer. Like most Treasurers, he hated spending money. I think that is actually a good trait in a Treasurer. All Treasurers should hate spending money; that is highly appropriate. Remembering that the Gallop government came into power in 2001, Eric Ripper was the Treasurer who experienced what I have called in this place—I think in my first speech back to this Parliament—the first part of the biggest boom in the history of Australia. Having spent time as a shadow Treasurer in the Court government, he knew the financial limitations the state faced at that point and he was quite parsimonious. That is quite a positive thing. He discovered quite quickly that with rising revenues, he had more money than he knew what to do with. That is a pretty good place to be as a Treasurer. He invested in some reasonable investments, so I give that government its due. My memory is that it put \$1 billion into Fiona Stanley Hospital and made a more than \$1 billion cash payment one year to the Perth–Mandurah railway. I do not remember the number off the top of my head; it was \$1.2 billion or something like that.

Hon Alannah MacTiernan: That is about right.

Hon Dr STEVE THOMAS: That government was in power at the beginning of the boom. As we see in the charts, expenditure went along at a fairly standard level and revenues boomed, so the government, under Treasurer Eric Ripper, having taken that excess off, invested in some reasonable projects. That was quite reasonable. The catch-up and balancing out occurred after that process, but that is why in my view, and as has been discussed, the 2001 to 2008 government was able to leave a very stable set of financial figures. It experienced the first part of the boom, expenditure had not increased to a point at which it would impact, as it did later in the process, and it also had a parsimonious Treasurer who was not very happy handing out money, which is always recommended. When the comment is made that \$3 billion of debt was left by that government, I accept that. It had the benefit of the beginning of significantly good economic times. Those circumstances have since changed. That is the reality of that particular bit of economic history.

Now we get to where we are now. The joy of winning government is that a party then has to take over and manage these things itself. We will be interested to see, hopefully in the May budget, a real and measurable debt-reduction strategy by the government going forward. That is going to be incredibly important. Although the state's credit ratings were stable in the last month, without some form of debt-reduction strategy going forward we cannot necessarily rely on that into the future.

I digressed a little, Mr Acting President; I apologise for that. I will jump back to where I was finally getting to with Keynesian economics and the electoral cycle. The problem we have now is that we do not repay debt in the good times as per the original theory, because governments spend too much time having to buy their way into the future. That is not an assertion based on any particular party or the reality of politics at the moment. It is very tough to be a far-right conservative politician in any Parliament or government at the moment. I think that even Eric Ripper would struggle now, with all members requiring election commitments to make sure that they get elected. I will give this example, without going into too much detail. In my patch in the south west, the election commitments by the Labor Party in the seats of Collie–Preston, Bunbury and Albany—which it won—amounted to well over \$300 million.

Hon Darren West: It is now known as the socialist republic of the south west.

Hon Dr STEVE THOMAS: There is always a last bastion! The government made \$300-odd million worth of election commitments in that region. Some of those election commitments are quite reasonable and some, as I have said before, will never be delivered. That is where we have got to in this part of the economic debate, where we unfortunately lack the economic literacy to be able to move forward. We are now making massive election commitments to win seats; even when both sides of politics understood going into the last election that the budget process was incredibly tight. An amount of \$330-ish million over three seats is a massive contribution. Something will have to give. If we are to get to a point of actually making debt-reduction payments, this process of the massive purchasing of political will has to stop. It is very hard, and I understand that. Candidates and members are approached by constituents and media outlets, who ask, “Where is your list of election promises?” These days we seem to be judged on what is effectively a list of election promises—if my list is bigger than your list, maybe I will win. That process of electioneering is immensely problematic. It is probably only possible in the short term, until such time as debt starts to spiral completely out of control. This is the problem with this model. Although we are in a situation in which massive commitments are required for electoral largesse to attain government, the capacity of any government to get into significant debt reduction is incredibly limited. I am not certain how we change that, because it is very hard to go to the community and say that it should be happy with fewer election commitments because that is what is best for the state. I am not convinced that there has been generational change. Heaven forbid we blame the baby boomers for anything else, but maybe we will blame the baby boomers for this as well. I am sure Hon Aaron Stonehouse is happy to blame the baby boomers. No?

Hon Aaron Stonehouse: Yes.

Hon Dr STEVE THOMAS: It is not the honourable member's generation. Perhaps this is part of the society that we now inherit. That is incredibly concerning. It will impact on the government's ability to make repayments in the future.

Hopefully we will get into longer economic debate about some of the other issues raised through interjections. That would be a fantastic outcome for the Legislative Council. If the Legislative Council were truly the last bastion of literate economic debate in Western Australia, that would not be a bad outcome for us. That is something we can aspire to. I look forward to the May budget, on which we can perhaps advance the debate a little further. It is my intention to continue the agenda of literate economic debate for as long as possible. I am of the hope that we will hold the government to account in a way that has economic legitimacy.

In my speech about the estimates committee process, I went through a large number of individual issues and I do not propose to run through them again. I have mentioned the ones that I think are more about the budget process. I look forward with interest to some of the answers that the government committed to provide during the estimates committee hearings. It is another useful process but I will comment on how we can improve it to make it an even better process. It should be used to hold the government to account. The other chamber does that to some degree. If members want to see where that is done in a particularly good way, I suggest that the Senate estimates is a good example. They do not always do things well federally, but if members watch the Senate estimates process, they will see the democratic system in full flight. If our budget estimates process worked a little bit along those lines, it would give this chamber and Parliament a bit of a boost in the way it watches over the expenditure of the state.

I do not want to drag out the debate. There is an issue in this budget in its lack of debt repayment and forward estimates measurement. In many cases it was very hard to get answers from the government about the specifics of certain expenditure. I know that is quite common, but when a member asked during budget estimates what a \$20 million fund was going to be spent on, the answer was, “We don't know yet”, which happened during my contribution to the budget debate and elsewhere. In a period when there are budget problems, having bits of the budget put aside with a good name on them without knowing exactly what they will be spent on makes us wonder whether budget repair is the ultimate goal. I think we can be much clearer and make sure that there is better accountability going forward.

I thank all members for their contributions. I tried to listen to most, if not all, of them. I leave the Minister for Environment with the thought—I am sure he will be very pleased to know this—that I am far from finished in analysing the 2017–18 budget.

Hon Stephen Dawson: I know!

Hon Dr STEVE THOMAS: There is much, much more to come in this debate in whatever form we do it. I am sure that the minister will be pleased that we will get a lot further yet before we start on the next budget in seven months' time.

HON DIANE EVERS (South West) [12.22 pm]: First off, I will respond to my colleague Hon Steve Thomas, who made a lot of good suggestions and points about collaboration, which I will go into further. I think it is really important that we talk through these things. As I see it, the big situation we are in now is perpetuated by both sides. As members have discussed, every time an election comes around, the political parties just make promises. It is like Christmas—what can we hand out? One of the first papers I received upon getting this position showed me the \$5 billion worth of election promises made by both sides. Come on, guys; that is not what we are here for. There is much more to it than just handing out Christmas gifts. I do not know the way past that because, unfortunately, our system of government puts us in a situation in which when each election comes around, people believe the promises that are made, and then the party that is elected feels obligated, and is pushed by whichever side is not in government, to fulfil those promises. There we go; the government is stuck with it. It has to come up with \$5 billion in addition to what was there before. I also point out that these lofty heights that we are at with debt figures at both a state and federal level were for a large part brought in under Liberal governments. When people talk to me about economic management, I just shake my head and cringe because I just do not see it happening. Maybe it did 30, 40 or 50 years ago, but it does not happen now, guys. We really have to look at it from a different perspective. As my honourable colleague Hon Dr Steve Thomas said, we need to look at what we are not going to spend and where we can hold back. As I said in another speech, when we do spend, we should look at it as an investment, because we are investing in our state, and we need to invest in the things that will reduce ongoing costs. We should invest in things such as the prevention of disease and illnesses. We should look at why people end up in hospital and figure out what we can do. We should put money into education so that we have a more educated population that is more likely and able to contribute to society. That is what we should look at. We need to put money into assets that will continue to give us a return in the future—things such as renewable energy. Once we build things that provide renewable energy, they keep on producing energy. If we put money into public transport, we will not have to spend so much money on an ongoing basis on road construction and maintenance. In doing those things, we will end up with a healthier community. There are ways the government can do this with the limited funds it has.

The budget is not just about money. It is about governing Western Australia and the people of Western Australia so that we are all healthy, educated and able to look after ourselves and others so that our environment is looked after. It is not just about money. We have to look at how we are treating people. That brings me to my comments on the recurrent budget. We need budgets that work with the community. We have to get people together and stop the idea that it is us, the government, and them, the people. We are all part of the same thing. We are a part of the people of the state and in being represented by us, those people are the government as well. We need to collaborate, and I do not just mean collaborating out there; we have to start from within. We need collaboration within and between our departments, and we need collaboration between the government and the community. I am sure that all of us have heard of cases of one area of a department not talking to another area and not sharing their information because they want to keep the kudos for themselves. That will come from above; it will come from leadership, and we are in that position of leadership. When I look at career politicians and career bureaucrats, sometimes I wonder whether they are still a part of the community. If people go into this thinking that they are going to be a politician and that is their goal, does that really lead to the best decisions?

Many members have probably heard of Maslow's hierarchy of needs—the physiological ones are first; people need to breathe, eat and sleep. The next one is safety. We are all safe. I would like all the people in Western Australia to feel safe and secure in their homes, in their jobs and in their day-to-day living. Then we get to the feeling of belonging and being a part of something. Again, I think we were all a part of our communities when we got into this, when we first put our hands up to be elected. I have been here for a short time. The next level on that hierarchy is esteem. I imagine everybody in here feels quite strong in themselves. After being elected, we feel confident and we have self-esteem because things are going well and people are listening to us. It is a good feeling and, again, I would like us to be able to share that with everybody else in the community. The next step is self-actualisation and that is where we sometimes fail. I do not think we are here to self-actualise to find out what is the best we can be and the best we can do. We get to that point and we think, "I'm up here; I've got esteem. I can go for either the money and the power or self-actualisation", and often self-actualisation does not get a look in because money and power have such a strong pull. I am sure that just about every human would try to go for that. I would like to think that we are bit better than that. I would like to think that the people who elected us did so because they trusted us to represent the community and to do the right thing by putting our brains together to

come up with solutions. But to put our brains together we have got to stop the bickering and we have got to stop the “he said, she said”. We have got to start looking at the issues, collaborating and trying to find the best solution. Unfortunately, I recognise that it does not bode well for the next election, because, of course, to get re-elected parties have to prove that they are better than the other side. I will leave that to others to work out. All I want to see is more collaboration while we are in this place. It gets back to role models for the rest of the departments. When they see how badly we act and how badly we treat each other from time to time, is it any wonder, when they are working with each other or when governments are working with directors general, that that sort of bickering continues?

I have to applaud the government on its bill to cap salaries and allowances. It is a great start to be able to say, “Enough is enough; we have said you can only have such an increase and we’re going to go for that as well.” I would like to see that flow into the community. Not only do we think that politicians and directors general earn enough, but what if every shareholder went to their board of directors or superannuation companies and said they thought income disparity had become too great and they would like to see a cap or a freeze on salaries of all board members, CEOs and executive members of the corporations that people own shares in? We are seeing their salaries go higher and higher compared with the average salary, and it is not doing anybody any good. Sure, those people have more money and power, but does it really make them better people? Does it make them more able to do anything? Maybe not. That is just one example. We could lead by example by collaborating in this place to some extent and then ask the government to collaborate with its directors general, rather than it being about “he said, she said” and finding who the fall guy will be when something goes wrong—actually start collaborating.

We need to respect, appreciate and recognise what our public servants do. They are doing their jobs. They are trying to do the best thing. They are trying to keep their jobs and they are trying to deliver. The machinery-of-government changes in this budget are bringing in significant cuts to a lot of these departments, yet there is no talk about cutting services at all. How is that going to happen? How can eight people doing a job that 10 people used to do be expected to do it just as well or better than before? It is going to be hard. Things are going to change. The government has only been in for six months. It has come up with this budget. We do not know where it is going to go. We do not even know what the final financial changes will be due to these machinery-of-government changes, but we will find out before the next election. We will probably find out by the next budget or a year after that, and we will be able to see whether it worked and whether we are still getting those services. I am sure there are activities within departments that maybe do not need to be done. I do not know what they are; I am not in there. Luckily we have a great Auditor General. I think he does a remarkable job looking after those departments and where services can be improved. We have to make sure that the people in those departments feel positive about what they are doing, that they are appreciated and that they are working well. Then, we need the departments to work with each other—to share services when they can and share information when it makes sense to do so and privacy is not an issue. They need to share resources and ideas. As I asked about in question time earlier this week, the more collaboration we can get and the more opportunities there are for collaboration, the more likely it is we will come up with solutions. These solutions will not necessarily cost more money. They may just work. They may make us more efficient and make things work better. Again, it comes back to us showing respect, appreciation and recognition, so directors general can pass that down to their staff and so forth and we are all working towards the same end of making Western Australia a better place for all of us.

The next step is community engagement. The community has put us in this position. It trusts us to make the right decisions and deliver services. Sometimes the community lets us know when we are not doing that correctly or when it would like to improve things itself. There are a lot of people in the community who would be delighted to be listened to. I do not just mean bringing them into a room, having somebody talk to them, listening to them and then walking away, writing up a report and forgetting the whole thing happened. That is not how it works. In Geraldton, there was a deliberative participatory budget process in which, I think, 100 people were randomly selected from the community in order to represent different demographics. The people got to look through the budget and make decisions. They were able to say there were things they wanted and things they did not want or need. It worked. I am looking forward, in this term of government, to having some more of these deliberative democracy opportunities so we can go forward and bring in community members, present them with the facts and ask them what they are looking for. I am asking that we listen when we bring in the community and to engage with it. We need to listen and try to improve what we are doing. As I said, I believe there are some opportunities for that in this budget.

When I talk about helping everyone in Western Australia, I concede that I am in a really ideal situation. I have a secure job for at least the next three and a half years—all of us do. There are many people in that situation, but there are also many others who are not. I feel for them. It would be nice for all of us to double our wealth, but I do not think it would help. It would be nice if each individual could think that having more money would make them happier, that it would make them feel like they could do more—to feel they could do things with it such as donating or investing—but those sorts of people do not need our help. The people who need our help are those who are disadvantaged. They may have been born into disadvantaged situations or something else may have happened to them along the way. That is why I would really like to see an effort made to address homelessness or to help the

young, the unemployed, victims of abuse or people who are drug dependent. Those are the people who could most use our help. That is something we have to be able to deliver. It is not necessarily going to take more money to do that. It is going to take more thought, more empathy and more collaboration. Many things could be done, but that is where our hearts should be. Without those people coming along, our society as a whole will never come along.

I turn to the capital budget. In many ways, I feel this is the capital expenditure budget we had to have. Most of the capital, the \$1.5 billion we are spending this year, was pre-existing and we are just continuing with the work in progress on those capital projects. There is maybe 10 per cent of new works. When I flicked through this document showing the amounts allocated to different areas, it was interesting that of the \$587 million being spent on capital projects in health, there is only \$24 million worth of new works—four per cent of new stuff. That may be because the previous government put a lot into health and a lot of projects are ongoing and will be continued and finished.

I turn to education. There is \$452 million allocated and \$67 million of that is for new works; so 15 per cent of capital expenditure in education is for new works. I turn to local government, sport and cultural industries. There is an allocation for \$196 million of total capital spend and \$12 million of that is for new works. Of the \$12 million, \$10 million is in support of our libraries. I know from the people I have spoken to that they are really appreciative of that. I do not know about the metropolitan area, but there are definitely people in the regional areas who still love their libraries. I suggest to everyone in this room that if they have not been to a library recently, they should go into one, have a look around, see who is there and see the communication that is happening. The library is a good place to be. It is a really nice community place. The library is a fallback for a lot of people. It is somewhere for people to go when maybe they cannot afford to go shopping or they have done all the shopping they can but do not want to sit at home. Members should head out to their libraries and have a look. They are good places.

I have often heard police and justice issues discussed in this chamber. It is interesting that out of the \$68 million allocated for the construction of new assets under the police portfolio, \$17 million, or 25 per cent, of that is new. Although the average is around 10 per cent of new capital projects, in policing it is 25 per cent, and in justice it is 28 per cent. This government is focusing on spending money on new projects, where things were lacking and new projects needed to be developed. That needs to be recognised because we often say that the government is not doing the right things. Capital works is one area that is increasing.

The last two areas that I will look at are my favourites—public transport and Main Roads WA. Public transport has \$877 million in total—\$77 million, or nine per cent, is for new works. Main Roads has nearly \$1.5 billion in total—\$200 million, or about 13.5 per cent, is for new works. The interesting thing that I came across when I was looking through the budget last night to get these figures together is that Main Roads does not even show up in the Appropriation (Capital 2017–18) Bill because Main Roads is funded through the Road Traffic Act 1974, and all funds raised from vehicle licensing go to the Main Roads trust fund. This comes back to the point I made the other day about public transport and Main Roads. Public transport is a government trading enterprise because it can raise funds, but only 20 per cent—I think it is \$197 million of about \$1 billion in operating costs—of its revenue is raised by that. Main Roads also has operating costs of about \$1 billion and raises nearly \$1 billion from vehicle licensing. Because it goes through the Road Traffic Act and then into the Main Roads trust fund, it does not have to be called a government trading enterprise because it is not really raising the money; it is just getting the money. To me, that seems like the same thing. Hopefully, it is just one more nail in the coffin of the two of those being treated differently.

Hon Simon O'Brien: That funding mechanism is obviously an attempt to force it, a form of user pays.

Hon DIANE EVERS: I suppose it is. They should be treated the same way within the accounting system. In fact, considering that figure, it would almost appear that Main Roads should be the government trading enterprise and get the subsidy, and the Public Transport Authority should get the appropriation.

This budget makes a start. Given the election promises, we are getting there. Something is changing but we are only six months in. We will get another budget in another six or seven months. We know that the machinery-of-government changes are coming through. We know that they will have a significant impact on some of the departments when they start losing staff and the remaining staff try to do the same work that was done in the past. We need to support them to do that because I am sure we would all like to have a very efficiently run government and departments. I would like to suggest that we improve how we treat each other so that this would then be replicated when the government is working with the directors general, and the directors general also spread that down to their staff. There is a lot to it.

We need to recognise that the impact of these redundancies and the other budget reductions will cause a lot of stress in those areas. It will increase the workload. We know that some services may drop off but let us make sure that the services that do are not the ones we really need and the ones that make our community stronger.

One other point I would like to make is that it would be nice if the next budget had a clearer view of the consolidated account. It was very big on expenses but the revenue side of it was a bit sketchy, and we had to look through a number of different areas in the budget. It would be good to improve the figures for the consolidated account to make what we are doing clearer.

Finally, we have to try to do more with less; we have to rein it in, as Hon Dr Steve Thomas said. We would like to see a bit of debt reduction or at least no increase in it. We have set ourselves up to increase it over the next few years but I really hope that we can rein it in. Maybe we can put a cap on election promises by the next election. What do members think? We should discuss this so that we are not spending the next four years paying for the promises that were made purely just to get back in and get elected. Thank you. We will see how it goes.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [12.45 pm] — in reply: I appreciate the contributions from members to this debate this afternoon. I thank Hon Dr Steve Thomas, the lead speaker on behalf of the opposition, for his contribution. He spoke about the debt-reduction strategy and he had some ideas for the future. I am sure that the government will take those on board. He also mentioned the previous government's plan to sell Western Power and the fact that it is off the table. The member is right; it is off the table and remains so.

Hon Dr Steve Thomas spoke about the south west rescue helicopter. The member for Bunbury, Don Punch, MLA, has worked hard to ensure that those issues were addressed by government. Any funding questions that remained were dealt with quickly to give the south west some comfort that this vital service will continue to be funded going forward. Having been to his electorate over the past few days and spoken to people there, I know how valued this service is. I am pleased that there is no confusion over the future of the service. I also appreciate the comments of Hon Dr Steve Thomas about literate economic debate and the need for that moving forward. I know that he will have a lot more to say in that space on another piece of legislation.

I thank Hon Diane Evers for her contribution. She was vouching for us all to work collaboratively for a better future. She raised issues about intervening early and spending early to ensure that we are saving money down the track. Early intervention across government is vital and can save us money in the long term. I thank her for her contribution and her ideas. With that, I thank members for their contributions. I commend the bills to the house.

Questions put and passed.

Bills read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bills read a third time, on motions by **Hon Stephen Dawson (Minister for Environment)**, and passed.

TOWN OF CAMBRIDGE LOCAL GOVERNMENT AND PUBLIC PROPERTY LOCAL LAW 2016 — DISALLOWANCE

Motion

Pursuant to standing order 67(3), the following motion by Hon Robin Chapple was moved pro forma on 22 August —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the Town of Cambridge Local Government and Public Property Local Law 2016 published in the *Government Gazette* on 24 January 2017 and tabled in the Legislative Council on 17 May 2017 under the Local Government Act 1995, be and is hereby disallowed.

HON ROBIN CHAPPLE (Mining and Pastoral) [12.51 pm]: This disallowance motion has basically come from a recommendation of the Joint Standing Committee on Delegated Legislation in its second report, "Town of Cambridge Local Government and Public Property Local Law 2016". This instrument was made by the local government of the Town of Cambridge. This is not the first time the delegated legislation committee has been caught with this sort of instrument. I will not labour the point. This instrument offended against the committee's terms of reference, because the Town of Cambridge sought to apply the operation of the local law outside its district. This is a common practice by coastal local governments that are attempting to control activities on foreshores and beaches. The Town of Cambridge was required, under section 3.6(1) of the Local Government Act, to obtain the Governor's approval before it sought to apply that local law to places outside its district, and it failed to do so.

The report states —

Section 9 of the *City of Perth Restructuring Act 1993*, prescribes in Schedule 2, the boundaries for the Town as follows:

Onwards to the Low Water Mark of the Indian Ocean, and thence generally northerly along that water mark to the starting point.

The report goes on to state that —

This local law applies throughout the district of the Town of Cambridge and in the sea adjoining the district for a distance of 200m seawards from the low water mark at ordinary spring tides.

It states also —

The reason for not scrutinising the Local Law’s substantive content further was because the Town indicated in the *Statutory Procedures Checklist* accompanying the Explanatory Memoranda for the Local Law that section 3.6(1) of the Act was ‘Not applicable’.

...

Due to an administrative oversight, the Town did not obtain the Governor’s approval as required under section 3.6(1) of the Local Government Act 1995.

In order to overcome this oversight, the Town subsequently located and provided a copy of a May 2001 Governor’s approval that attached to the *Town of Cambridge Local Government and Public Property Local Law* gazetted on 22 March 2002 which was being repealed by the new Local Law. It was hoped that this Governor’s approval (replicated below) would authorise the Local Law.

The report states also —

The question before the Committee was whether the above approval could be a ‘blanket’ approval for the new Local Law or just for the particular type of law nominated in the approval.

The committee wrote to the Minister for Local Government about its preliminary view of section 3.6(1) of the Local Government Act. The committee also pointed out to the Town of Cambridge that although the Governor has not, to the best of the committee’s knowledge, revoked the approval, its link to the law gazetted on 22 March 2002 means that it serves no useful purpose. Hence the committee has recommended that the Town of Cambridge Local Government and Public Property Local Law 2016 be disallowed.

This is problematic. The committee is asking this house to disallow a local law that is invalid—that is, that does not exist. From my recollection, there have been three occasions in the past on which the committee has had to move to disallow a local law that would have had no legal status in any event.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [12.56 pm]: I indicate that the government will support this disallowance motion. We agree with the recommendation of the Joint Standing Committee on Delegated Legislation that the Town of Cambridge Local Government and Public Property Local Law 2016 be disallowed. If a local government proposes to make a law that will apply outside of its jurisdiction or district, it is required to first obtain the approval of the Governor. That is a critical part of the process. It is in the interests of good government to ensure that invalid local laws do not remain in force. I thank the committee for its work. I understand the Town of Cambridge has been proactive in addressing the concern raised by the committee and has sought the Governor’s approval to adopt a replacement local law that will apply outside the district. It is appropriate that the house disallow this local law, and we support the committee’s recommendation.

Question put and passed.

Sitting suspended from 12.58 to 2.00 pm

LEGAL PROFESSION (LAW LIBRARY FEES) RULES 2017 — DISALLOWANCE

Motion

Pursuant to standing order 67(3), the following motion by Hon Robin Chapple was moved pro forma on 22 August —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the Legal Profession (Law Library Fees) Rules 2017 published in the *Government Gazette* on 13 January 2017 and tabled in the Legislative Council on 17 May 2017 under the Legal Profession Act 2008, be and are hereby disallowed.

HON CHARLES SMITH (East Metropolitan) [2.02 pm]: I move —

To insert after “Delegated Legislation,” —

rules 6(1)(a) and (b), 6(2), 6(3), 6(4) and 6(5) of

By way of explanation, the effect of the proposed amendment is to convert the motion from one that disallows all of the Legal Profession (Law Library Fees) Rules 2017 to one that seeks to disallow only the specified rules.

HON ROBIN CHAPPLE (Mining and Pastoral) [2.02 pm]: I support the insertion of those words and hope that those words will be inserted, and then we can deal with the substantive matter before the house.

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [2.03 pm]: We were alerted, behind the Chair, of the proposed amendment to the disallowance motion. It reflects the opposition’s concerns with these proposed rules. We do not have a problem with the rules as such, but only elements of them. I indicate that the opposition supports the amendment.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [2.03 pm]: On behalf of the Attorney General, I indicate that we do not support this amendment. The advice given to me is that the fees set under rules 6(1)(a) and (b), 6(2), 6(3), 6(4) and 6(5) have been derived from estimates of staff time, depreciation, maintenance of equipment, paper costs, cartridges and IT and telecommunications costs, which is consistent with the approach used to calculate the other fees on a cost-recovery basis, as evidenced by the explanatory notes.

As the fees under the aforementioned rules have not been charged, no income has been derived or costs incurred. Therefore, it is not possible to unequivocally determine whether the fees will be over cost recovery. If these fees are disallowed, the impact will be an increased cost to the Department of Justice and may also result in some services having to be withdrawn. If the over-recovery of the fees is the reason for the Joint Standing Committee on Delegated Legislation recommending disallowance, the department wants to reiterate that there has been no over-recovery of fees yet.

As the costs have now been recalculated and corrected and further explanatory notes have been tabled, we do not accept this amendment moved by Hon Charles Smith.

Division

Amendment put and a division taken with the following result —

Ayes (19)

Hon Martin Aldridge	Hon Colin de Grussa	Hon Michael Mischin	Hon Aaron Stonehouse
Hon Jacqui Boydell	Hon Diane Evers	Hon Simon O'Brien	Hon Colin Tincknell
Hon Robin Chapple	Hon Donna Faragher	Hon Robin Scott	Hon Alison Xamon
Hon Tim Clifford	Hon Nick Goiran	Hon Tjorn Sibma	Hon Ken Baston (<i>Teller</i>)
Hon Peter Collier	Hon Rick Mazza	Hon Charles Smith	

Noes (10)

Hon Alanna Clohesy	Hon Laurie Graham	Hon Samantha Rowe	Hon Martin Pritchard (<i>Teller</i>)
Hon Stephen Dawson	Hon Alannah MacTiernan	Hon Matthew Swinbourn	
Hon Adele Farina	Hon Kyle McGinn	Hon Darren West	

Pairs

Hon Jim Chown	Hon Pierre Yang
Hon Colin Holt	Hon Dr Sally Talbot
Hon Dr Steve Thomas	Hon Sue Ellery

Amendment thus passed.

Motion, as Amended

HON ROBIN CHAPPLE (Mining and Pastoral) [2.12 pm]: This is quite an interesting instrument in many regards. One of the functions of the Joint Standing Committee on Delegated Legislation is to determine whether fees are above or below cost recovery. If they are above cost recovery, they are, in essence, a tax, and we are not allowed to tax through regulations. One problem facing the committee was that some fees within the Legal Professional (Law Library Fees) Rules were over cost recovery. There were 11 categories of fees altogether, but for the other fees that have just been dealt with there was no clear evidence of the methodology or, indeed, the fee structure for recovering those fees. Without that vital information for those six fees, it was virtually impossible for the delegated legislation committee to say whether they were within power or without power. The committee needed that evidence.

I heard what the Deputy Leader of the Government in the Legislative Council had to say in this regard, but the committee was not availed of the information he just provided the house with in a broad sense. However, it was provided with a review of the fees that were over cost recovery, and they were reduced to being on-cost recovery by proper justification. The committee still did not receive a response about the six fees, and because of the time constraints associated with dealing with this matter, the committee had no option other than to produce this report and bring it to the table of the house. Obviously, people were aware that the report was coming out; it is a reasonably short report and people will have read it and understood its implications. Therefore, we now proceed with the disallowance motion.

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [2.14 pm]: I thank Hon Charles Smith for his amendment and Hon Robin Chapple for indicating his and the Joint Standing Committee on Delegated Legislation's concerns about these particular rules. I will spend a bit of time going through some of the matters that have exercised the opposition's mind in this particular matter.

I accept the explanations delivered by the Deputy Leader of the Government in the Legislative Council about the information he was given on the rationale behind these particular fees. However, I have to say that given the history of this particular matter, and against a background of and history of the Attorney General of dissembling and

refusing to answer questions that have been put to him in this place, his disinclination to provide information either in a timely fashion or at all, his looseness with the truth, and his inaccuracy and unreliability with the information he does provide—we have seen that not only in his answers to questions to this place, but also in the manner in which bills he has had anything to do with are presented and explained—I have no confidence in the explanation that has been given. That is not by any means a reflection on the deputy leader.

I think it is an important matter of principle that these particular fees be disallowed. It is pretty patent, with the legislation introduced last year and passed by this place, that the law library was to be funded, as is appropriate, by fees. However, there were significant constraints on the manner in which those fees could be calculated and imposed. I am indebted to the Joint Standing Committee on Delegated Legislation that we have the detailed fifth report regarding these rules. It points out that the empowering regulation is regulation 14 of the Legal Profession (Law Library) Regulations 2016. That is made quite explicit in subregulation (3), which states —

The Director General may not impose a fee of an amount that exceeds the costs reasonably anticipated to be incurred in providing a service without the agreement of the committee.

The general principle, of course, is that fees that are above cost recovery impose a tax, and that requires the considered decision of both houses of this Parliament. It may very well be that these fees do come in under, or meet, cost recovery, but that is by no means apparent. I note there are difficulties sometimes in ascertaining what cost recovery is, particularly when looking at a process. We have had this debate on previous occasions when I was on the other side of this chamber, when courts would impose particular fees and charges for the filing of documents, for example. Sure, handing a document over a counter and it being received by a clerk does not cost a certain amount—it is impossible to say how much that actually does cost, either in time or in process—but what is imposed is a calculated amount that would cover a range of processes involved with that process of, say, filing, or whatever it happens to be. That can be done and can be achieved in a variety of ways. Treasury has set out a number of guidelines on how that exercise is to be conducted. We have had great debates with the delegated legislation committee over the last several years, persuading that committee that what the courts were doing in this respect was not above cost recovery, and I was able to persuade the committee to varying levels of satisfaction.

But part of the difficulty with these particular fees is that there is no information at all. It is edifying to see that on pages 4 and 5 of the report, and going over to pages 6 and 7, but the starting place is that the fees were imposed in January this year. One would think that some would have been done by the director general before they were gazetted. Inconveniently, they were gazetted around or just before the then government went into caretaker mode. Nevertheless, they were published, and it appears that some work may have been done on the calculation of the cost involved and what was needed, but it was by no means readily available—not to the government of the day or to this one, it would seem.

The committee first scrutinised this instrument at a meeting on 7 August. The committee resolved to write to the Attorney General asking for more information. It looked at the explanatory memorandum and even that did not grant very much comfort because, as the explanatory memorandum states —

... the Director General has been unable to fully assess the costs reasonably anticipated to be incurred in providing photocopying, printing, document delivery and interlibrary loans.

That is not a very good start. Contrary to the intention of the legislation and intention of the principle, this sort of fee has been imposed without an ability to fully assess even reasonable costs of that process. It did not meet the guidelines in the Premier's Circular, which sets out the supporting documentation that, as paragraph 4.2 of the report states —

... must accompany instruments of delegated legislation which come before the Committee ... In particular, the Explanatory Memorandum did not provide a rationale for the fees imposed by the Instrument, including the cost recovery percentage achieved by each fee ...

Pretty fundamental things were not supplied to the committee, knowing that the committee had the power to recommend that the disallowance proceed, not proceed or to make other recommendations to Parliament, and at the very least was required, under its remit, its terms of reference, to assist the Parliament in this exercise. An explanation in the explanatory memorandum—or certain advice, anyway—states that the library advisory committee was monitoring the cost and would review the fees six months after they had been imposed. There is something promising there—that it would be able to get some information after six months' operation—which might allay the committee's concerns that this Parliament might have, given that the instrument had been in operation since 13 January this year. The committee considered the matter on 7 August and wrote to the Attorney General on 9 August asking for further information in a timely fashion. It asked for an update on the cost recovery status of the fees by 6 September, almost a month into the future, to assist it with its function. The Attorney General did not bother to respond until 21 September, or at least the letter of advice, such as it was, did not reach the committee until 21 September, almost two weeks later, although the letter was apparently dated 8 September, two days after the due date set by the committee. I cannot understand why that would have happened, but that seems to be once again either neglect or a simple disregard of the duties of this committee and its

obligations to this Parliament, and by inference, a disregard and a disrespect to this Parliament. But he had plenty of time to provide the information or at least to say, “Sorry, I need a little more time”, for this or that reason. Instead, when his letter finally found its way, having gone apparently all around the world by airmail or slow boat or whatever, something like two weeks later, he informs the committee and states —

that the ... Advisory Committee reviewed the fees which had been charged in the period of 1 February 2017 to 31 July 2017.

The letter did not satisfy the concerns of the committee on a number of counts, because despite his assertion that the fees are charged at full cost recovery, two of the fee categories listed in the letter were cost recovering at over 100 per cent and the remaining two were cost recovering at various levels under. He could not even get that right. The letter did not provide any information about the further seven fee categories imposed by the instrument, namely the ones in question plus a further rule 8(2). That did not help, even though he took his time to assist, and I use the word “assist” loosely.

The committee was obliged once again to write to the Attorney General and did so on 11 October. This is already two months after it first looked at this material, something like more than six months after the fees had been in operation and were capable of being assessed in some rational fashion. But the committee had to write again and asked simply for an undertaking to reduce the two over-recovering fees to 100 per cent or a lower level of cost recovery within six months of the undertaking. It is not difficult, one would have thought, for someone wanting to get their fees through, thinking that they are important, and respecting the Parliament of this state and its obligations to ensure there is not a hidden tax in the fees that are being sought from the public and from practitioners for access to the state’s law library. The committee goes on to ask, in its letter of 11 October, for information about the cost recovery status of the remaining seven fees imposed by the instrument. In its report at paragraph 4.5 the committee makes plain that it had not been idle in this time. It was not simply waiting for a response from the Attorney General’s office. It was doing its best to expedite the execution of its function and its responsibility to this house because the report states —

The Committee’s staff had already attempted unsuccessfully to obtain this fee information in time for the Committee’s meeting on 9 October 2017.

Those who have had the experience of sitting on a committee know that the staff there are essential to the efficient functioning of parliamentary committees. Indeed, without their diligence and commitment and without them using their initiative when necessary or acting promptly and in a timely and effective fashion in accordance with the committee’s instructions, our committees could not function. Notwithstanding that this government has a very large majority in the other place, these committees have not yet been abolished by this government and hopefully will not be. But who knows, maybe they are another impediment to so-called “budget repair”. In any event, the committee’s staff tried their best to wrinkle this information out of the Attorney General. He seemed to have been prompted into action because the letter from the committee of 11 October was necessitated, it appears, because despite the committee’s best efforts, the Attorney General still could not get the information to them by 9 October, when they had alerted him that there would be a meeting of the committee. The letter had to warn that if the information was not forthcoming, the committee would be, as the report states, “required to report that fact to the Parliament.” That seems to have prompted some action and seems to have woken him up, because in response to that, a letter was received on 24 October, almost two weeks later, in which he provides information which, the report states —

... suggested that the two fee categories which were cost recovering at over 100 per cent were actually cost recovering at less than 100 per cent

He got that bit wrong yet again. It went on to state that it would provide —

the cost recovery information for only one additional fee category

Why that should be, I have no idea. He had months to pull this all together. He had at his disposal the new mega department called the Department of Justice—one of these great new efficient departments created through the machinery-of-government changes that are supposed to break down the barriers and the silos between the public service sections and achieve greater efficiency at less cost. It still has not managed to find out the information about the fees that it imposed after consultation in January, or provide consistent information to a parliamentary committee. As for the rest, he explained that the remaining six fee categories had not yet been charged by the new law library; therefore, no cost recovery information existed for those fees. From January through to October—or let us be generous and say July, which was the time after which the review took place—no fees in those categories had been charged yet, so he did not know whether they are cost recovery or not.

The first point I make in all this is that there is nothing urgent about these fees, or there does not appear to be anything urgent about having these fees in place, because they have not been charged anyway. In that time there has been no effort, apparently, to try to work out the basis on which those fees would be charged and to assess how much of them are related to the functions of the law library that are supposed to be recovered by those fees.

In paragraph 4.7, the committee—I can understand its frustration in this regard—gave notice of a motion to disallow. It is apparent that at the end of long and protracted efforts by the committee and its advisers to squeeze some useful information out of the Attorney General, he came back with, “I don’t know. I can’t tell you how we calculated these. We haven’t charged them anyway, and we can’t give you any idea of how to calculate a cost recovery fee for these six services.” If I am wrong about any of this or the committee’s conclusions—at least without revealing the deliberations of the committee—I would be grateful to hear from Hon Robin Chapple and others to disabuse me of that. However, those are the conclusions that I draw from its report and, indeed, from the answers that have been given today. The committee, I think, was very generous in this. It certainly was not trying to create difficulties. Paragraph 5.1 of its report states —

... the Committee was prepared to accept the accuracy of the cost recovery information which was provided by the Attorney General in his two letters, —

Late and difficult as they were to extract from him, and inconclusive and vague as they were in their content, I think that was a very generous concession by the committee in the circumstances. But the report continues —

the Committee could not accept the fact that the Law Library Advisory Committee, the Director General, and by extension the Attorney General, are not aware of the cost recovery status of the following six fee categories which have been imposed by the Instrument.

It then details those categories. It identifies fees for a document delivery service via post of \$1.10 a page plus postage under rule 6(1)(a), a document delivery service via fax of \$3.30 a page under rule 6(1)(b), a document delivery service via post for regional users of 55c a page plus postage under rule 6(2), and a document delivery service via fax for an interstate user of \$4.40 a page under rule 6(3). Why should a fax delivery service to an interstate user cost \$1.10 more a page than for a user in Western Australia? I do not understand that. Is it more expensive to send faxes across the Nullarbor? Maybe I am wrong about that, but perhaps that could be explained. Certainly, the Attorney General does not know.

Hon Nick Goiran: Who’s using a fax?

Hon MICHAEL MISCHIN: Who uses a fax anyway? That is a very good point made by Hon Nick Goiran.

Hon Darren West interjected.

Hon MICHAEL MISCHIN: I might remind Hon Darren West that for at least two pieces of correspondence, the Attorney General was using my old letterhead.

There is a document delivery service with a minimum fee of \$5.50 under rule 6(4) and a document delivery service research fee of \$11 under rule 6(5). What those services involved, I do not know. It seems to be the case that neither does the Attorney General, the director general, or the Law Library Advisory Committee—at least not to the point of being able to explain them sufficiently for the committee to be able to draw conclusions about whether there is a cost recovery formula that can be used to determine whether these are cost recovery in fact, under cost recovery, or more than cost recovery and hence a hidden, albeit small, tax. The report continues —

The ... fees imposed by the Instrument ... are currently payable upon a user’s request for the relevant document delivery service ...

However, I note the advice from that letter of 24 October from the Attorney General that they had not been charged. The report continues —

... in the Committee’s view, a costing methodology for each of these fees should have been in place to assist the Government in formulating the amount of each fee prior to the Instrument being made by the Director General.

That is quite right; it should have been. Plainly, it was not, if it cannot be worked out and provided to the committee after all its efforts over a period of months in order to extract that information. The report further states —

The existence of such a methodology should not depend on whether the fees have actually been charged.

That is a sound point, and, I would have thought, an obvious one. The report goes on —

The lack of fee information for these six fees suggests that a costing methodology does not exist.

Again, I would support the committee’s conclusion in that, unless there is an explanation for it. I will get to the honourable Deputy Leader of the Opposition’s comments in a little while. All of these are fair conclusions, especially in the absence of timely and detailed advice. The committee goes on to make the point —

The Parliament, and the public which it represents (particularly those people who can expect to incur the fees in question) has a right to expect that the Government will impose fees for services via delegated legislation only after the cost of providing those services has been calculated with an accurate costing methodology. This is also the case for fees which are being imposed for the first time by the administering government agency.

It would be important, one would have thought, for the first time that those fees were imposed in order for the government to determine whether it was taxing the public in a manner that was not permitted by legislation and certainly not by the rules covering this particular piece of legislation. It should be something that could be sufficiently robust that, if necessary, it could be amended and modified over time. That does not appear to have been the case in this instance. It is quite the contrary, because all the evidence obtained so far seems to suggest that these were imposed and, despite the ability of the Attorney General in inheriting the responsibilities of that post and having this problem alerted to him, instead of doing something about it—instead of inquiring into it to assist the parliamentary committee—he has simply tried to fob off that committee. Now the Deputy Leader of the Opposition has the unenviable task of saying that these fees should stay, even though he cannot offer any cogent evidence on any of the matters that have been raised by the committee over a period of time. It could be argued, I guess, whether the committee ought to have taken a more robust position on its recommendation, but the committee concluded that because it had not received the information it required to scrutinise those fees imposed, it was unable to perform its scrutiny function in relation to those rules in the time available.

We are left in the position that if the disallowance motion is defeated, these fees will remain without having been justified or supported, without the Attorney General being able to justify or support them, or whether this house takes the view that in the circumstances the Attorney General can come back, having done his homework, having made sure that the information is cogent and that the formula for the calculation of these services is sound, and reintroduce some fees later down the track. To argue that they have not yet been charged and therefore no harm was done is not, to my mind, a satisfactory response to these problems. I think it is incumbent on this place, with respect, to support the disallowance of these fees. We must start as we intend to continue in this place. I hope the government can be persuaded to support this disallowance motion so that efforts can be made to meet the standards I know from experience the government, when it was on this side of the house, considered very important for the proper discharge of the obligations of this Parliament and our duties. That a committee of Parliament should be frustrated in its work is bad enough—it is, to my mind, consistent with the standards of the McGowan government that we have seen to date—but that public interest should be jeopardised by the Attorney General's negligence is another of the disservices that he gives to the state and its people.

I accept that the work was done on imposing these fees during the interregnum and that the Attorney General inherited fees that had been gazetted. However, having had the issue drawn to his attention at least in August—I will get back to that—and to repeatedly simply disregard the issue over the following months is either negligence or a disregard of this Parliament's responsibilities.

We heard the deputy leader try to justify these fees on a number of bases. I regret that I do not have his comments in detail at my disposal, but the thrust of it was that these fees are the result of estimates of staff time involved, depreciation of equipment and a variety of other factors, but even he concedes in the explanation he has proffered that it is not possible to unequivocally determine whether it will be over cost recovery. If I heard that wrong, I would appreciate his correcting my understanding, but that was the way I heard it. Once again, that reinforces to me the necessity for this place to disallow these particular fees for two reasons. Firstly, the formula has not been provided to the committee in a timely fashion so that it can discharge its responsibilities and advise this house properly, and, secondly, the formula does not attract the confidence of the Attorney General inasmuch as even he concedes that it is not possible to unequivocally determine whether it will over-recover. How then can the committee be confident? It cannot because it does not even get a chance to look at it in order to help us out. How can this house be confident? It cannot. We have not seen the formula and we do not know the basis for it but we are expected to take at face value the Attorney General's assertions, through his proxy in this place, and rely on those. I have no confidence that we can rely on those assertions because of the history of this fee and the Attorney General's repeated reticence to provide any useful information despite the attempts by this parliamentary committee over a long time to squeeze out of him the relevant information even after quite generous concessions were given about what would be done with some of these fees and after warning him what would or might happen to others, and after the vague answers we received in answer to questions in this place and after the equivocation and dissembling that we have experienced from him and some other ministers.

The Liberal opposition supports the disallowance of these fees. I emphasise that we are not being unreasonable in this regard. This is not new; this stuff is patent to government departments and directors general. Certainly the then Department of the Attorney General had long experience with this committee and testing the fees that it has formulated and gazetted on behalf of courts over time. There were lengthy hearings and a quite critical analysis a few years ago to determine what cost methodology the department used to justify those various fees. There is nothing new about this. This Attorney General would certainly have known about the concerns of the Joint Standing Committee on Delegated Legislation—it is, after all, a joint standing committee and so is not a mystery to those in the other place. To be met with these sorts of responses is simply disrespectful to this place and a disregard of the Attorney General's responsibilities. He needs to take the consequences of that. I am sure, judging from past behaviour, that he will complain that this is another attempt to ruin the budget repair and it is all our fault and the nasty Liberals are stopping the state finances from being fixed, and all the rest of the rhetoric.

Hon Simon O'Brien interjected.

Hon MICHAEL MISCHIN: That is right, Hon Simon O'Brien. He might have to impose another gold royalty to cover the cost.

Hon Simon O'Brien: They have that in train!

Hon MICHAEL MISCHIN: Yes. There is bound to be someone who will have to be taxed to make up the amount lost from this disallowance, whether or not they are being charged!

We would be remiss in our responsibilities if we did not disallow these fees and enable the government the opportunity to go back and think them through a little more so it can prepare a methodology that can be relied on by this place, the Delegated Legislation Committee, the Department of Justice and the Law Library Advisory Committee for formulating these fees in future. On that basis, the Liberal opposition will support the disallowance of these particular fees.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [2.48 pm]: Thursdays are a tough old gig!

I certainly do not believe the Attorney General has shown this place any disrespect. The shadow Attorney General obviously has some issues with the Attorney General—that is for him—but I certainly do not believe he has shown us any disrespect. The history of these fees is, as pointed out by the shadow Attorney General in his contribution, that they were gazetted in January 2017 under the previous government. I am sure somebody from government signed off on these fees during the caretaker period. Notwithstanding that, these fees were gazetted. I have said previously that they have not yet been charged, as Hon Michael Mischin quite rightly pointed out. I have advice that these fees were charged previously by the law library at the Supreme Court when it was operated by the Legal Practice Board. Since the law library is now at the David Malcolm Justice Centre, it was simply a transfer across of the fees that were paid under the Legal Practice Board's law library; they were simply transferred across to the David Malcolm Justice Centre.

Hon Michael Mischin: Why, if that is the case, was that not provided to the Joint Standing Committee on Delegated Legislation as part of the justification for it?

Hon STEPHEN DAWSON: My understanding is that it was provided as justification, and having looked at one of the members of the committee, who nodded, that might have been confirmed. However, with these fees not having been charged this year under the new scheme, it is difficult to ascertain what cost recovery is, or whether these fees are in fact over cost. As I said previously, the advice given to me was that the amount was derived from estimates of staff time, depreciation, and a range of other things. The information before me is that these were simply the fees that were charged previously, and are now charged. Obviously, the committee is well within its rights to question these fees, and there is a motion before the house to disallow the fees, but the government will not be supporting the disallowance.

HON ROBIN CHAPPLE (Mining and Pastoral) [2.51 pm] — in reply: Very briefly, the Joint Standing Committee on Delegated Legislation does not involve itself in the politics of the matter, and I make that very clear. The committee does a job. We look at the matters before us. We balance everything we say on Premier's Circular 2014/01, which clearly indicates that an outline of fees should be provided to the committee. To merely transfer a fee from one section to another and say that that validates it does not fulfil the criteria that the committee requires. We have had this situation previously with other instruments. There is nothing different about this in that regard. That is just by way of final explanation.

Question put and passed.

SHIRE OF CHITTERING WASTE LOCAL LAW 2017 — DISALLOWANCE

Motion

Pursuant to standing order 67(3), the following motion by Hon Robin Chapple was moved pro forma on 22 August —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the Shire of Chittering Waste Local Law 2017 published in the *Government Gazette* on 23 March 2017 and tabled in the Legislative Council on 17 May 2017 under the Waste Avoidance and Resource Recovery Act 2007 and the Local Government Act 1995, be and is hereby disallowed.

HON ROBIN CHAPPLE (Mining and Pastoral) [2.53 pm]: I will be very brief on this one; I think it is fairly straightforward. Two laws were dealt with in the fourth report of the Joint Standing Committee on Delegated Legislation, and we came up with the recommendation that both the City of Gosnells Waste Local Law and the Shire of Chittering Waste Local Law be disallowed. That was basically because they offended section 61 of the Waste Avoidance and Resource Recovery Act 2007, and therefore were not within power.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [2.54 pm]: I indicate that the government will support this disallowance. As Hon Robin Chapple quite rightly pointed out, the Waste Avoidance and Resource Recovery Act 2007 stipulates cases in which local laws can be made. I agree with the committee's findings that the local law is invalid because the chief executive officer of the council did not make the CEO of the Department of Water and Environmental Regulation aware of the laws, so the government will support this disallowance.

Question put and passed.

CITY OF GOSNELLS WASTE LOCAL LAW 2016 — DISALLOWANCE

Motion

Pursuant to standing order 67(3), the following motion by Hon Robin Chapple was moved pro forma on 22 August —

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the City of Gosnells Waste Local Law 2016 published in the *Government Gazette* on 1 December 2016 and tabled in the Legislative Council on 17 May 2017 under the Waste Avoidance and Resource Recovery Act 2007 and the Local Government Act 1995, be and is hereby disallowed.

HON ROBIN CHAPPLE (Mining and Pastoral) [2.55 pm]: Again, I refer to the fourth report of the Joint Standing Committee on Delegated Legislation, which looked at the previous instrument and this one. Again, the same component applies to this—that the laws were invalid because they did not comply with section 61 of the Waste Avoidance and Resource Recovery Act and offended the committee's term of reference 10.6(a).

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [2.56 pm]: I again indicate that the government will support this disallowance. Although the City of Gosnells in this case submitted a draft of the local law, it did not in fact provide a final copy of the local law to the CEO of the department before the time. Obviously, it is good governance to make the act is followed, and that did not happen in this case. I understand the city has been advised that it should seek the consent of the chief executive officer of the Department of Local Government, Sport and Cultural Industries before adopting a replacement waste law.

Question put and passed.

CITY OF JOONDALUP ANIMALS AMENDMENT LOCAL LAW 2016 — DISALLOWANCE

Motion

Pursuant to standing order 67(3), the following motion by Hon Martin Pritchard was moved pro forma on 22 August —

That the City of Joondalup Animals Amendment Local Law 2016 published in the *Government Gazette* on 10 January 2017 and tabled in the Legislative Council on 17 May 2017 under the Local Government Act 1995, be and is hereby disallowed.

HON MARTIN PRITCHARD (North Metropolitan) [2.57 pm]: I intend to be quite brief. I have had a number of discussions around the chamber, and my understanding is that there is quite a deal of support for this motion. As a brief history, the intent of this local law is to prohibit horses from access to a portion of a dog beach just north of Hillarys Boat Harbour. Horses have had the opportunity to exercise on a portion of that dog beach for many years, and the introduction of this law now prohibits that. Before I start, I will say that the City of Joondalup has gone through all the correct procedures to introduce this local law, but I think it is incumbent upon this chamber to make sure not just that all the boxes are ticked, but that the law is in the best interests of our constituents and Western Australia as a whole.

A couple of months ago I tabled two petitions containing some 6 500 signatures of people living in the northern suburbs who were opposed to the introduction of this local law and would like to see horses continue to have access to the beach. In tabling those petitions, I became quite interested and did some investigation on my own to determine the merits of this local law. It was quite clear to me that horse ownership in the northern suburbs is quite widespread. Horse owners live across both the City of Joondalup and the City of Wanneroo. Most of the horses are agisted in the City of Wanneroo. Keeping in mind that this facility has been available to people in the northern suburbs for many years, it is incumbent upon us to make sure that the facility is not removed without some sort of alternative. The use of the horse part of the dog beach spans a number of different uses.

Obviously, the racing industry uses the beach to exercise animals and rehabilitate horses. People also go there for leisure and other activities. However, the one that caught my heart the most was the number of disabled people experiencing horseriding in the safest possible way. That obviously tugged at my heartstrings. The horse area of the dog beach takes up 600 metres of a much wider area for the exercise of dogs. My investigation into the interaction of the users was quite positive. Obviously, there are occasional incidents but nothing major. That is probably because, as I said, the horses access only part of the beach. Anybody who has a dog that cannot cohabit

with horses would use the other part of the beach. The horses also access the beach at certain times, I think between 6 o'clock and 8 o'clock in the morning. Obviously there are alternatives for the dog owners if there is some conflict, but my investigation found very few conflicts.

I have spoken to a number of people about this. I also had a meeting with the City of Joondalup, which was kind enough to provide me with information that it had gathered in putting this local law together. In that information was a survey that was quite telling. The survey was open to all constituents in the City of Joondalup and it basically said that about 65 per cent agreed or strongly agreed that horses should have access to the beach. About 20 per cent disagreed or strongly disagreed that they should have access. One of the real problems is that that beach has been available for many years and there are not really any alternatives. One alternative is to travel south, past Fremantle. That involves driving through congested traffic, which can cause stress for the people taking the horses there and the horses themselves. The other alternative is to travel north into the Shire of Gingin, which I believe has a couple of horse beaches. They do not have the same facilities, but the main problem is that a person has to travel some 80 to 100 kilometres north to access those two beaches, so they are not really alternatives. There has been a lot of discussion between the City of Joondalup and the City of Wanneroo to put forward an alternative. Obviously that has not borne any fruit. I do not want to make any judgements on how those discussions went, but this chamber needs to turn its mind to the fact that if this alternative beach is taken away, there is no alternative, and that is not what this chamber should accept.

As I said, there is broad support in the chamber for this disallowance motion, so I will not labour the point. I want members to turn their mind to three points when considering this disallowance motion. It is not a burden on the City of Joondalup at the moment, and, indeed, the City of Wanneroo to provide this facility. The City of Joondalup is a wealthy council and this is not, as I said, something that can be seen as a burden on it, and also, in my view there are no viable alternatives. This chamber has a broader responsibility to our constituents in the north as well as to all Western Australians. Some of us are charged with looking after our patch in the northern suburbs and I hope that we will gain support from elsewhere for this disallowance motion.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [3.04 pm]: I will start by thanking Hon Martin Pritchard for moving this disallowance motion. It really is one of those vexed issues. There is not necessarily a right or a wrong in this instance, but I think he made the right call; that is, to move this disallowance motion for the reasons that he articulated. Can I say at the outset, as I should in these instances, that I have a conflict of interest with this issue; that is, when I was a little tacker I had a horse! It is a bit of a conflict of interest. I have to say, though, back in those days I was not privileged enough to take my horse to the beach. The best I could have done was to go around the slime dumps or past the Twin City drive-in and then out past the RSL golf club and up to Wireless Hill and back; or on a Sunday I might have gone to Seven Mile Hill, but that was about it. Having said that, I am conscious of the fact that the role of the beach, not just for domestic horses but also for gallopers, is vital. Having access to the beach is very important to those in the horse industry. At the same time, having a horse-free zone for those with dogs is equally significant to those people. That is why this is a vexed issue. The City of Joondalup has done the right thing. It did what it thought was right. I have great respect for its former mayor, Troy Pickard. I have had a long relationship with the City of Joondalup and also with the City of Wanneroo. Tracey Roberts and her team are doing a good job at Wanneroo. I understand in this instance that never the twain shall meet. As the honourable member said, about 500 or 600 metres of beach is being used just north of Hillarys marina, and it has been an ongoing issue. To suggest that there is overwhelming support one way or another depends on who a person speaks with. To reinforce that, I will draw from an article in the *Joondalup Times* on 20 December 2016. It states —

THE Hillarys horse beach will close.

City of Joondalup councillors voted at last Tuesday's meeting to amend the City's animal local law, which was the final decision in the six-year process to permanently close the 160m beach on Whitfords Avenue to horses.

I think members might find that it went beyond that, but that is all right. It continues —

In 2010, the council resolved to phase the closure of the horse beach over four years, after which the horse float carpark would be reconfigured to allow for more car bays for dog beach users.

After public consultation in June, the council was scheduled to consider amending the local law in September but it was deferred because not all councillors were present for the vote.

Last week, Cr Christine Hamilton-Prime said it was important for the council to be consistent with its decisions. "I believe, as I did six years ago, this is the appropriate course," she said.

"For the status quo to remain would be bad governance on a decision that was reached many years ago.

"Being so flippant on a serious issue such as this is bad governance.

"I strongly believe this will force the City of Wanneroo's hand in addressing this issue.

“This council ought to not be persuaded by the inactions or unwillingness of another local authority to pander to the wishes of a group that we, in reality, have very little to do with.

“Ultimately, the City does not accept that equestrian activity belongs as a legitimate use of land within our local government boundary.”

Fellow South-West ward councillor Mike Norman disagreed, saying revoking the council’s decision was “not poor governance”.

“We have revoked other decisions in the past when new information has come to light,” he said.

“When we decided to close the horse beach in 2010 ... the council assumed that our City could persuade the City of Wanneroo to open a horse beach instead.

“Six years later they have not opened a horse beach and my informal discussions ... have given me no confidence that one will be opened any time soon.”

He said with 98 per cent of public submissions opposing the closure, as well as a 2727-signature petition, the council was not listening to the community.

“I have not come across any resident who wants the horse beach closed,” he said.

“I have been down to the horse beach on a number of occasions and seen both dogs and horses on the horse beach and also parking bays available in the carpark, so I have come to the conclusion that kicking the horses off the beach will make very little difference to the dog congestion problem anyway.”

The amendment to the animal local law was passed 7-6.

If members ever want an indication of the fact that it is a vexed issue, that vote of 7–6 in the City of Joondalup confirms it. At the moment, Guilderton, Lancelin and south of Fremantle are other options for horse beaches. They are a long way away. This is the right action and we are just asking the City of Joondalup to go back and have a look at the matter. Although it has taken years, we have a new administration in the City of Joondalup and, as I said, that is not in any shape or form passing reflection on the previous mayor.

As I said, I have great respect for the former mayor, Troy Pickard, but, equally, I have great respect for the new mayor, Albert Jacob. I am sure that Mayor Albert Jacob and Mayor Tracey Roberts and their fellow councillors will go back and once again listen to the community and try to find a resolution that is perhaps more accommodating to both parties. From that perspective, as I said, I am not taking sides in this, but I am saying that that is the right course of action. I am not necessarily taking a clearly defined view on whether this is right or wrong. If it comes back and the council brings in new regulations in two or three years or six or 12 months—whatever it might be—we will consider it on its merits. At this stage, I think this is the right course of action and that is why the Liberal Party supports the disallowance motion.

HON ALISON XAMON (North Metropolitan) [3.11 pm]: I rise as the Greens member for North Metropolitan Region to indicate that I also support this disallowance motion. The Hillarys horse beach has been established for more than 40 years. When it was established, it was recognised as the best spot for a horse beach in the northern suburbs. That is when the City of Wanneroo also contained the area that is now the City of Joondalup. The nearest existing horse beaches are at Kwinana, which is over 60 kilometres away, and Guilderton in the Shire of Gingin, which is 80 kilometres away. As has been suggested to me in correspondence from the City of Joondalup, an alternative horse beach is in Lancelin, which is 110 kilometres from Hillarys. I have the letter. I am aware that a number of people who utilise this horse beach live around Bullsbrook and that sort of area where there is quite a large number of horses. This is by far the most accessible and convenient horse beach for them to access.

It is important for horses to access horse beaches because they can swim and use the salt water. There are a lot of therapeutic reasons that horses need to access the beaches, but it can also be a very enjoyable experience for horse owners in the same way that those of us who have doggos—the best dog in the world is my dog—enjoy taking them down to the beach. It is important to recognise that beaches are ideally there to cater for a wide variety of pet owners. I think that the community has been quite clear in its desire to retain this horse beach. I note that the petition to the City of Joondalup that was submitted on 16 August last year had 1 167 signatures. In response to the advertisement that was placed on 23 August 2016, 311 submissions to keep the horse beach were made to the City of Joondalup as opposed to six submissions supporting the closure of the horse beach. That demonstrates that there is a concerted community concern about the closure of the horse beach. Even the original petition to the City of Joondalup, which requested the extension of the dog beach, made no reference to removing the horse beach. Those people who were pushing for that did not necessarily want to see a closure of the horse beach.

The north-west region of Perth covers both the City of Joondalup and the City of Wanneroo and it has experienced major expansion over the past 30 years, with the City of Wanneroo now being one of the fastest growing local government areas in the country. The Australian Bureau of Statistics figures show that over half a million people lived in the north-west region of Perth in 2016 and that over the 10 years from 2006, the population has doubled. That is a lot of extra people accessing the same number of beaches, including the same number of dog and horse

beaches. A coastal management plan to make the best use of those beaches with the increasing number of people is absolutely necessary. However, I argue that the outcome that led to the closure of the horse beach could not necessarily have been foreseen in the advice and the consultation that went into the development of the plan.

The recommendations from the 2007 briefing to the council were to extend the dog beach south and to reduce the horse hours on the beach. The suggestion was that the horses would be off the beach by 9.00 am and that the City of Joondalup would negotiate with the City of Wanneroo about opening a new horse beach further north. The City of Joondalup identified potential beaches at Yanchep, which is 30 kilometres north of Hillarys, or Two Rocks, which is 40 kilometres north. But even the additional option of opening more dog beaches and reducing the pressure that way did not make it into the briefing recommendations or the resulting coastal plan.

In 2002, the City of Wanneroo completed its “Coastal Management Plan: Part 1”, which found that the city’s beaches were largely unsuitable for a horse beach due to the rocky nature of the intertidal zone. In April 2014, the City of Wanneroo engaged consultants to assess the suitability of establishing a horse beach, a tidal pool and an artificial surf reef along the city’s coastline as part of the “Coastal Management Plan: Part 2”. Preparation of the “Coastal Management Plan: Part 2” is now on hold, as the city is working to meet the requirements of the “State Planning Policy No. 2.6: State Coastal Planning Policy”.

The City of Wanneroo may or may not want to establish a horse beach in the future, but it has to be acknowledged that it is starting with a coastline that offers very few, if any, suitable sites. Not just any beach can become a horse beach. Again, the best spot the city had to offer for a horse beach was, until very recently, a horse beach. Instead, the City of Joondalup acknowledged at its meeting on 17 May last year that the City of Wanneroo was not in a position to replace the horse beach, but it voted to close it anyway. I believe that that was against the wishes of the community—despite the close vote, which was just alluded to in this chamber—and against commonsense.

If another site for a horse beach can be found, that would be great. That would be fantastic. It would perhaps be even more useful to find more sites for dog beaches. The City of Joondalup, as we know, is already woefully short on dog beach space in comparison with other local government areas. Prior to its expansion north, the city had only 650 metres of dog beaches and that is for an estimated 25 000 dogs in the City of Joondalup alone. I do not think it is fair or reasonable for the City of Joondalup to close a facility and expect another council—in this case the City of Wanneroo—to pick up the slack, especially after its own feasibility studies acknowledge that the City of Wanneroo would find it difficult to establish a horse beach and it would be unlikely to be progressed.

The main issue identified in the City of Joondalup minutes was around parking for the dog beach. The minutes did not indicate that there were necessarily problems with horses using the beach or conflict between users, although I acknowledge that that has happened in the past on occasion. However, that was not part of the city’s deliberations. Removing horses entirely from the beach has not resolved the parking or congestion issues for dog owners, because they had access to both parking and the horse part of the beach prior to the horses being banned. The decision is not going to solve the identified problem and I maintain my belief that this decision has been made contrary to the vast majority of the community’s wishes. We want to be able to support people who enjoy going to the beach with their dogs and horses. Basically, the City of Joondalup will need to do a bit more work on this. Preferably, it will need to do some genuine consultation with the City of Wanneroo and not simply assume that the City of Wanneroo will step in and pick up the slack. As such, hopefully, a suitable way forward will be found to meet everyone’s needs. I hope that the new council will rise to that challenge. Until such time, I support the motion and note that the City of Joondalup Animals Amendment Local Law 2016 should be disallowed.

HON RICK MAZZA (Agricultural) [3.20 pm]: I rise to indicate that the crossbench will support Hon Martin Pritchard’s motion to disallow the City of Joondalup Animals Amendment Local Law 2016. Councils and government departments always seem to have a propensity to want to close down areas because perhaps it is easier at times to enforce or it may be less of a hassle. However, the bottom line is Western Australians do have a right to recreate in their own backyard, whether that be at horse beaches or on four-wheel drive tracks. It is very important that things are not closed down. Obviously, the petition that has been put forward and the surveys done by the councils have had a fair bit of support.

The times that horses are allowed on the beach seem to be quite restrictive anyway. According to the note I have, they are allowed on the beach between 6.00 am and 8.00 am. It is not as though it is an all-day activity. Given that the closest horse beach is an hour away, people who live in the area nearby would have a large cost imposed on them if they had to travel that far to exercise their horses and undertake those activities. The crossbench will support the disallowance motion. I think it is the right thing to do and it makes good sense.

HON COLIN TINCKNELL (South West) [3.21 pm]: I will be brief. Members have already said most things that need to be said on this disallowance motion and I commend Hon Martin Pritchard for it. When I look at the available beaches for dogs throughout the metropolitan area, I note that there are 15 at adjoining shires. When I look at the distances that would have to be travelled by horse owners—40 to 50 kilometres to North Coogee in the south and the other beaches mentioned by members, as far as Lancelin in the north—I can see that it would not be practical to close down the access of horses to that beach. Horse owners are just as important as dog owners. I visit a beach with my dog and over the years have never seen any problems with dogs mixing with horses. I support the motion.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [3.23 pm]: I will be brief and indicate that the government supports this disallowance motion. Although the City of Joondalup Animals Amendment Local Law 2016 was made validly, further consultation is needed with the local community. Obviously, people are concerned about it, so the government supports Hon Martin Prichard's disallowance motion.

HON MARTIN ALDRIDGE (Agricultural) [3.23 pm]: I rise on behalf of the National Party to indicate its support for the disallowance motion. We are in raging agreement in this house today, so let us hope it continues for the rest of the parliamentary sitting.

Several members interjected.

Hon MARTIN ALDRIDGE: As long as you agree with us, of course!

I want to make some brief remarks on the motion. This is a difficult issue because to some extent it goes to the power of local governments to be able to lawfully make local laws with respect to their jurisdictions. The report of the Joint Standing Committee on Delegated Legislation found that the process of enacting the local law was not flawed, but that there are times when consideration of a disallowance is justified, particularly when there are very mixed views on an issue. I think Hon Peter Collier mentioned the closeness of the vote at the council meeting, and the very long history on the issue going back decades that has been articulated by previous speakers. In fact, some of the information I received from the two councils most affected by this matter—the Cities of Joondalup and Wanneroo—goes back to a time when those two local governments were one, prior to their demerger.

This matter raises a number of issues. When it came to a head, I think late last year, if I am not mistaken, I heard an ABC *Drive* interview with Mayor Troy Pickard. It was clear from that interview that there had been a number of conversations over many years that had tried to resolve the issue, but that the City of Joondalup had reached a point at which it was no longer its desire—certainly from the information I received that it was no longer the desire of the constituents—to keep that beach open as a horse beach. Obviously, there were other considerations. In that interview, the mayor said that the City of Wanneroo has much greater length of coastline than the City of Joondalup so there were more options available to it. Of course, the Shire of Gingin, further north, has more coastline again. It has been interesting listening to some of the debate. Guilderton was put forward as an alternative. I am not sure whether members have been to Guilderton recently, but it is difficult enough getting there in a car on a good day, let alone a getting some sort of beach access with a horse float, moving around with tourist traffic and pedestrian traffic and the like, and not to mention the infrastructure challenge that it would pose on other councils. However, I also acknowledge that the City of Joondalup faces some of those challenges, as a local government that currently has this facility, which, I think it has been argued on several occasions this afternoon, largely services people who come from outside the ratepayer or constituent base of the City of Joondalup. There are plenty of other examples of that. If members spoke to the Town of Cottesloe or the City of Perth, or even some south west councils, about the impact of non-residents or non-ratepayers, or even non-constituents, on the services they provide, they would probably hear similar stories. They may not necessarily be about horse beaches, but they would be similar stories nonetheless. This is an issue that stretches beyond one local government boundary.

Some good points were made about the recent local government elections and that some of the changes may see a resolution of the impasse on this issue. That may mean the continuation of horse recreation at this beach or perhaps another beach based on some more collaborative arrangement across the coastal councils in the northern suburbs.

Having said that, I do not think there is anything more to say on the matter; there has been considerable debate already. We support the disallowance.

HON MARTIN PRITCHARD (North Metropolitan) [3.27 pm] — in reply: I thank everybody for their contributions and their expressions of support for the disallowance of the City of Joondalup Animals Amendment Local Law 2016.

Question put and passed.

DOMESTIC VIOLENCE ORDERS (NATIONAL RECOGNITION) BILL 2017

Assent

Message from the Governor received and read notifying assent to the bill.

FIRST HOME OWNER GRANT AMENDMENT BILL 2017

Committee

Resumed from 8 November. The Deputy Chair of Committees (Hon Laurie Graham) in the chair; Hon Stephen Dawson (Minister for Environment) in charge of the bill.

Clause 14: Section 52 amended —

Progress was reported after the clause had been partly considered.

Hon NICK GOIRAN: We are currently considering clause 14 of the First Home Owner Grant Amendment Bill 2017. It has been a while since we had the opportunity to properly consider this piece of legislation. We did ever so quickly touch on it yesterday evening; however, the time prior to that was, as best as I can recall, as far back as

the beginning of September. At that time, we were making slow progress through the clauses. We did have a quite lengthy debate on clause 1 and, as I recall, there was some enthusiasm that we make progress. Before we moved on from clause 1, I asked a question. It was my contention at the time that we needed a broad-ranging debate on clause 1 that covered the range of matters contemplated in the legislation, just in case we had a situation in which the committee might want to delete a clause, which might have an implication for another provision in the bill. To facilitate progress, at the time I asked—I am working off memory here, Mr Deputy Chair; I do not have a copy of the relevant *Hansard* before me—whether there would be any implication before clause 15 in the event that clause 15 were deleted. The initial response was that there would be no problem, so we made progress. I could say that I drew clause 14 to the attention of the chamber just in the nick of time! It seemed to me that clause 14 might be impacted in the event that clause 15 were deleted. It was a good thing that that occurred, because we then had it clarified that clause 14 would indeed be impacted in the event that the committee deleted clause 15 from the bill. That is why we are on clause 14 at the moment.

We then had a quite extensive debate on clause 14. I was quite keen at the time for the debate on clause 14 to also be quite wide ranging, so that we might avoid any further problems. It is fair to say that there was not a meeting of minds back in September on how progress could be made. This was one piece of legislation that we dealt with around that time on which I might have asked some questions and the information was not readily available. I think I might have even asked whether we could defer further consideration of the bill until that information was made available. As best as I can recall, there was not much appetite for that suggestion, and very slow progress was made at that point. I should acknowledge that when proceedings were adjourned, I was indebted to the good grace of the minister responsible for this bill in this house, who arranged a briefing for me. That was a useful briefing. I do not think I am revealing any trade secrets if I disclose who was at the briefing. One of the people at the briefing was the Solicitor-General. From my perspective, the briefing was a most productive event.

Since those events in September this year, we now find before the house a supplementary notice paper—the copy I have is supplementary notice paper 16, issue 3, which was issued two days ago on Tuesday, 7 November. That supplementary notice paper outlines a number of proposed amendments that the government wishes to move. It is important to note that these amendments are new in the sense that they were not before the committee when we last considered this matter in September. Clearly, there has been a change of view within government and it is necessary for this house to contemplate inserting these additional provisions into the legislation. That was not the view of the government in September. As I have just outlined, despite, as best as I can recall, my suggestion that matters be deferred at that time, there was not an appetite for that. However, it strikes me that we are better placed today as a result of that briefing process and the work that has been done by the government, albeit that it is some two months later. As I said, I acknowledge the reasonable efforts made by the Minister for Environment, who is representing the Minister for Finance who ultimately has responsibility for this legislation. For those reasons and that background, I would be keen, subject, of course, to your own views on managing this process, Mr Deputy Chair, if our consideration of clause 14 could be more wide ranging than it would normally be. My reasons are, firstly, that I do not want to fall into the trap that we had last time. Secondly, I note the remarks by the minister last night that it is the government's intention to have the bill recommitted at some later point so that we can consider the government's proposed amendments—specifically, new clauses 11A, 12A and 12B. Although it will be open to us to have a detailed discussion about proposed new clauses 11A, 12A and 12B at that time, I think it would be more productive for us today if we could have some general discussion at this time on all those matters. I think we might then be able to more speedily facilitate things when we get to those new clauses. With those introductory remarks, I would like to ask the minister whether he could inform the committee whether, in the event that the committee were minded to delete clause 15 from the bill, it would have an impact on any of the government's proposed amendments.

Hon STEPHEN DAWSON: My advice is that this is a fundamental provision and we would not be able to recover legal costs in certain circumstances. I understand the Solicitor-General has confirmed that, so it would have an impact on new clause 11A, in particular.

Hon NICK GOIRAN: The government has a number of amendments on the supplementary notice paper. The minister indicated to the house that proposed new clause 11A would be impacted in the event that clause 15 of the bill was deleted. Of course, clause 15 of the bill seeks to insert proposed section 52A into the primary act to, in essence, empower the commissioner to recover legal costs. The minister right recall we had a big discussion about whether this power is necessary and gives the commissioner special privileges that other citizens in Western Australia do not have et cetera. Clause 15 would insert proposed section 52A. Clause 14, which we are on at the moment, makes reference to section 52(1A). Clause 14 would be impacted in the event that the house was minded to delete clause 15. As the minister just indicated, the same would be the case with respect to proposed new clause 11A. I draw members' attention to proposed new clause 11A that makes reference to section 52A(1). I am in complete agreement with the minister that if the house was minded to delete clause 15, it will have an impact on proposed new clause 11A as well as clause 14, which we are on at the moment and hence the need for us to discuss all this at clause 14. I might note at this point that when I look at proposed new clauses 12A and 12B, I can see no apparent impact on them in the event that clause 15 of the bill is deleted. In particular, I note that none of those proposed new clauses make any obvious reference to what would be section 52A in the event that the house was to support the inclusion of clause 15.

I wonder whether I can ask the minister about his proposed amendment to clause 15, in anticipation of us getting there, because I note that the minister will seek, as I understand, to do two things. The first of those things is to insert the word “reasonable” into clause 15 after the words “pay the”. Of course, “reasonable” was not being proposed by the government when we last considered this matter in September and when there was not too much appetite for my suggestion that we defer proceedings. I would not mind if the minister could assist by indicating why the government now says it is important for us to insert the word “reasonable”.

Hon STEPHEN DAWSON: This is included to ensure the commissioner can seek only reasonable costs. If, for some reason, the work that the commissioner undertook had exorbitant fees attached to it, this clause will limit it to a reasonable amount. It should not be expected that the person who needs to pay would be facing exorbitant fees; they would just be reasonable.

Hon NICK GOIRAN: I cannot find anywhere in the bill before the house a definition of “reasonable”. Is “reasonable” defined somewhere in the act? In the event that it is not, because I cannot find it in the act either, can the minister indicate how one will know whether the commissioner has charged reasonable costs?

Hon STEPHEN DAWSON: No, member. There is no mention of reasonable in the act.

Hon NICK GOIRAN: It is not in the bill or the act. Under this provision listed in clause 15, we would be saying as a house that we are going to give power to the commissioner to do this. The proposed section, if amended, would read —

(1) The Commissioner may, by written notice, require an applicant —

That is a first home owner who has obtained a grant —

to pay the reasonable legal costs incurred by the Commissioner.

How will we know and how will be able to assess whether the commissioner’s notice has only reasonable legal costs?

Hon STEPHEN DAWSON: It really is a matter of judgement. The amendments will allow the applicant to object. If an applicant disagrees with the amount, they will have a right to dispute these costs through the formal objection process. Basically, this includes a right of review to the State Administrative Tribunal.

Hon NICK GOIRAN: The right to object or dispute the reasonable legal costs—as is now going to be the phrase—is something that the first home owner grantee, who effectively becomes a debtor to the state at this point because he or she has been asked by the commissioner to pay back a certain amount of money, can already apply to have an assessment of those costs. I think the minister would agree with me that the person in question can already apply to have an assessment made of those costs. I suspect that the minister would agree with me about that because on the notice paper he has an amendment that proposes to remove the right of the first home owner to apply for a costs assessment; it reads —

A third party payer, as defined in the *Legal Profession Act 2008* section 252, cannot apply for a costs assessment under Part 10 Division 8 of that Act in relation to the legal costs.

That is the amendment that will be proposed by the government. By implication, if the government is going to move that amendment at some point later this afternoon, it must mean that the first home owner already has the right to a costs assessment.

Hon STEPHEN DAWSON: That is only in very limited cases in which the commissioner would incur external legal fees. That does not happen often; in fact, that rarely happens at the moment.

Hon NICK GOIRAN: It is very rare that this would happen, yet the government proposes with clause 15 to remove this very rarely exercised statutory right to apply for a costs assessment. My view is that that is improper. If a first home owner as a third party payer currently has a statutory right to apply for a costs assessment, there is no basis for us as a chamber to remove that right. I indicate to the minister in advance that that will not be supported. Nevertheless, I note that the minister indicated that proposed clause 11A would be impacted if we deleted all of clause 15. Would the minister be able to indicate to the house what is intended to be achieved by the insertion of proposed clause 11A.

Hon STEPHEN DAWSON: Proposed clause 11A will amend section 26 to include a new matter against which an objection or an appeal can be made—that is, a requirement under section 52A(1) to pay an amount of legal costs incurred by the commissioner. Section 27 provides a right for applicants to object to a decision on the application. After section 26 is amended, applicants will have a right to object to a decision to require a person to pay an amount of legal costs and the reasonableness of those costs. An applicant who is dissatisfied with the commissioner’s decision on an objection can apply to the State Administrative Tribunal for a decision under section 30. As a matter of practice, notices issued under section 52A will set out an applicant’s right to object to the requirement to pay an amount of legal costs and the process for objecting.

Hon NICK GOIRAN: As the law is at present, the first home owner cannot object to having to pay an amount of legal costs incurred by the commissioner, but the insertion of this provision would allow the person to do that. Of course, when we say that, that is the objection mechanism through the commissioner, which is not to be confused with the costs assessment provision.

Hon STEPHEN DAWSON: Yes, that is correct.

Hon NICK GOIRAN: In effect, by the insertion of proposed clause 11A, this chamber will give the first home owner an additional avenue; it will not take away any existing rights.

Hon STEPHEN DAWSON: Yes, that is correct.

Hon NICK GOIRAN: In that case, when we get there—of course, we have to do the whole recommittal process and so forth—I think that proposed clause 11A has merit and ought to be supported, if for no other reason than giving a citizen of Western Australia an additional statutory right that does not currently exist. In my view, that is a good thing and is of no detriment to the state because the state—in this case the commissioner, who should be a model litigant and citizen—should only be charging reasonable legal costs in any case. There should be no problem with the first home owner being able to object to that portion of the notice. I think that there ought to be no dissent to proposed clause 11A.

I ask the minister the purpose of proposed clause 12A, and given that it seems to have some connection with proposed clause 12B, I would be quite happy if he wanted to also indicate the purpose of proposed clause 12B at the same time.

Hon STEPHEN DAWSON: Proposed clause 12A will insert proposed section 30(6), which provides that if an applicant's objection to paying an amount of legal costs is successful, the commissioner must repay the legal costs and any interest paid by the applicant. The commissioner must also pay interest on the amount to be repaid. The interest rate will be prescribed in the regulations. Interest at the prescribed rate will also be payable by the commissioner on the amount of legal costs to be repaid to the applicant. The interest will be calculated from the date the amount was paid by the applicant to the date of the decision on the objection. Proposed clause 12B provides for the treatment of legal costs when an applicant successfully appeals a matter to the State Administrative Tribunal. The treatment will be the same as that contemplated by proposed clause 12A, which deals with objections.

Hon NICK GOIRAN: Is it really necessary for us to have proposed clauses 12A and 12B? As I understand it, proposed clause 11A will give the first home owner the statutory right to object to an amount of legal costs incurred by the commissioner. If the commissioner is to make a decision about that objection, would the commissioner not just make a decision upholding the objection, potentially, thereby saying to the first homeowner that their objection has been upheld and that the commissioner will give them back their legal costs? Why is it necessary for us to go to this extent in proposed clauses 12A and 12B to specify that the following amounts are payable? I note that both of those proposed clauses include the amount of legal costs to be repaid. Does that not naturally follow anyway? Is it essential that the chamber inserts these provisions?

Hon STEPHEN DAWSON: It is not essential, but it is certainly consistent with the current objection provisions.

Hon NICK GOIRAN: Again, if there was any appetite by members to not support new clauses 12A and 12B, and we did not do that, would the first home owner still be able to object or would the first home owner, if their objection was upheld or if the review was upheld by the State Administrative Tribunal, still get back their legal costs, plus whatever other order is made by the commissioner in the objection or the tribunal in the review?

Hon STEPHEN DAWSON: It does not really matter, but it would create an inconsistency.

Hon NICK GOIRAN: So it would not really matter. That is what I sensed is the case, but can the minister clarify about the inconsistency?

Hon STEPHEN DAWSON: Section 30(4) already allows for the grant and interest to be repaid. I guess this amendment seeks to make it consistent with what is in section 30(4).

Hon NICK GOIRAN: When the minister says “consistent”, is it stylistic here? I am just conscious of the fact that I have heard Hon Aaron Stonehouse previously express views about unnecessary legislation and provisions, and I have some sympathy for him there. It just strikes me that although new clause 11A will add something, perhaps new clauses 12A and 12B are really just stylistic and do not really add anything to the capacity of the commissioner or the tribunal to make these orders. I hasten to add that I do not object to it; I just want to clarify whether it is necessary. I think it is really unobjectionable, unless we hold the view that a statute should be as concise as possible. I certainly do not intend to oppose it eventually when we get to that point, but I just want to be clear as to whether it is necessary.

Hon STEPHEN DAWSON: If the commissioner has to repay the grant, interest is required to be paid to the applicant to compensate the applicant, so it is the same principle as applied to the legal costs. We do not believe it stylistic, we actually believe it is helpful.

Hon NICK GOIRAN: Section 30(3) of the act reads —

If, as a result of a decision on an objection, a decision not to authorise the payment of a first home owner grant is reversed, interest at the prescribed rate is payable on the amount of the grant from the date of the decision not to authorise the payment to the date approved for the payment.

I wonder whether that is sufficient for a first home owner to be able to obtain interest, and I wonder whether, in any event, the commissioner, or indeed the tribunal, has the inherent power to repay any interest paid. In fact, I notice that section 32(4) reads —

If, as the result of an application for a review of a decision, an amount of penalty paid by an applicant is to be repaid to the applicant, the following amounts are payable to the applicant —

- (a) the amount of penalty to be repaid;
- (b) any interest ...

Et cetera. I note the minister's response earlier that it is not stylistic and that it would be helpful. I do not think it is unhelpful. I am just not 100 per cent satisfied that it is necessary. But be that as it may, I do not want to delay proceedings unnecessarily. I think where we have landed is that the government's intention to at some point move new clauses 11A, 12A and 12B really are unobjectionable, and at absolute best, if I were to object, I might say that new clauses 12A and 12B might not be necessary. But in any event, for precautionary reasons, we should, as a bare minimum, support it. I do not intend for us to oppose that, probably in the same way as the proposed amendment to clause 15 is looking to insert "reasonable". It seems to me that the insertion of "reasonable" is unnecessary. The commissioner should only ever charge reasonable legal costs, and we certainly do not want to be going through every piece of statutory legislation in Western Australia and everywhere we see "legal costs" make sure we now insert "reasonable", because to do otherwise would suggest that this is the only time when reasonable legal costs apply, and in every other instance it is unreasonable legal costs. But, again, I do not think that it is objectionable. I indicate at this point that I am happy to indicate my support for clause 14.

Clause put and passed.

Clause 15: Section 52A inserted —

Hon STEPHEN DAWSON: I move —

Page 8, line 15 — To insert after "pay the" —
reasonable

Amendment put and passed.

Hon STEPHEN DAWSON: I move —

Page 8, after line 22 — To insert —

- (3) A third party payer, as defined in the *Legal Profession Act 2008* section 252, cannot apply for a costs assessment under Part 10 Division 8 of that Act in relation to the legal costs.

Hon NICK GOIRAN: I briefly indicate that the opposition will not support this amendment. It is the only one of the government's amendments that the opposition proposes to oppose for the reasons I outlined earlier. In our view, this unnecessarily removes an existing statutory right of a third party payer that is available in every other circumstance in Western Australia. This would then be the only circumstance in which this would not apply, and we consider that to be improper and unnecessary.

Hon STEPHEN DAWSON: I note the comments of Hon Nick Goiran, but I suggest we vote on the amendment.

Division

Amendment put and a division taken, the Deputy Chair (Hon Laurie Graham) casting his vote with the ayes, with the following result —

Ayes (10)

Hon Alanna Clohesy
Hon Stephen Dawson
Hon Adele Farina

Hon Laurie Graham
Hon Kyle McGinn
Hon Samantha Rowe

Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Darren West

Hon Martin Pritchard (*Teller*)

Noes (20)

Hon Martin Aldridge
Hon Jacqui Boydell
Hon Robin Chapple
Hon Tim Clifford
Hon Peter Collier

Hon Colin de Grussa
Hon Diane Evers
Hon Donna Faragher
Hon Nick Goiran
Hon Rick Mazza

Hon Michael Mischin
Hon Simon O'Brien
Hon Robin Scott
Hon Tjorn Sibma
Hon Charles Smith

Hon Aaron Stonehouse
Hon Dr Steve Thomas
Hon Colin Tincknell
Hon Alison Xamon
Hon Ken Baston (*Teller*)

Pairs

Hon Sue Ellery
Hon Pierre Yang

Hon Colin Holt
Hon Jim Chown

Amendment thus negatived.

Committee interrupted, pursuant to standing orders.

[Continued on page 5710.]

Sitting suspended from 4.15 to 4.30 pm

QUESTIONS WITHOUT NOTICE
SENIORS HOUSING STRATEGY

830. Hon PETER COLLIER to the minister representing the Minister for Housing:

I refer the minister to the seniors housing strategy, an initiative of the Affordable Housing Strategy 2010–2020.

- (1) Who has been consulted on the seniors housing strategy?
- (2) Why has the seniors housing strategy not been released?
- (3) When will the seniors housing strategy be released?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question.

- (1) Extensive consultation has been undertaken with key stakeholders across government, the community sector and industry and with Western Australian seniors. Stakeholders who have been consulted include various local government authorities, the Council on the Ageing WA, Aged and Community Services Western Australia, the Real Estate Institute of Western Australia, the Retirement Living Council and the Housing Industry Association.
- (2) The strategy is still being developed.
- (3) The strategy will be released after it is finalised.

2017–18 STATE BUDGET — WESTERN POWER

831. Hon PETER COLLIER to the minister representing the Minister for Energy:

I refer to the 2017–18 budget. What was the return on equity for Western Power for 2012–13, 2013–14, 2014–15, 2015–16 and 2016–17?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question.

The return on equity was 15.3 per cent in 2012–13, 15 per cent in 2013–14, 22.4 per cent in 2014–15, 20.1 per cent in 2015–16 and 16.5 per cent in 2016–17.

NATIVE TITLE — YINDJIBARNDI CLAIM

832. Hon MICHAEL MISCHIN to the minister representing the Minister for Aboriginal Affairs:

I refer to the minister's answers concerning his decision that the state will not appeal the Yindjibarndi native title claim judgement.

- (1) Does the minister concede that his immediate and unequivocal support for successful litigants against the state can give rise to a perceived conflict of interest or appearance of partiality when he later, for reasons he refuses to disclose, makes a decision, that he declines immediately to announce, to forego a state appeal against that judgement?
- (2) Will he disclose at least the general conclusion of the legal advice he received on the prospects of success of an appeal, as the Attorney General on 28 August was prepared to do with the Solicitor-General's advice as to a constitutional challenge to GST arrangements; and, if not, why not?

Hon STEPHEN DAWSON replied:

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

- (1) No. The comments made by the Minister for Aboriginal Affairs in a media statement of 20 July simply congratulated the Yindjibarndi people on their success in the Federal Court.
- (2) The reasons not to appeal provided in that advice are subject to legal professional privilege. However, I can advise the member that the general conclusion of the advice was that it was in the best interest of the state not to appeal the decision.

SCHOOLS — BUILDING CONDITION ASSESSMENTS

833. Hon DONNA FARAGHER to the parliamentary secretary representing the Minister for Education and Training:

My question is to the parliamentary secretary representing the Minister for Education and Training. She has a role today!

Several members interjected.

The PRESIDENT: Order! It is lovely that you are so supportive, but it does not help with question time.

Hon DONNA FARAGHER:

I refer to the answer given to question without notice 786 asked on 7 November 2017 regarding the building condition assessment process.

- (1) Will the minister detail the changes to the methodology referred to in the answer?
- (2) Is the BCA process, including the methodology used, documented in written form; and, if yes, will the minister table the document?

Hon SAMANTHA ROWE replied:

I thank the member for some notice of this question. I provide the following answer on behalf of the Minister for Education and Training —

- (1) Yes. The key changes in methodology related to data capture; detail and granularity of the data captured; and provision for tracking works completed through the Department of Finance and Building Management and Works against the initial building condition assessment survey data.
- (2) The methodology is described in the attached copy of the building condition assessment inspection request for quotes document, which I table.

[See paper 865.]

Several members interjected.

The PRESIDENT: Order! If people would like to ask a question today, they might want to behave themselves.

DEPARTMENT OF HEALTH — STAFF — WORKING WITH CHILDREN CHECKS

834. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Health:

I refer to the Minister for Health's answer to question without notice 787 asked on 7 November 2017 in which the parliamentary secretary advised —

A record of application date could not be found.

- (1) How can that be true given the minister previously advised the house in answer to question on notice 98 that the date was 23 March 2017?
- (2) Given that it is not possible for both answers to be correct, which answer requires correction?
- (3) Will the minister apologise to the house for this?
- (4) If yes to (3), when?

Hon ALANNA CLOHESY replied:

I am not happy with the answer provided to me, so I will seek more advice and provide a response at the next day's sitting.

LIVESTOCK INDUSTRY — PASTORAL STATIONS

835. Hon JACQUI BOYDELL to the Minister for Regional Development:

I refer to the minister's comments in March 2017 that it is —

... important for the growth and development of the livestock industry to have more "irrigated fodder crops".

- (1) Given that there are businesses ready to invest in agricultural projects across the Pilbara and the Kimberley, has the minister visited Pardoo, GoGo, Nita Downs or Wallal stations or any of the other stations that have faced challenges in obtaining permits for irrigation?
- (2) If no, is the minister planning to visit the aforementioned stations to see their projects and the challenges they represent?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

- (1)–(2) I have certainly spoken with a number of those affected pastoralists and we are working, as I said. We have now set up a senior officers group that is working across the government agencies to try to resolve the layers of approvals that are required before those diversification permits can be granted.

I actively took up the case for Pardoo with my good friend the Minister for Environment. The diversification permit that Pardoo was waiting on has been processed. It is absolutely important for me to keep in touch with the industry, which I do. Is it important for me to go out and personally inspect the sites? Will that add amazingly to my understanding of the issue? Probably not. I can assure the member that we are very engaged with the Kimberley Pilbara Cattlemen's Association and various pastoralists therein.

POLICE — STOLEN FIREARMS

836. Hon RICK MAZZA to the minister representing the Minister for Police:

- (1) Can the minister please advise the rate of recovery of stolen firearms?
- (2) What operations are being undertaken to increase the recovery rate?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. Due to the scope of the question, providing the information in the time required is not possible and I request that the member places the question on notice.

POLICE — FIREARMS CATALOGUE

837. Hon AARON STONEHOUSE to the minister representing the Minister for Police:

I note the minister's media release of 2 October 2017 in which she lauded the outcome of the recent gun amnesty, and in particular the fact that it had seen the surrender of —

... an assortment of high-powered weapons and guns that had been modified, presumably for no other reason than criminal purposes.

Given that the Western Australia Police Force has now had over a month to catalogue and analyse the weapons surrendered, how many of those weapons, if any, have been positively identified as having been used to commit a crime?

Hon STEPHEN DAWSON replied:

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

The Western Australia Police Force notes that the amnesty is an opportunity for members of the public to surrender any unlicensed firearms they have in their possession without fear of prosecution. Specific information about firearms surrendered as part of the amnesty is operationally sensitive and breaches the confidentiality inherent in the amnesty process.

ABORIGINAL PRISONERS — NON-SERIOUS TRAFFIC OR VEHICLE-RELATED OFFENCES

838. Hon COLIN TINCKNELL to the minister representing the Minister for Corrective Services:

I am inquiring into the number of Aboriginal people, both men and women, who are currently in prison due to non-serious traffic or vehicle-related offences such as not paying fines.

What are these figures for the following areas for both men and women —

- (a) statewide;
- (b) the Kimberley; and
- (c) the Pilbara?

Hon STEPHEN DAWSON replied:

I would like to thank the honourable member for some notice of the question.

I am advised that no Indigenous people have been sentenced for fine defaults only. However, the information below relates to prisoners who identify as Aboriginal and where the most serious remand charge or sentenced offence related to Australian and New Zealand Standard Offence Classification division 14—traffic or vehicle regulatory offences.

As at midnight on 7 November 2017 —

- (a) there were 44 people;
- (b) there were nine people with a last known address in the Kimberley region; and
- (c) there were three people with a last known address in the Pilbara region.

ENVIRONMENTAL WEED PERMIT 1333

839. Hon DIANE EVERS to the Minister for Agriculture and Food:

I refer to the environmental weed permit 13333, which provides authorisation for the Department of Primary Industries and Regional Development or local government authorities to use chemicals in the treatment of weeds in the urban environment at the locations described—that is, cemeteries, rights of way, wetlands, bushland, and industrial and commercial premises.

Will poisons listed on permit 13333, which include schedule 7 poisons of which the label instructions clearly state “not to be used in residential areas”, be allowed to be used —

- (a) on the Swan coastal plain;
- (b) in Kings Park;
- (c) in Bold Park;

- (d) at the Beeliar wetlands;
- (e) along the Swan River;
- (f) in class A bushland;
- (g) in the Darling Scarp;
- (h) around shopping centres; and
- (i) near or on school grounds?

Hon ALANNAH MacTIERNAN replied:

I thank the member for notice of the question.

- (a) This part of the question is about a very general area, including residential and non-residential, so I cannot meaningfully give an answer.
- (b)–(g) Yes.
- (h)–(i) No.

WATER CORPORATION — RESIDENTIAL AND COMMERCIAL BORE USERS

840. Hon SIMON O'BRIEN to the minister representing the Minister for Water:

- (1) Is it the case that residential bores typically draw from shallow surface aquifers, whereas Water Corporation bores draw from other deeper sources?
- (2) From which sources do heavy users of bore water, such as turf farms and market gardens, typically draw their water?
- (3) What impacts do household users of bore water and commercial users of bore water have on the availability of fresh potable resources for the general use for households?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The answer is based on material provided by to me by the Minister for Water.

- (1) Residential bores typically, but not exclusively, draw from shallow superficial aquifers. The Water Corporation draws from both shallow superficial and deeper confined aquifer bores, with the latter being predominant.
- (2) Commercial horticultural users take water from superficial and confined aquifers. In the Perth metropolitan area, water is primarily taken from the superficial aquifers.
- (3) The impact of bore use varies depending on a range of factors, including location, the particular aquifer and competing uses.

PERTH CHILDREN'S HOSPITAL — MINISTER FOR HEALTH

841. Hon TJORN SIBMA to the parliamentary secretary representing the Minister for Health:

I refer to the extraordinary letter from the Minister for Health to the Leader of the Opposition, seeking to thwart the opposition's scrutiny of the government's questionable decision to take practical completion of the Perth Children's Hospital now 29 weeks, or 203 days, ago. I, therefore, am compelled to ask —

- (1) Noting that the Minister for Health's reply to question without notice 638 in the Legislative Assembly yesterday conceded that the letter was sent without seeking legal advice, was the letter drafted by a departmental officer, a ministerial adviser or by the minister himself?
- (2) In addition to remediating the issue of lead in the water, what actual progress has been made in remediating the sundry outstanding defects identified by Dr Lawrence of the Child and Adolescent Health Service at the Legislative Council estimates hearing on 20 October?
- (3) When is the hospital going to open?

Hon ALANNA CLOHESY replied:

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

- (1) The letter was drafted by ministerial staff, incorporating departmental input with the benefit of extensive previous briefings and reports.
- (2) The health service is unable to provide a response within the allocated time frame and, as such, I request the member place this part of the question on notice.
- (3) The hospital will not open until assurance is received from the Chief Health Officer that the potable water supply is safe. As the minister has highlighted previously, it is anticipated to provide the public with an opening time line this month, November 2017.

GERALDTON SOBERING UP CENTRE

842. Hon MARTIN ALDRIDGE to the parliamentary secretary representing the Minister for Mental Health:

I refer to the Geraldton Sobering Up Centre run by Hope Community Services Ltd.

- (1) When did the service agreement commence and when will it conclude?
- (2) What are the expected service level activities in accordance with the service agreement and what service levels have been achieved over the life of the agreement to date?
- (3) What alternative arrangements will be put in place to meet the need in Geraldton and surrounding areas?
- (4) On what dates did Hon Darren West and Hon Laurie Graham made formal representations to the minister about the withdrawal of funding and will he table that correspondence?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question. I am advised the following.

- (1) The current service agreement with Hope Community Services commenced on 1 January 2015 and will conclude on 31 December 2017.
- (2) The expected service level in accordance with the service agreement is 2 340 to 3 744 admissions a year. In 2015, there were 1 284 admissions; in 2016, there were 1 447 admissions; and for the period 1 January to 30 June, there were 845 admissions.
- (3) Clients attending the sobering-up service will be supported to access a range of services providing alcohol and drug treatment and crisis accommodation in Geraldton. The available services include the following Mental Health Commission-funded services. The Midwest Community Alcohol and Drug Service provides assessment, outpatient counselling, prevention and diversion services for people with alcohol and other drug problems. Alcohol and other drug residential rehabilitation is provided by Hope Springs Community Farm, located 30 kilometres south of Geraldton. Transitional accommodation is provided for people leaving residential treatment.
 Additionally, the following services are available to provide support. Cameliers hostel in central Geraldton provides low-cost, supported accommodation for short-stay and longer stay residents; Sun City Care provides crisis accommodation at Rangeway in Geraldton; and, Sun City Care operates the Wandalgu residential program for people who experience issues with substance use, relationships, employment and maintaining tenancies.
- (4) Hon Darren West formally wrote to my office on 8 November 2017.

GOLD ROYALTY RATE INCREASE — REGULATIONS

843. Hon ROBIN SCOTT to the minister representing the Treasurer:

In light of the answer provided by the Treasurer in response to question without notice 817 on Wednesday, 8 November 2017, and having twice responded to my question by stating, “The government is continuing to consult with industry on an approach to a gold royalty rate change”, I ask —

- (1) Will the Treasurer confirm that the government has engaged in consultation with gold industry representatives subsequent to the passage of the disallowance motion on Thursday, 12 October 2017?
- (2) Will the Treasurer advise the number of companies involved in the consultation and will he name those companies?
- (3) Will the Treasurer advise the number of company directors involved in the consultation and will he name those company directors?
- (4) Will the Treasurer advise the number of industry organisations involved in the consultation and will he name those industry organisations?

Hon STEPHEN DAWSON replied:

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

- (1) Yes.
- (2)–(4) Consultation is being undertaken in good faith and there is no benefit to either government or the concerned businesses and their representatives of providing a running commentary on discussions had in the formulation of the revised policy.

Hon Martin Aldridge: What are you hiding?

Hon STEPHEN DAWSON: Does the member want the answer? I can confirm that the Treasurer and the Minister for Mines and Petroleum or their officers have met and continue to have open dialogue with the Chamber of Minerals and Energy on how best the government can ensure that marginal operations are cushioned from an increase in the gold royalty rate.

CHILD SEXUAL ABUSE PROSECUTIONS — INTERMEDIARY SCHEME

844. Hon ALISON XAMON to the Leader of the House representing the Attorney General:

I refer to the recommendation by the Royal Commission into Institutional Responses to Child Sexual Abuse that Western Australia should establish an intermediary scheme for prosecution witnesses with communication difficulties in child sexual abuse prosecutions.

- (1) Does the government support this recommendation?
- (2) If yes to (1), has any work been undertaken to progress this recommendation?
- (3) If yes to (2), what work has been undertaken?
- (4) If no to either (1) or (2), why not?

Hon SAMANTHA ROWE replied:

I thank the honourable member for some notice of the question. I provide the following response on behalf of the Leader of the House.

- (1) The government supports the provision of quality intermediary practices, subject to these being workable given the skill and resource capacity, and notes that the judiciary must be closely involved in the development of such practices.
- (2) Yes.
- (3)–(4) In Western Australia, the legislation has provided for intermediaries since 1992. However, the provision has not been consistently used. The Chief Judge is chairing a committee of interested parties to make recommendations for the implementation of such a scheme in WA.

EMERGENCY SERVICES LEVY

845. Hon COLIN de GRUSSA to the minister representing the Minister for Emergency Services:

I refer to comments made by the minister to Esperance volunteer emergency services personnel on 23 August 2017 relating to the emergency services levy.

- (1) Does the government have plans to increase the emergency services levy collected from Western Australian property owners?
- (2) If yes to (1), will this increase be applied evenly across metropolitan and regional property owners?
- (3) Does the minister think it is fair that of the more than \$320 million collected through the ESL, less than 10 per cent goes back to regional volunteer emergency services organisations?
- (4) Is the government going to respond to recommendations by the Economic Regulation Authority in the “Review of the Emergency Services Levy: Final Report”?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. I am advised of the following.

- (1) The rate and total amount of the emergency services levy is subject to the normal budgetary processes and approval of cabinet. The ESL rate is published on an annual basis in the *Government Gazette*, while the total amount of ESL raised is published in the Department of Fire and Emergency Services portion of the *Budget Statements*.
- (2) Not applicable.
- (3) The 10 per cent quoted appears to solely reference the grant funding provided to local governments for the operation of bush fire brigades and State Emergency Service units. This is a small proportion of the funding support provided through the ESL in areas in which regional volunteer emergency services organisations operate. DFES provides emergency services groups, including the volunteer fire and rescue service, volunteer fire and emergency service, volunteer marine rescue service, State Emergency Service and bush fire brigades with direct and indirect funding support to deliver their services, and this is principally funded by the ESL. Direct support comes in the form of the provision of property, plant and equipment, and operating funding for the day-to-day running of brigades and units. Indirect support comes in the form of frontline operational and technical services, such as the provision of a state computer-aided dispatch system, aerial firefighting capability, communication and information technology, and regional operation centres, as well as training and administrative support.
- (4) The state government will carefully consider the recommendations contained in the Economic Regulation Authority’s review into the emergency services levy in the context of broader government objectives.

REMOTE COMMUNITIES — POWER AND WATER SUPPLIES

846. Hon ROBIN CHAPPLE to the minister representing the Minister for Housing:

I refer to the 14 communities listed in the Auditor General's 2015 report into the reliability of power and water supplies in remote communities.

- (1) Is monthly testing and analysis of water quality in these communities still being carried out?
- (2) Will the minister please table the results of the last 12 months' analysis?
- (3) If no to (2), why not?

Hon STEPHEN DAWSON replied:

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

- (1) Yes; all 14 communities are tested monthly, with results reported and monitored by the Department of Health.
- (2) I table the attached information.
- (3) Not applicable.

[See paper 866.]

LOCAL CAPABILITY FUND

847. Hon JIM CHOWN to the Leader of the House representing the Premier:

I assume that Hon Samantha Rowe has it covered. I refer to the media statement by the Premier, Hon Mark McGowan, on Friday, 27 October 2017. The statement refers to a new capability fund that has been established. It states —

The McGowan Labor Government will provide eligible businesses with up to \$20,000 in dollar-for-dollar funding to assist them to prepare for work on the METRONET project.

The Local Capability Fund's METRONET round will focus on future engagement opportunities between prospective railcar manufacturers and Western Australian small to medium enterprises ...

This funding can be used for equipment, improvements to internal business infrastructure and systems, and expert consultancy fees.

- (1) Where in the budget is this fund stated?
- (2) What is the total allocation for this fund?

Hon SAMANTHA ROWE replied:

On behalf of the Leader of the House, I thank the honourable member for some notice of the question. The Department of Jobs, Tourism, Science and Innovation advises the following.

- (1) On page 106, within the "Details of Controlled Grants and Subsidies" table, the fund is referred to as "IFSP Government Procurement and METRONET". The IFSP, industry facilitation and support program, has been renamed as the local capability fund.
- (2) The total allocation for 2017–18 is \$800 000, which comprises \$400 000 allocated to the Metronet round and \$400 000 to supporting small and medium-sized enterprises to enter government supply chains.

STATE FINANCES — GENERAL GOVERNMENT REVENUE

848. Hon Dr STEVE THOMAS to the minister representing the Treasurer:

What has been the annual and total additional general government revenue received in Western Australia over and above the long-term average revenue growth, preferably from 2001–02 or from the nearest available financial year to the end of the 2016–17 financial year?

Hon STEPHEN DAWSON replied:

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

The member's question was taken as supplementary information requested at the 19 October 2017 estimates hearing for Treasury. The following information is from the department's formal response to the Standing Committee on Estimates and Financial Operations, which is expected to be tabled in the house shortly.

General government operating revenue is lumpy and subject to significant variation, such as from one-off income events, such as the global financial crisis—GFC—or dividends from the sale of assets and from fluctuating profit in public corporations and changes in commonwealth funding, such as stimulus funding in response to the GFC, changes in non-government school funding, and the impact of changes in general revenue grants, including the GST and the preceding financial assistance grants arrangements. Operating revenue grew by an average annual rate of 5.9 per cent over the period 2001–02 to 2016–17, which compares with average growth of 6.8 per cent over the period 1994–95 to 2000–01, the accrual accounting data for the state's public sector finances is only available from 1993–94. Figures are available in tabular form and I seek leave to incorporate this into *Hansard*.

Leave granted.

The following material was incorporated —

COMPARISON TO TREND REVENUE GROWTH

General Government Sector — Western Australia

	General government operating revenue \$m a	Annual growth %	Average annual growth to 30 June %	Application of trend growth from 2001–02 \$m b	Revenue above trend \$m a-b
1993–94	6,756				
1994–95	7,397	9.5			
1995–96	7,930	7.2			
1996–97	7,908	-0.3			
1997–98	8,590	8.6			
1998–99	9,026	5.1			
1999–00	9,711	7.6			
2000–01	10,687	10.0	6.8		
2001–02	11,123	4.1		11,410	-287
2002–03	11,869	6.7		12,183	-314
2003–04	12,851	8.3		13,008	-157
2004–05	14,333	11.5		13,889	444
2005–06	16,667	16.3		14,829	1,837
2006–07	17,573	5.4		15,833	1,740
2007–08	19,345	10.1		16,906	2,439
2008–09	19,435	0.5		18,050	1,384
2009–10	22,039	13.4		19,273	2,766
2010–11	23,909	8.5		20,578	3,332
2011–12	25,220	5.5		21,971	3,249
2012–13	25,718	2.0		23,459	2,259
2013–14	27,956	8.7		25,047	2,908
2014–15	27,400	-2.0		26,743	657
2015–16	26,485	-3.3		28,554	-2,069
2016–17	26,913	1.6	5.9	30,488	-3,575
TOTAL	396,841			312,221	16,614

Note: Columns/rows may not add due to rounding.

STATE BUDGET 2017–18 — WESTERN POWER

849. Hon PETER COLLIER to the minister representing the Minister for Energy:

I refer to the 2017–18 budget. What is the forecast revenue for Western Power for 2017–18, 2018–19, 2019–20 and 2020–21?

Hon STEPHEN DAWSON replied:

Western Power is subject to independent economic regulation by the Economic Regulation Authority. A regulatory determination by the Economic Regulation Authority regarding Western Power's five-year fourth access arrangement, known as AA4, is due by 1 July 2018. Western Power's forecast revenue will be updated following the Economic Regulation Authority's final determination.

WATER SUPPLY — DEPARTMENT OF COMMUNITIES

850. Hon AARON STONEHOUSE to the minister representing the Minister for Housing:

I note reports on the ABC's Kimberley service dated 8 November 2017 that Pandanus Park near Broome has had to accept an offer from a charity to step in and provide its residents with safe drinking water, after the community CEO spent 18 months unsuccessfully lobbying the state government over the issue.

- (1) In how many communities across WA is the Department of Communities responsible for the provision of water?
- (2) Does the government monitor the water quality in each of these communities?

- (3) If yes to (2), how often is this monitoring undertaken?
- (4) Is it true that the ABC asked to see the latest set of results pertaining to Pandanus Park and that its request was denied?
- (5) Will the minister table the last 12 months' worth of test results specific to the Pandanus Park community; and if not, why not?

Hon STEPHEN DAWSON replied:

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

- (1) It is responsible for 136 remote Aboriginal communities.
- (2) No, the department monitors and tests the water supply in 82 of these remote communities.
- (3) The water is tested monthly for microbiological compliance and six-monthly for chemical composition. When elevated chemical levels are detected—for example, nitrates—the water is tested monthly. Results are monitored by the health department.
- (4) No. In the media response to the ABC, the Department of Communities advised the average nitrate level over recent years was 67.5 milligrams per litre, which is within the recommended “Australian Drinking Water Guidelines (2011)” and safe for adults and pregnant women. In a subsequent radio interview with the ABC, the Department of Communities also advised the nitrate level in Pandanus for September 2017 was 45 milligrams per litre. Bottled water is provided for bottle-fed infants under the age of three months, consistent with the ADWG. I table for the member's information from the Department of Communities provided to the ABC.
- (5) I table the attached information.

[See paper 867.]

QUESTION ON NOTICE 380

Paper Tabled

A paper relating to an answer to question on notice 380 was tabled by **Hon Samantha Rowe (Parliamentary Secretary)**.

LOCAL GOVERNMENT ELECTIONS — GIFT DISCLOSURE

Question without Notice 770 — Point of Order

Hon MARTIN ALDRIDGE: On Thursday, 2 November, I asked the Leader of the House question without notice 770. The following evening I made a member's statement suggesting that the answer provided by the Leader of the House was incorrect. On Tuesday, 7 November, the minister issued a statement of clarification following question time. I do not believe that the statement of clarification met the standard of the house in terms of correcting an answer to a question. I raised it again further in a member's statement, and there has been no further statement made to the house since. The Leader of the House made a series of statements to the house after question time on Tuesday, 7 November, about question without notice 770. There was not an explicit correction or an admission that the original answer provided was incorrect. The Leader of the House will continue to blame everybody except for herself and her government for the answer that was provided to this house, and I ask that you review the answer and the clarification provided to this house and rule whether it is to the standard that this house expects.

The PRESIDENT: Thank you, for that point of order, we will have a look at that information and come back to you in due course.

FIRST HOME OWNER GRANT AMENDMENT BILL 2017

Committee

Resumed from an earlier stage of the sitting. The Chair of Committees (Hon Simon O'Brien) in the chair; Hon Stephen Dawson (Minister for Environment) in charge of the bill.

Clause 15: Section 52A amended —

Committee was interrupted after the clause had been partly considered.

Hon NICK GOIRAN: I move —

Page 8, after line 22 — To insert —

- (3) If the notice covers legal costs as defined in the *Legal Profession Act 2008* section 3 —
 - (a) the notice must include or be accompanied by a written statement setting out the applicant's right under the *Legal Profession Act 2008* to apply for an assessment of those costs; and
 - (b) the Commissioner must not commence proceedings to recover those costs until at least 30 days after the date on which the notice is given to the applicant.

In brief, I encourage members to support this amendment. In line with the remarks I made earlier this afternoon, the commissioner ought to be a model litigant. If the commissioner seeks to send a notice in accordance with section 15—this is of course an amendment to section 15—he ought to ensure that the first home owner is aware of his or her rights for a cost assessment. Earlier, the house defeated the government’s amendment to remove that right for a cost assessment. It remains the case that a first home owner in Western Australia is entitled to apply for a cost assessment. The commissioner, as a model litigant, should draw that right to the attention of the first home owner.

In addition, this amendment will ensure that the commissioner cannot start legal proceedings to recover costs until at least 30 days after that notice. That is consistent with the provisions of the Legal Profession Act, whereby lawyers cannot sue their clients or somebody associated with their bill for a 30-day period.

Hon STEPHEN DAWSON: The government is not supporting the amendment.

Amendment put and passed.

Clause 15, as amended, put and passed.

Clauses 16 to 18 put and passed.

Title put and passed.

Bill reported, with amendments.

Recommittal

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment) [5.09 pm] — without notice:
I move —

That the First Home Owner Grant Amendment Bill 2017 be recommitted for the purposes of considering proposed new clauses 11A, 12A and 12B.

Essentially, we have foreshadowed that a number of amendments to those clauses should be made, so we urge the house to deal with those now.

Question put and passed.

Committee

The Chair of Committees (Hon Simon O’Brien) in the chair; Hon Stephen Dawson (Minister for Environment) in charge of the bill.

New clause 11A —

Hon STEPHEN DAWSON: For the reasons previously mentioned, I move —

Page 5, after line 30 — To insert —

11A. Section 26 amended

In section 26 in the definition of *decision on the application*:

- (a) in paragraph (d) delete “(3);” and insert:
(3); and
- (b) after paragraph (d) insert:
(e) a requirement under section 52A(1) to pay an amount of legal costs incurred by the Commissioner.

Hon NICK GOIRAN: In brief, we already discussed this matter at length when we previously considered clause 14 of the bill in committee. For the reasons outlined then, I indicate that the opposition supports this and the other amendments proposed by the government.

New clause put and passed.

New clause 12A —

Hon STEPHEN DAWSON: I move —

Page 6, after line 17 — To insert —

12A. Section 30 amended

After section 30(5) insert:

- (6) If, as the result of a decision on an objection, an amount of legal costs paid by an applicant is to be repaid to the applicant, the following amounts are payable to the applicant —
 - (a) the amount of legal costs to be repaid;

- (b) any interest paid by the applicant in respect of a written arrangement approved by the Commissioner under section 52 that relates to an amount referred to in paragraph (a);
- (c) interest at the prescribed rate on the amounts payable to the applicant under paragraphs (a) and (b) from the date the amount was paid by the applicant to the date approved for the repayment.

New clause put and passed.

New clause 12B —

Hon STEPHEN DAWSON: I move —

Page 6, after line 17 — To insert —

12B. Section 32 amended

After section 32(4) insert:

- (5) If, as the result of an application for a review of a decision, an amount of legal costs paid by an applicant is to be repaid to the applicant, the following amounts are payable to the applicant —
 - (a) the amount of legal costs to be repaid;
 - (b) any interest paid by the applicant in respect of a written arrangement approved by the Commissioner under section 52 that relates to an amount referred to in paragraph (a);
 - (c) interest at the prescribed rate on the amounts payable to the applicant under paragraphs (a) and (b) from the date the amount was paid by the applicant to the date approved for the repayment.

New clause put and passed.

Report

Bill again reported, with amendments, and, by leave, the report adopted.

Remaining Stages — Standing Orders Suspension — Third Reading

On motion without notice by **Hon Stephen Dawson (Minister for Environment)**, resolved with an absolute majority —

That the standing orders be suspended so far as to enable the bill to be read a third time.

Third Reading

Bill read a third time, on motion by **Hon Stephen Dawson (Minister for Environment)**, and passed.

ASBESTOS — HOME OWNERS

Statement

HON MATTHEW SWINBOURN (East Metropolitan) [5.18 pm]: I rise today to speak about an issue that is placing many Western Australians at risk. Indeed, many of those people may not even be aware that they are at risk. That issue is asbestos in the home. Although for many years asbestos as a building material has largely been out of use in Australia, there are still many homes that were built before the ban on asbestos building materials was introduced in the 1980s. We therefore need to continue to contain asbestos, as it sits there like a ticking time bomb. In the area I represent—East Metropolitan Region—there are still many homes in the suburbs of Gosnells, Armadale, Thornlie, Midland, Mt Lawley, Guildford and Bassendean that were built at the height of the use of asbestos as a building material. By way of example, the home that my nanna built in Armadale in the 1960s, after she had migrated to Australia from the United Kingdom, has an asbestos roof. That roof, fortunately, has been sealed, but it remains an ever-present danger if it is disturbed.

Left undisturbed, asbestos is often harmless, but if it is disturbed during demolition, maintenance or renovation work, the risk is greatly increased. That is why awareness of asbestos is very important. This month, for those who do not know, is Asbestos Awareness Month. It is vitally important that we get behind the campaign to raise the subject of the risk of asbestos in the home. It is estimated that one in three Australian homes still contain asbestos. Although this is a high number, it does not of itself mean that one in three homes is presently putting people's lives at risk. The real danger is that it is often very difficult—even impossible—to tell which homes and which materials inside those homes contain the dangerous substance. Therefore, the point of this campaign is to make people aware that the danger could be anywhere, and that only by bringing in a professional and qualified testing service can home owners and renovators be sure of their risk.

Many Western Australians have a do-it-yourself spirit, and the great Australian dream of home ownership is often linked with a certain pride in doing things around the home without the help of professionals. Although that is admirable, there are a number of instances when do-it-yourself is a hazard and work should be left to the professionals. Electrical work is an obvious example of something that should be left to professionals, and asbestos is another. The difference is that although most people know of the hazards of electricity because they are often self-evident, fewer people are aware of the dangers of asbestos and are often not even aware of its presence in their home. There is no safe level of asbestos exposure, and diseases associated with exposure often take many years to present. For this reason we often overlook the risk of asbestos exposure because the consequences are not immediately visible. Although the use of asbestos as a building material has decreased in recent decades—unless, of course, a children’s hospital is being built—rates of asbestosis and mesothelioma are expected to rise. We must be vigilant, aware and not averse to bringing in professionals to assess and manage the risk when we are unsure.

Of course, the risk is greatly increased for tradies who work on domestic properties. Bricklayers, carpenters, electricians, landscapers, plumbers, roofers, tilers and painters, to name a few, often face the risks of undiscovered asbestos. They should all be aware of the dangers and given the proper training. It is a worker’s issue and a worker’s safety issue, and it is incredibly important for workers and contractors to recognise the risks and warning signs. Engaging licensed asbestos removal contractors is always the best solution in any situation where there may be a hazard.

The message is simple: do not play renovation roulette. If you suspect there may be asbestos present, get the materials tested. Do not cut it, do not drill it, do not drop it, do not sand it, do not saw it, do not scrape it, do not scrub it, do not dismantle it, do not tip it, do not water blast it, do not demolish it, and whatever you do, do not dump it. I encourage members to support Asbestos Awareness Month. I am supporting it. I will be hosting a blue lamington morning tea later this month, and I will invite my guests to make a small donation to asbestos-related charities, and I hope all members also have the opportunity to do that.

The PRESIDENT: I might just add that we will be doing the same type of event here at Parliament House on 29 November, and I encourage all of you to participate in due course.

REMEMBRANCE DAY

Statement

HON TJORN SIBMA (North Metropolitan) [5.23 pm]: I rise very briefly to note that it is Remembrance Day this Saturday. As shadow Minister for Veterans Issues, I want to make a very brief statement to that effect. On 11 November we commemorate the general Armistice of 1918 that marked what was to be the war that ended all wars. Sadly, that was not the case. That war saw the loss of 61 532 Australian lives, including an estimated 7 000 from Western Australia. I said in another statement last week that the First World War largely serves to anchor our national commemoration and contemplation of Australian lives lost in military service. Considering the scale and the psychological shock of that conflict, and the fact that political, cultural and economic reverberations of that conflict still resonate today, that should be no surprise. But we should not forget or minimise the significance of Australian lives lost in the service of this country in other, less well known conflicts and operational theatres prior to that war, and certainly subsequent to it.

I want to draw attention to a couple of lesser-known operational theatres in which significant numbers of Australian lives were lost. I will not go through the whole tally but it serves to illustrate the point. Commencing with the Sudan conflict in 1885, nine Australians were lost. In South Africa between 1899 and 1902 an estimated 588 Australian lives were lost. It was my privilege to attend the rededication of the Boer War memorial at Kings Park last Sunday where that loss was once again commemorated. Closer to home, in the Indonesian confrontation 21 lives were lost and another two on the Malay Peninsula. In the last century, in excess of 100 002 Australian lives have been lost in the course of military service. This does not represent the many thousands who died later as a result of their injuries. This shows that our armed forces personnel have been part of actions across the globe. Like their comrades in the First World War, many have suffered and paid the ultimate sacrifice in lands unfamiliar to them, far from their home and far from the comfort of their loved ones. We are often urged to let silent contemplation be our offering on days like Remembrance Day and other commemorative services. That is very easy for us to do. The more difficult thing is to actually provide support to the returned services people, in whatever respect they served this country, and to their families. I want to mark this house’s gratitude for Australian service men and women and, once again, compel us to mark our respect. Lest we forget.

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE

Statement

HON ALISON XAMON (North Metropolitan) [5.26 pm]: I rise tonight to make some comments about the commonwealth redress scheme, which has an implication for this state. Members may know that on 26 October, legislation was introduced into the Australian Parliament to establish a commonwealth redress scheme for institutional child sexual abuse. The establishment of a commonwealth redress scheme was one of the many recommendations that has come out of the Royal Commission into Institutional Responses to Child Sexual Abuse.

I thought I would tell members that since its establishment in January 2013, the royal commission has examined more than 1.2 million documents, heard evidence from more than 1 200 witnesses, conducted 57 public hearings across Australia and has also published 50 reports. The royal commission has almost finally completed what has been a mammoth and, I imagine, an extraordinarily distressing task and its final report will be delivered in December. Although it is recognised that child abuse is not confined to a particular time or circumstance, in undertaking its work the royal commission has shed light on a particularly heartbreaking period within Australian history when the conjunction of prevailing social attitudes to children and an unquestioning respect for the authority of institutions by adults, unfortunately coalesced to create the high-risk environment in which thousands of children were abused. Although the primary responsibility for the sexual abuse of an individual always lies with the abuser, the royal commission's work has resoundingly demonstrated that both individual institutions as well as governments have failed abysmally in their responsibility to ensure that children are kept safe.

As members would be aware, the commonwealth scheme is not the first child abuse redress scheme in Western Australia. The Redress WA scheme was devised and announced by the Labor government in 2008 to acknowledge and apologise to adults who, as children were abused and/or neglected while they were in the care of the state. I recall at the time when the redress scheme was introduced that it was appropriately and widely welcomed. However, Redress WA was effectively fraught from the time the Barnett government took office. We know that the Barnett government chose to halve the maximum payment available, which perpetuated many of the victims' feelings of distrust and anger towards the government and their sense of worthlessness and betrayal. Also, what ended up being quite an arduous application process was followed, for many people, by a really long and quite agonising wait to hear the decision. For some, the wait was over a year. Applications were accepted for only a limited time, which meant that people who were not ready or able to tell their story missed out, or were forced to rush an often very painful process of disclosure. Other people simply missed out because they did not find out about it in time and did not realise it applied to them. I was the portfolio holder for the Greens at the time, and my office was contacted by many people. Hearing their stories was quite harrowing. It made me extraordinarily sad as well as angry, and I ended up speaking about this issue many times in this place. As far as I am concerned, Redress WA became a stark example of the considerable capacity for redress schemes, if they are not conducted well, to cause a secondary harm and for victims to be left feeling devalued and re-abused.

Not surprisingly, the announcement of the commonwealth scheme has been met with varying reactions. Although the announcement has raised hopes and expectations among many survivors and advocates, for others the announcement has triggered painful feelings and memories, uncertainty and confusion. The commonwealth scheme aims to provide redress on a nationally consistent basis, and it has three elements: a tax repayment of up to \$150 000, which is considerably more than what the state scheme contemplated; it will not affect welfare entitlements; and it is expected that survivors who might have received lower redress through another scheme, such as the WA scheme, can have their amounts topped up. It will enable access to psychological counselling of the survivor's choice and, if requested by the survivor, a direct personal response from the institution.

Tragically, many concerns are being expressed about this commonwealth scheme. One of the issues is that the commonwealth scheme will provide redress only for sexual abuse, in contrast to the WA scheme, which provided redress for the whole spectrum of abuse that people experienced. If passed, the scheme will run for only 10 years, from 1 July 2018. Although I welcome the fact that the scheme will run considerably longer than the WA scheme did, I note that the recommendation from the royal commission was that it needed to be an open-ended process. One of the things it fails to recognise is that disclosure is very different for different people. Often, disclosure becomes a lifelong process. The commonwealth government has also indicated that people who have committed a sexual offence, or who have been sentenced to five years or more imprisonment for serious crimes will be excluded from the scheme. I do not know of any other redress scheme that has similar provisions. This fails to recognise that often survivors will have criminal convictions precisely because of the horrific things that they experienced as children, and the long-term effects of child abuse and trauma, as well as the effects of self-medication through alcohol or illicit drug use.

Although I appreciate that there are a lot of issues still to be worked through, and that the WA government is yet to decide whether it will opt in to the scheme, redress remains an outstanding issue for many people, and it is crucial that the mistakes of Redress WA are not repeated. Survivors and their families, as well as advocates, want and deserve certainty, and support organisations need to have information about what will happen so that they can prepare. Public information must be easy to access and easy to understand, because too many people were not aware until too late that they were eligible under the WA scheme, and so they missed out. We need to make sure that the application processes will be simpler than they were last time and that people will be contacted regularly and not just left with no information for long periods, and counselling and support must be available.

It is also important that those parties who opt in, including the commonwealth, the state government, churches and charities, all provide adequate funding for the scheme and keep any promises made about those amounts. It cannot be changed midstream in the way that occurred with Redress WA, because it creates too much distress. We know that we still have a lot of work to do in this space. Many of the people who have previously suffered horrifically

in some of the institutions have been in and out of home care. A lot of them are now vulnerable, ageing and ill. Their hopes have been raised but they are still waiting. They are also waiting for the promised legislation, which this government has indicated it will draft to remove the statute of limitations for victims of child sex abuse. This is a long-awaited reform and we need to get moving on it. The government needs to ensure that redress is properly sorted. It is really important work and it is crucial that we get it right. It is crucial that we learn from the mistakes of the past given what has happened with this scheme, and I hope we see some urgent progress in this area.

YOUNG AUSTRALIANS — INCARCERATION

Statement

HON ROBIN SCOTT (Mining and Pastoral) [3.35 pm]: I will be brief. I want to talk about the incarceration of young Australians. All Australians are keen to find cost-effective ways of closing the gap between Indigenous Australians and the rest of us. One of the most glaring examples of this divisive gap is the large number of young Indigenous Australians behind bars. The first questions we need to ask are about illiteracy. Of the young people, mostly male, who are incarcerated in Broome, Roebourne and Kalgoorlie in my region and elsewhere in this state, how many are illiterate? If they are still illiterate when they leave jail, the system has failed. How many prisoners, especially young prisoners, are released from jail and still unable to read and write? It should be obvious that for any individual who is tossed back into the community with the immense employment handicap of illiteracy, an early return to the prison system is a strong possibility. Whatever the cost per head of a successful literacy program, that cost will be less than the cost to the community of possible future crime and more jail time.

The next question we need to ask is whether there are better alternatives than prison as a response to many crimes. Far too many young people, especially Indigenous males, are behind bars. While behind bars, young people are at risk—at risk of violence, at risk of drugs, at risk of assault, at risk of sexual abuse and at risk of being bullied into committing crimes in the future. It costs at least \$100 000 a year to keep a young person behind bars. For many crimes and for very many offenders, there is a cost-effective practical alternative to prison. Instead of putting a young offender behind bars, a court should have the option of appointing a full-time mentor to the offender. The offender would be accompanied and guided by the mentor and under permanent curfew unless alongside the mentor. Without the specific authority of the court, the offender would remain within his or her place of residence and not step outside the front door unless in the company of the mentor. Mentoring will, itself, provide valuable job opportunities for mature Australians, including members of the Indigenous communities, to pass on life's experiences to young offenders. Our aim should be to slash the number of young people behind bars and maximise the opportunities for young people to escape from their criminality and become functional, contributing members of our society. It would be a good thing for the commonwealth government to meet the cost of training the mentors and even contribute to the salaries. If the commonwealth is reluctant, that should not prevent the Western Australian government from going it alone. We have a law and order problem in this state and my colleague Hon Charles Smith has spoken in this chamber on the subject. As Hon Charles Smith is well equipped to explain, we cannot solve a law and order problem by building more jails.

MENTAL HEALTH COMMISSION — NON-GOVERNMENT ORGANISATIONS — LAMP INC

Statement

HON ADELE FARINA (South West) [5.39 pm]: I rise tonight to correct the record in relation to an answer provided by the Mental Health Commissioner to a question on the mental health budget asked by Hon Alison Xamon during the Standing Committee on Estimates and Financial Operations hearings. Hon Alison Xamon referred to the dot point under the heading "Budget Saving Measures" on page 144 of the budget papers and asked whether she could have a list of all non-government organisations that were no longer considered to be a priority and the funding cuts that they had suffered. When answering the question, the Mental Health Commissioner identified the NGOs, the services cut and the budget savings. The commissioner did not identify the funding cut for Lamp Inc, which, for the record, is \$77 495 per annum. That goes towards the part funding of a housing support worker and a car for that housing support worker.

For the purposes of full disclosure, I am a patron of Lamp, which is located in Busselton and provides specialist services for people with mental health problems. Under the Transitional National Partnership Agreement on Homelessness between the state and the federal government, Lamp receives funding for a housing support worker to work with high-risk community members who have been diagnosed with a mental illness and are, or have been, recently hospitalised due to their mental illness and are or at risk of becoming homeless. The Mental Health Commission and now the Department for Communities provide joint funding to provide one full-time equivalent housing support worker and a car for that worker.

The service commenced in 2010 with a 0.5 full-time equivalent position contracted to the then Department for Child Protection and Family Support. The demand for this service was and continues to be significant. The work is time-intensive, and the area that is covered—the lower south west—is reasonably large. The housing support worker was working well above capacity, and this was recognised by the then Department for Child Protection and Family Support. When funds became available through the Mental Health Commission, the then

Department for Child Protection and Family Support recommended that the Mental Health Commission match the funding that it provided to enable the FTE to be increased from 0.5 FTE to an FTE. This resulted in a shared funding agreement between Lamp and the then Department for Child Protection and Family Support, and now the Department for Communities, to provide services for up to 20 people per annum who meet the service criteria.

Due to limited public and community housing, identifying appropriate housing is often time-intensive and requires intensive negotiations with, and reassurance of, private landlords to enter into a tenancy with a person with a serious mental illness. In addition, the housing support worker helps to secure the support the client needs to sustain the rental accommodation, together with working with the client's family to this end. The housing support worker is required to keep in regular contact with clients for 12 months and adjust supports as needed over that time. When answering Hon Alison Xamon's question, the Mental Health Commissioner stated —

Unfortunately, the service fell well short of delivering on that number of people.

That number is up to 20 people a year. The commissioner provided no evidence in support of his claim, and, based on the information provided to me, this claim is factually incorrect. The reasons that the commissioner made the comment are known only to him. However, we need to understand that the commissioner is an experienced public servant who has held senior management positions in the public service, and he ought to know the need to provide accurate information when answering questions before Parliament and its committees. It is inappropriate and unprofessional to make statements that are highly critical of NGOs or individuals in this place when that NGO is not present or able to defend itself. The commissioner should have checked and double-checked his facts before making this statement. As I have said, based on the information provided to me, the statement of the commissioner is incorrect. If he disagrees, I would be happy for him to provide evidence to the contrary.

As I understand, since 2010, the housing support worker employed by Lamp has assisted more than 159 people. This equates to 22 people a year on average. Contrary to falling well short on delivering up to 20 people per annum, Lamp has exceeded the contractual requirement. Importantly, no tenancies have failed while under the program's support. That is an exceptional outcome on any assessment. I understand that in his address to the 2017 Mental Health, Housing and Homelessness Forum, the Mental Health Commissioner said that stable accommodation is the most important contributing recovery factor to people with a mental illness. He also noted that 43 per cent of people with a mental illness who are hospitalised could be discharged if they had suitable accommodation. The program's funding has been cut, yet it played a vital role in assisting people with their recovery and to live in the community. Lamp Inc engaged the services of an independent assessor to undertake a whole-of-organisation social return on investment assessment. The independent assessor found that for every dollar invested in Lamp, it provided a return of \$3.40, so each agency that has provided funding to Lamp has received a greater than three to one return on its investment.

The homeless team at Royal Perth Hospital and the Mental Health Commission have identified that it costs \$1 550 a day to keep a mentally ill homeless person in hospital. In the last 12 months, based on having assisted 22 people with mental illness into housing and out of hospital, the program has saved the state in excess of \$12 million. As the Mental Health Commission funded only half of the program, this amounts to \$6 million. In my view, a saving of \$6 million on an investment of \$77 500 is a very good return. I note that the program was delivering results in excess of its contractual requirements.

Based on the information that I have available to me, the decision to cut funding to this program makes little sense and could end up costing the state significantly more than the amount that will be saved. I understand the dire financial circumstances in which the state finds itself and the need to make budget savings; that is well understood. What is particularly disturbing to me is that based on the comments made by the commissioner at estimates, the decision was made on inaccurate information that the program was significantly underperforming. This is simply wrong and is deeply concerning. I urge the commissioner and all public servants to be more cautious when providing information to Parliament and when advising ministers on budget savings. I encourage the commissioner to accept the invitation by Lamp to visit it to see firsthand and better understand the vital services it provides to those with mental illness and their families in the lower south west. In the meantime, I will continue to do what I can to reinstate that funding.

MILO YIANNOPOULOS

Statement

HON CHARLES SMITH (East Metropolitan) [5.47 pm]: I rise to respond to recent public comments made by the Premier in October about British-born, American-based commentator and author Milo Yiannopoulos, whom I shall henceforth refer to as Milo. He is due to visit Western Australia later this year. According to media reports, the Premier stated that Milo was not welcome in Western Australia and that government-owned venues would not be available for him to use in his speaking tour. The Premier then repeated a number of false and malicious claims about Milo; namely, that he, to use the Premier's words, "defends paedophiles and associates with Nazis". They are curious words from the Premier. It appears that the Premier did not do any research into Milo or what he stands for. It is absurd to claim that Milo, a gay Jewish libertarian man with an African American partner, is somehow in

league with Nazis. Milo also unequivocally condemns paedophilia and is himself a victim of child sexual abuse. The fact is that critics of Milo are looking for any excuse to prevent him from speaking as he challenges many of the left-wing, politically correct orthodoxies that they hold dear.

There appears to be a worrying trend in this state and the country towards greater regulation over what people can say. Increasingly, we see the left side of politics label dissenting views as hate speech in an attempt to stifle open inquiry and debate. It appears that many on the left have little regard for the notion of free speech; rather, they behave like Stalinists in trying to shut down discussion and silence their opponents. Outright character assassination has become a weapon to tear down anybody who is brave enough to publicly express non-politically correct views.

I certainly do not agree with everything Milo says. However, I believe in freedom of speech, a concept borne out of the European Enlightenment. In summing up the philosopher Voltaire's beliefs, Evelyn Beatrice Hall coined the phrase—I know we have heard it all before—"I disapprove of what you say, but I will defend to the death your right to say it." Many on this side of the house share this sentiment and believe that Milo has the right to speak in Western Australia. Furthermore, Western Australians should have the right to attend his speaking events without being harassed, intimidated or attacked. I believe this may be an important test case but I hope freedom of speech can prevail here in Western Australia.

MARITIME UNION OF AUSTRALIA

Statement

HON KYLE MCGINN (Mining and Pastoral) [5.50 pm]: I rise today to talk about the union that ensured I had support throughout my time in the maritime industry—the Maritime Union of Australia—and its amalgamation with the Construction, Forestry, Mining and Energy Union. I am proud to have been a part of the Maritime Union of Australia for the past 10 years. That union ensured that my rights at work were protected and gave me a platform to support social and political issues, and ensured justice, in particular for the disadvantaged. Despite the media talking negatively about the MUA, particularly the WA branch, I stand here to let members know that the organisation I know and love has always acted in the best interest of its membership and ensured that people are treated equally. There were many times when I had been at sea, with no contact with the outside world for weeks on end, and I often found that my employer would find ways to underpay us, neglect its obligations under the enterprise agreement, make us work in a bad safety culture and not supply us with the appropriate safety equipment. On the day that I got in and called my union, every single time it would respond. Every single time it would go in and bat for me and the membership on board the vessel. We always followed the law; if only the employers would.

I mostly enjoyed spending time with people who had been members of the MUA for many years—many of them for 20 or 30 years. The MUA has a history spanning back to 1872, with the Seamen's Union of Australia. The history of the MUA is a history of many amalgamations, giving members better representation and better benefits right across the board. I took an interest in the 1993 amalgamation from the early days offshore, and spent many a time with members who were there and voted on that amalgamation. The amalgamation was between the SUA and the Waterside Workers' Federation of Australia. By that time, the SUA had undergone multiple amalgamations with seafarers unions such as the Federated Stewards and Cooks Union of Australia. From what I have heard, that amalgamation was tightly contested but voted on democratically, resulting in the amalgamation going ahead—and, boy, it was needed.

No long after that amalgamation, we saw a disgusting attack on workers' rights by a twisted businessman Chris Corrigan and the Howard federal government. On 8 April 1998, Patrick Stevedores made the decision to sack its entire workforce around Australia and lock them out the gate. When I say "sack its workforce", I will paint members a picture. You are at work in a crane, swinging the hook like you have done for many years. You look down out of the crane window and see security thugs, all dressed in black, with balaclavas on their heads and vicious dogs behind them. They then grab your mates and forcefully throw them out the gate. This did not happen in just Fremantle; it happened all around Australia at every single Patrick site. They removed the workers from the workplace and told them, "Bugger off! Your job is finished." Is that industrial relations? What would members have done? It was lucky these men and women were in an union. It was not just any union; it was the MUA. Those men and women all around this country stood together in the face of injustice. The company and the Howard government failed those workers and tried to break them. The outcome of that dispute has become folklore because the workers won their right to get back on the job and continue to do what they did best—stevedoring.

Now, more than ever, workers are under attack. I have seen the federal Liberal–National government attack, attack and attack maritime workers across the country. One case that sticks in my mind and I will never forget is the MV *Portland* dispute. The MV *Portland* had been running its cargo, domestically, around the Australian coastline. Let me be clear: domestic trade is from point A to point B within Australian waters. That is Australian work. For 27 years that was Australian work. It used to run from Portland, Victoria, to Perth, Kwinana. The Australian crew was forcefully removed from the ship at one o'clock in the morning. Five Australian workers were ripped from

their bunks by 30 hired thugs. Then 12 foreign workers were escorted up the gangway and put on the vessel to take those Australian jobs. This vessel continues to trade domestically between Kwinana and Portland. Australian jobs are being taken away. We are talking about Australian workers being removed from their ship to make way for workers who are being extorted on lower wages and who do not have the same safety standards that we have on the job and who are extorted every day. What did the government do to prevent this? Absolutely nothing. It did not stand up for Australian workers; it did not stand up for Australian seafarers.

It is important that workers have unions; without them, how can they fight these types of injustices? The Maritime Union of Australia membership is, as we speak, voting on a historic question—that is, to amalgamate with the Construction, Forestry, Mining and Energy Union and the Textile Clothing and Footwear Union of Australia. I believe it is the right of the worker. The worker has a right to affiliate with a union; the worker has a right, as a member of that union, to decide what that union does—whether it affiliates with other unions or stays on its own. That is the right of a union member. It is not the right of the government to become involved in those types of amalgamations, just as it is the right of the membership to decide where it heads. I wish all the members the best of luck with their vote, and I look forward to seeing the outcome.

House adjourned at 5.58 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

EDUCATION AND TRAINING — WA STATE TRAINING PLAN —
HEALTHCARE AND SOCIAL ASSISTANCE WORKFORCE

380. Hon Alison Xamon to the Minister for Education and Training:

I refer to the Western Australia State Training Plan 2017–2020, and to the roll out of the National Disability Insurance Scheme in Western Australia which “will require growth in the healthcare and social assistance workforce and greater access to training places”, and I ask:

- (a) have any specific qualifications been identified as important to ensuring Western Australia’s workforce has the skills to meet the need for growth in the healthcare and social assistance workforce;
- (b) which, if any, of the qualifications listed in (a) are on the current Priority Industry Training List;
- (c) for any courses not on the current Priority Training List, why are they not on the list;
- (d) has any work been undertaken to provide greater access to training places for identified qualifications;
- (e) if yes to (d), will the Minister please provide information on work undertaken; and
- (f) if no to (d), why not?

Hon Sue Ellery replied:

- (a) Yes. Around 100 occupations have been identified as important in meeting the growth needs of the State’s healthcare and social assistance workforce sector. These occupations are listed on the 2017 State Priority Occupation List (SPOL). The SPOL is used to inform the development of the Priority Industry Qualifications List (PIQL), which is a list of vocational education and training qualifications that are a priority for industry and that are not delivered as an apprenticeship and traineeship.
- (b) [See tabled paper no 868.]
- (c) Not applicable.
- (d) The State Training Board has recently initiated a project to develop a workforce development plan for the Social Assistance and Allied Health workforce. This project will include further research and stakeholder consultation on the future workforce needs of these sectors.
- (e) It is expected that the findings of this work will be available by mid-2018.
- (f) Not applicable.

EDUCATION AND TRAINING — WA STATE TRAINING PLAN —
TECHNOLOGY SKILLS DEVELOPMENT

381. Hon Alison Xamon to the Minister for Education and Training:

I refer to the Western Australia State Training Plan 2017–2020, and to the Board’s identification of the need to ‘expand training opportunities in technology skills development for older workers, caregivers in aged care, as well as for voluntary caregivers who are currently not in the workforce’, and I ask:

- (a) has the Government undertaken any action to address this need;
- (b) if yes to (a), will the Minister please provide information on work which has been undertaken; and
- (c) if no to (a), why not?

Hon Sue Ellery replied:

- (a) Yes.
- (b) The State Training Board is developing a workforce development plan for the social assistance and allied health sectors which will include the consideration of the use of technology and skills development of older workers and caregivers in the aged care sector. This work is due to be completed by mid-2018, which will then inform the Department of Training and Workforce Development’s training priorities and settings.
- (c) Not applicable.

EDUCATION AND TRAINING — WA STATE TRAINING PLAN —
HEALTHCARE AND SOCIAL ASSISTANCE WORKFORCE

382. Hon Alison Xamon to the Minister for Education and Training:

I refer to the Western Australian State Training Plan 2017–2020, and to the Board’s recommendation for the development of “a comprehensive workforce development plan for the healthcare and social assistance industry including aged care, disability and allied health sectors through a collaborative approach involving industry, care providers, allied health and advocacy and advisory bodies”, and I ask:

- (a) does the Government intend to develop a workforce development plan for the healthcare and social assistance industry;
- (b) if yes to (a), would the Minister please provide information about the development of the plan, including:
 - (i) the intended lead agency;
 - (ii) expected timeline; and
 - (iii) who has been consulted or is it intended will be consulted; and
- (c) if no to (a), why not?

Hon Sue Ellery replied:

- (a) Yes.
 - (b)
 - (i) The State Training Board is developing the plan and has established a Social Assistance and Allied Health Workforce Steering Committee comprising industry, Government and non-government representatives to guide the research and development of the plan.
 - (ii) The Committee is expected to present its findings to the Board by mid-2018.
 - (iii) To date, consultation has occurred with the WA Council of Social Services, National Disability Services (WA), Aged and Community Services, the Community Services Health and Education Training Council, relevant State Government agencies and the members of the Steering Committee. Further consultations are expected to take place in the first quarter of 2018.
 - (c) Not applicable.
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