



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2022

LEGISLATIVE COUNCIL

Tuesday, 9 August 2022

Legislative Council

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THE PRESIDENT (Hon Alanna Clohesy) took the chair at 2.00 pm, read prayers and acknowledged country.

SPRING SITTINGS — WELCOME

Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [2.02 pm]: Welcome back, members, and welcome back, Hansard, to the chamber.

BILLS

Assent

Message from the Governor received and read notifying assent to the following bills —

1. Planning and Development Amendment Bill 2022.
2. Criminal Appeals Amendment Bill 2021.
3. Soil and Land Conservation Amendment Bill 2021.
4. Forest Products Amendment Bill 2021.
5. Transfer of Land Amendment Bill 2021.

LEGISLATIVE COUNCIL — CORONAVIRUS — MANDATORY VACCINATION

Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [2.03 pm]: Members, while I am on my feet, I have two statements. The first is the following correspondence received from the Clerk of the Legislative Council —

President,

Compliance with an Order of the Council made on 15 February 2022

Pursuant to an Order of the Council made on 15 February 2022 regarding the vaccination and booster requirements for Members of the Legislative Council, I advise that Hon Sophia Moermond has failed to comply with paragraphs 2(a) and 2(b) of the Order effective Monday, 18 July 2022.

Hon Sophia Moermond is currently suspended from attending the Chamber, Parliament House and the Legislative Council Committee Office until Wednesday, 10 August 2022.

Sam Hastings

Clerk of the Legislative Council

ACTING DEPUTY CLERK OF THE LEGISLATIVE COUNCIL — LIZ KERR — APPOINTMENT

Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [2.04 pm]: On 8 August 2022, our Deputy Clerk, Paul Grant, commenced three months of well-earned long service leave. I am pleased to announce that while Paul is on leave, Liz Kerr has been appointed Acting Deputy Clerk. As members are aware, Liz joins us from the other place, having been Clerk Assistant for 14 years. Liz has a wealth of parliamentary knowledge, having previously served on committees and in the role of Sergeant-at-Arms. We are fortunate to have her serve as our Acting Deputy Clerk. On behalf of all members, I congratulate Liz on her appointment, welcome her to our small and dedicated team in this house and wish her every success in her acting role.

LOCAL GOVERNMENT ACT — REFORMS

Petition

The PRESIDENT: I call Hon Neil Thomson—who is not here. I was looking for him. Let us try Hon Tjorn Sibma. Thank you for standing!

HON TJORN SIBMA (North Metropolitan) [2.05 pm]: A concerning moment of confused identity, President!

I present an e-petition containing 1 017 signatures couched in the following terms —

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

...

We the undersigned are opposed to the process by which the State Government is working to amend the Local Government Act 1995 with a series of proposed reforms. We do not believe that the present Local Government Reforms process upholds the intent of the Local Government Act 1995 of better decision making, greater community participation, greater accountability and more efficient and effective Local Government that is representative of the needs of current and future generations. It is our experience that there has been insufficient effort to properly inform the community of the meaning and implications of these proposed reforms. It is also our experience that Local Government Authorities have not provided their Ratepayers and the wider community with an opportunity to be meaningfully engaged in the reform process. The level ... of Community Engagement in the Local Government Reform process only serves to justify our belief that local government is not proving itself to be 'closest to the community and best able to identify community needs'.

We therefore ask the Legislative Council to recommend that the Government ensures the current process to amend the Local Government Act 1995 is discarded and a new process is carried out that requires:

- That the State government provide a comprehensive report on the detail of the proposed reforms, their intended outcomes, and their implications. In addition, this report to include what alternative approaches were considered including the pros and cons of each option and why they were not adopted.
- The above information is to be clearly conveyed to the wider community by way of all Local Governments delivering community engagement workshops in their districts.
- All Local Governments are to record the community engagement outcomes and endorse a report (to the Government) on community support, concerns and reform proposals in a measurable manner, relevant to reforming the Local Government Act 1995 for the purpose of informing a Local Government Act Amendment Green Bill
- The WA State Government tables in Parliament, a Local Government Act Amendment Green Bill for public consultation based on empowering and protecting Local Government Elected Members to perform their constitutional role of representing persons of local government Districts without fear or favour in a workplace that is safe and supportive.

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

This is being presented on behalf of the West Australian Residents and Ratepayers Association Incorporated, WARRA. [See paper 1457.]

WHITFORDS NODES — APPROVALS PROCESS

Petition

HON MARTIN PRITCHARD (North Metropolitan) [2.07 pm]: I present an e-petition containing 334 signatures couched in the following terms —

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

We, the undersigned residents of Western Australia note that Crown land Pinnaroo Point — Central Nodes Foreshore Reserve No. 39497 Hillarys Lot 501 CT 501/DP417135A, was leased to the City of Joondalup by the State and is now the proposed development site for a commercial facility and tavern after very limited public consultation and transparency.

This land was purchased by the State for the purpose of a Regional Park, with Parliament's decision supported by an EPA Report tabled as TP 119 (1976) which recommended Whitford Nodes be purchased to establish a Nature/Scientific/Conservation Reserve, or for Passive Recreation, as these uses were deemed those least likely to cause erosion and long-term environmental damage.

The EPA concluded that if the erosion seen elsewhere was wilfully allowed to occur in the Whitford area, this would be both costly and irresponsible.

We therefore call on Parliament to:—

1. Review the various approval processes that allowed a Crown lease O463422 for a commercial development, and
2. Determine if the approval satisfied all public sector policy, practice and schemes, and
3. Determine if there is a cost recovery process available to taxpayers of Western Australia for a decision process that was contrary to sound conservation and scientific evidence related coastal erosion effects at Pinnaroo Point.
4. Determine why the 1976 EPA Report TP 119 was ignored
5. Determine why this section of coastline subject to high risk coastal erosion forces was not being managed in accordance with recommendations of EPA Report TP 119 (1976)

6. Determine why WAPC Development Control Policy DC 5.3 and elements within were ignored
7. Determine why State Coastal Planning Policy SPP 2.6 was ignored
8. Determine why the WAPC/Statutory Planning Committee did not reference the Intergovernmental Panel on Climate Change's (IPCC) (The Physical Science Basis) first instalment of the sixth Assessment Report (AR6) WGI Report (09 August 2021) (The Physical Science Basis) in its approval considerations
9. Determine why the WAPC/Statutory Planning Committee did not reference its own Position Statement: Dark sky and astro-tourism in its approval considerations
10. Reconsider the lease agreement, O463422, and reaffirm the aspirations and values of the Parliament and State Government that purchased the Whitford Nodes to establish and preserve the land as a significant Coastal Regional and passive Recreational Parkland

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

[See paper 1458.]

CORONAVIRUS — STATE OF EMERGENCY DECLARATIONS

Petition

HON NICK GOIRAN (South Metropolitan) [2.12 pm]: I present an e-petition containing 10 294 signatures, couched in the following terms —

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

Note that:

1. On 15 March 2020, Premier Mark McGowan's appointed Minister for Emergency Services declared a "State of Emergency" with effect from 12am on 16 March 2020;
2. Since that time Premier McGowan has twice replaced that Ministerial position, such that our State is now on its third Minister for Emergency Services during this declared "State of Emergency";
3. The three successive Ministers have made extensions of this declared "State of Emergency" at least every fortnight resulting in our Government retaining "emergency powers" for well beyond two years;
4. These "emergency powers" were acknowledged as "extreme and draconian" and "not normal" by Premier McGowan in March 2020;
5. For more than two years, Premier McGowan has said, repeated and insisted that his Government's decisions are based on the advice of the Chief Health Officer;
6. In a shocking revelation on 22 June 2022, the current Minister admitted that he had extended the declared "State of Emergency" on 12 occasions and had never once received a copy of the Chief Health Officer's advice;
7. This same Minister visited the United States of America in June 2022 at the cost of taxpayers to "promote" Western Australia;
8. Premier McGowan and his Deputy Premier Roger Cook have embarked on a visit of six countries in seven months to convince tourists to visit Western Australia;
9. These collective actions by the Premier and his Ministers demonstrate that it is no longer reasonable or proportionate to extend the "State of Emergency" declarations.

We therefore ask the Legislative Council to urgently inquire into this matter with a view to making a finding that Western Australia can no longer be reasonably considered to be in a "State of Emergency" and recommend that the Premier and his Ministers cease and desist from making any further extensions.

And your petitioners as in duty bound, will ever pray

[See paper 1459.]

SCHOOLS — SUICIDE AND SELF-HARM PREVENTION GUIDELINES

Petition

HON DR STEVE THOMAS (South West — Leader of the Opposition) [2.14 pm]: I present an e-petition containing 823 signatures, couched in the following terms —

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

Respectfully request that Parliament hold an inquiry into the extent all schools in Western Australia adopted and complied with the ‘School Response and Planning Guidelines for students with suicidal behaviour and non-suicidal self-injury’ since it was endorsed by all three educational sectors (CEWA, DoE & AISWA) in 2018.

And your petitioners as in duty bound, will ever pray

[See paper 1460.]

SEWERAGE — BRIXTON STREET WETLANDS, KENWICK

Petition

HON KATE DOUST (South Metropolitan) [2.15 pm]: I present a petition containing 765 signatures, couched in the following terms —

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

We the undersigned support the provision of sewerage to the land to the south and east of the Kenwick train station to facilitate development of large land holdings close to the station as well as to protect the adjacent Brixton Street wetlands, which are extremely significant environmentally.

We therefore ask the Legislative Council to recommend that sewerage be installed in the next two years to the properties to the south and east of Kenwick Train Station which do not have sewerage to support transit orientated development outcomes and to protect the Brixton Street wetlands.

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

[See paper 1461.]

TAXIS AND DRIVERS — ASSAULTS AGAINST — PORT HEDLAND

Petition

HON NEIL THOMSON (Mining and Pastoral) [2.15 pm]: I present an e-petition containing 11 signatures, couched in the following terms —

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

Condemn the unacceptable and violent attacks by lawless youths on our taxi drivers and taxis in Port Hedland which is placing them under extreme emotional and financial pressure with massive additional costs due to regular windscreen and panel repairs. We stand in solidarity with our taxi drivers whose jobs are made unsafe and who incur massive repair bills by intolerable and unacceptable behavior of a few who should face consequences under the law.

We therefore ask the Legislative Council to support permanent increases in police numbers in Port Hedland along with the introduction of a new compensation scheme to fund repairs to cars which have been unlawfully damaged, either funded from the Taxi Industry Development Account or from Proceeds of Crime.

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

[See paper 1462.]

SCHOOLS — SUICIDE AND SELF-HARM PREVENTION GUIDELINES — ST MARY MacKILLOP COLLEGE

Statement by Minister for Education and Training

HON SUE ELLERY (South Metropolitan — Minister for Education and Training) [2.16 pm]: In late May this year, Mr Mark Cummins, a former teacher at St Mary MacKillop College, wrote to me alleging the guidelines for students with suicidal behaviour and non-suicidal self-injury were not followed at the school. Following receipt of this correspondence, I asked the Department of Education to investigate these claims. I note that Mr Cummins has also lodged a petition calling for a parliamentary inquiry into the extent to which all schools in Western Australia have adopted and complied with the guidelines. President, youth suicide is tragic and complex. I express my deepest sympathy to the family of the St Mary MacKillop College student. In my experience, both personally and in this role, there is never one single contributing factor to suicide and the suicide of a child is devastating. Schools have a role to play in not only promoting mental health and wellbeing, but also identifying, supporting and referring vulnerable students. However, schools are not in themselves mental health institutions.

In March this year, the Minister for Mental Health announced an overhaul of the state’s infant, child and adolescent mental health system. This overhaul will see all 32 recommendations of the *Final report: Ministerial taskforce into public mental health services for infants, children and adolescents aged 0-18 years in WA* implemented. In

2018, in recognition of the growing emergence of suicide ideation and suicide, the Department of Education led a cross-sectoral development of guidelines for suicidal behaviour and non-suicidal self-injury, which were endorsed by the public, independent and Catholic education systems. These guidelines are not mandated; however, they are designed to be used in conjunction with existing school-based policies. The guidelines provide assistance for school staff to recognise, support and respond to student suicidal behaviour and non-suicidal self-injury. They support school planning in a variety of contexts, including disclosures, risk assessment, risk management planning and postvention. These guidelines are reviewed on an annual basis. The department has advised me that on the information provided by both Mr Cummins and Catholic Education Western Australia—CEWA—there does not appear to be evidence to support Mr Cummins' concerns of systemic failure. It is important to note that the implementation of the guidelines is not mandatory. However, all non-government schools are required to comply with the registration standards and other requirements under part 4 of the School Education Act 1999, which includes providing a satisfactory level of care for all students.

Having considered the evidence provided, the department advises me that it does not appear that St Mary MacKillop College is failing to meet the registration requirements relating to student wellbeing. Moreover, it appears that the college, in conjunction with CEWA, has a number of measures in place to raise awareness of the guidelines and support Catholic schools in relation to student mental health and, in particular, suicide risk and the implementation of the guidelines. Furthermore, CEWA advises that it is currently progressing additional strategies to support schools and improve its visibility across the system for students identified as being at suicide risk. I have requested an update in three months on the measures that are still being implemented.

In public schools, department leaders, school psychologists, school leaders, student services staff and teachers are supported to implement the guidelines through presentations, online learning modules and support materials. The guidelines complement the training made available in public and non-government schools, such as for Gatekeeper suicide prevention training, and teen mental health first aid for students. It is important to note that in addition to these guidelines, the state government made a \$42.2 million election commitment to employ an additional 100 FTE school psychologists in WA public schools, with commensurate funding for non-government schools to employ additional psychologists. This additional funding expanded the number of school psychologists working in Western Australian schools.

As I mentioned earlier, the overhaul of mental health services for young people is another way that the government is addressing this important issue. Although no-one can guarantee that every person in every school is aware of the guidelines, the department's inquiries have confirmed that the guidelines are communicated across all sectors and supported by other school-based policies. Having carefully reviewed Mr Cummins' concerns and the information provided to me by the department, I do not support Mr Cummins' broad suggestion that there is a systemic lack of awareness of the guidelines. I am, though, deeply saddened by the loss of life at St Mary MacKillop College, and I again extend my sympathies to the family and friends of that student.

MINISTER FOR MEDICAL RESEARCH — UNITED STATES VISIT

Statement by Minister for Medical Research

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Medical Research) [2.21 pm]: I rise to inform the house that I had the pleasure of leading a delegation to the United States from 6 to 18 June 2022 for the health and medical life sciences mission and the BIO International Convention 2022 in San Diego. The visit focused on promoting the Western Australian health and medical life sciences industry, and encouraging global partnerships and investment in our technologies and businesses. BIO is the world's largest biotech conference, with more than 70 other countries participating, representing more than 1 100 biotechnology companies, academic institutions and state biotechnology centres.

The delegation visited Stanford University's Biodesign and SPARK facilities to discuss the ongoing collaboration with Perth Biodesign and the potential for a SPARK program in Perth to help translate research discoveries into promising new treatments for patients. The delegation also visited the Fogarty Innovation institute to discuss HMLS innovation and start-up zones and the ingredients needed to drive patient-centred outcomes and healthcare improvements. I secured an in-principle agreement to vary the Microsoft common-use agreement with Western Australia. This supports the government's digital strategy, which aims to change the way our community interacts with government and ensure that Western Australia's cybersecurity capabilities are world leading. In addition to BIO 2022, the mission included meetings with key HMLS industry leaders in Northern California's Silicon Valley to build partnerships around bio-design and better understand what makes this a world-renowned region for innovation and commercialisation. A memorandum of understanding between the Universities of Arizona and Western Australia was handed over as a framework for research, education, student exchange and collaboration.

An international partnership between Texas Medical Center and Biodesign Australia was announced to work collaboratively to provide founders and entrepreneurs with access to talent, clinical trial activity, expanded funding opportunities and market access, and will be headquartered in Western Australia. This builds on the TMC–Australia Bio-Bridge Initiative, which was launched in 2018.

I held productive meetings with companies interested in setting up in Western Australia, given our secure location, landmass, available renewables and proximity to the Association of South-East Asian Nations. I also considered future advanced technology developments like the internet 3.0 through the metaverse, and the opportunities this presents for our recently announced creative and immersive technologies innovation hub. During the visit, we actively promoted and garnered support for international attendees at AusBiotech 2022, AusBioInvest 2022, BME-IDEA APAC 2022, APSA–ASCEPT 2022 and West Tech Fest 2022, all of which will be hosted in Perth from October to December.

I appreciated the opportunity to meet with Austrade representatives while in the US. These meetings provided opportunities to give Austrade representatives greater awareness of capabilities in Western Australia, and led to Austrade providing me with a list of companies to meet with to pursue partnerships for Western Australian companies.

Following my visit, overseas companies have arranged meetings with the Department of Jobs, Tourism, Science and Innovation, the Chief Scientist, Department of Health representatives and the Western Australian Life Sciences Innovation Hub to take advantage of biomedical and health innovation in Western Australia to achieve a national and global impact.

PAPERS TABLED

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

STANDING COMMITTEE ON UNIFORM LEGISLATION AND STATUTES REVIEW

138th Report — Health and Disability Services (Complaints) Amendment Bill 2021 — Tabling

HON DONNA FARAGHER (East Metropolitan) [2.40 pm]: I am directed to present the 138th report of the Standing Committee on Uniform Legislation and Statutes Review, *Health and Disability Services (Complaints) Amendment Bill 2021*.

[See paper [1463](#).]

Hon DONNA FARAGHER: The report I have just tabled advises the house of the committee's findings and recommendations regarding the Health and Disability Services (Complaints) Amendment Bill 2021. The purpose of the bill is to introduce the national code of conduct for healthcare workers in Western Australia. The bill will also amend the Health and Disability Services (Complaints) Act 1995. The act provides a mechanism to resolve complaints made by health service recipients and providers as an alternative to litigation.

The national code, to be made by regulation, will apply to all healthcare workers in Western Australia who are not registered under the National Registration and Accreditation Scheme; provide services not covered by their NRAS registration, including massage therapists, counsellors, dieticians, herbalists, homeopaths and a number of other unregistered and unregulated health services; or are students or volunteers. The national code will impose minimum standards of practice on those healthcare workers. They will include providing services in a safe and ethical manner, not making unsubstantiated claims to cure certain illnesses, and not financially exploiting clients. A breach of the national code could result in healthcare workers being issued with prohibition orders preventing them from practising and being named in a public health warning statement to prevent community harm.

The committee has identified issues impacting the sovereignty and lawmaking powers of the Parliament. These issues are that the commencement clause provides for the majority of the bill to come into operation on a day fixed by proclamation; a number of proposed sections provide for regulations to prescribe offences; and the bill does not contain a review clause enabling Parliament to review the operation and effectiveness of the national code in Western Australia. The committee has made four recommendations to address these sovereignty issues.

I commend the report to the house.

ESTIMATES OF REVENUE AND EXPENDITURE

Consideration of Tabled Papers

Resumed from 16 June on the following motion moved by Hon Stephen Dawson (Minister for Emergency Services) —

That pursuant to standing order 69(1), the Legislative Council take note of tabled papers 1270A–D (2022–23 budget papers) laid upon the table of the house on Thursday, 12 May 2022.

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [2.43 pm]: I rise to contribute to the debate on the noting of the budget papers, as moved by the Minister for Emergency Services representing the Treasurer back in May. This is the sixth budget of the McGowan Labor government, and I will start by looking at some of the good bits. On the face of it, there are some pretty good metrics around this budget on the back of a record surplus last year and the eye-wateringly large surplus predicted for this financial year of \$5.7 billion. Of course, that is largely underpinned by very strong commodity prices, particularly for iron ore. I will go into that a bit later. The former federal coalition government's GST floor will also contribute significantly to the predicted surplus, as will a strong state tax take. That is one of the significant revenue aspects over which the state obviously has control, and

one that I will look at a little more. I do not intend to go into great detail in these areas of the budget—my colleague Hon Dr Steve Thomas did that in his contribution to the debate prior to the winter recess—but I do want to talk about some of the key drivers of the budget and what really drives our state's financial performance in general.

We know that the estimates of general government revenue have been revised up relative to the midyear review. One of those key revisions is due to higher royalty income, which is largely due to stronger than anticipated iron ore prices. I guess what that means is that the government conservatively estimated the iron ore price, and that is a good thing. Also contributing to that revision are an increase in taxation revenue, higher health-related funding from the commonwealth government and an increase in GST payments thanks to the floor put in place by the former federal coalition government.

I want to talk about some of the specifics of the budget. I turn to the fiscal outlook in budget paper No 3 and in particular the operating statement on page 32. We are looking here at general revenue and growth, and the breakdown of the sources of that revenue. Interestingly, the estimated actual state taxation take for the 2021–22 financial year was around 27 per cent. In other words, income taken from taxation was estimated to be about 27 per cent of the state's income sources. That is predicted to rise to 29 per cent in the current financial year, 2022–23. We are seeing a reliance on tax take, and there are some comments about that in the budget paper as well. Commonwealth grants make up around 37 per cent of the state's income sources. Obviously, one of the other significant ones is royalty income, and I will go into that a little later. Royalty income was predicted to make up about 80 per cent of the revenue sources of the state in 2021–22. The reason for that was the strong iron ore price. We know that if a conservative estimate of the iron ore price is used in the budget, royalty income will be reflected as a slightly lower percentage of the budget than it will possibly turn out to be, depending on how the iron ore price performs in the long run.

If we move on to looking at a breakdown of royalty income in terms of where it comes from, we see that iron ore was estimated to make up around 90 per cent of the royalty income for the 2021–22 financial year. We are seeing that drop to around 80 per cent in this budget year. Of course, the point here is not the quantum—whether it is 90 per cent or 80 per cent—but the fact that it is our most significant driver of royalty income. That indicates a very strong reliance by the state on iron ore, and that is a risk. Globally, we know that other iron ore producers will come onstream in the not-too-distant future. There are tensions and other uncertainties in various parts of the world. What impact will that have on our iron ore exports? Are we going to see any significant changes, and what risk will that pose to the state? That needs to be taken into account to make sure that the reliance on iron ore for our royalty income is managed well so that we do not expose ourselves to too much risk in that respect.

I want to turn to some specific areas of the budget and focus on some of the portfolio areas for which I have responsibility. I will start that conversation by talking about the ports portfolio, which is one of the more interesting aspects of the portfolio work that I do, which includes the Mid West Ports Authority project and the Geraldton port maximisation project. There is a \$332 million allocation in the budget from 2022 to 2026 and that is a commitment to undertake works that are consistent with the Geraldton port master plan, which is a good thing. That plan was completed in June 2020 and it aimed to maximise efficiency and development opportunities within the existing port and increase the throughput of that port to the maximum level that can be obtained without any significant changes to the port environment. Of course, that is pretty important. It is a sensible approach to incrementally increase that throughput to the potential maximum of 25 million tonnes. The key is, from there, what will happen down the track? We know that beyond that growth of 25 million tonnes per annum the forecast high-growth identifies iron ore as one of the primary drivers, and that is good. Although the incremental optimisation of the berth, utilisation and development of the infrastructure on the landside is identified in the master plan, the challenge will be in the decision-making process that comes out of that. It will then precipitate the next step change required to develop a deepwater port. We know that those constraints exist at the port of Geraldton and we know that the Cape-class vessels, which are needed to drive the efficiencies in iron ore export, need a home, and it is that next step change, if you like, after the plan is implemented, that will be quite important in making sure that the midwest has the capacity it needs for the export of the commodities that will drive the economy up there.

I move on to talk about the Southern Ports Authority's port of Esperance. In 2017–18, the McGowan government put in some subsidy arrangements for mineral resources. The 2022–23 budget has an allocation of almost \$6 million, which is based on the iron ore exports by mineral resources reaching its threshold of \$30 million a tonne. This is an interesting threshold, and I will go into that in a little bit more detail shortly. It is important to note that that port has a long history of junior iron ore miners, particularly in the Yilgarn iron ore province, who have worked really hard to seek access to the Esperance port to export their products and, as a consequence, develop their businesses. This is a unique port. It is the only port in southern Australia that can accommodate Cape-class vessels, and I just talked about the importance of that in the context of Geraldton. The Cape-class vessel size drives the efficiencies that those organisations need to ship their product, in a competitive manner, around the world.

As I said, the subsidised arrangements are forecast to come to a close early next year or perhaps later this year when that \$30 million-a-tonne export target is hit. What will be really important there is, as a result of that, the Southern Ports Authority must be able to provide open-access arrangements to other potential exporters of product through that port. Therefore, the opposition believes that it is absolutely imperative that the government takes all necessary steps to assume control of the ongoing iron ore port infrastructure upon the cessation of that contract

because, at the moment, that infrastructure is the bottleneck. It is owned by the company exporting the iron ore, and the reality is that those junior miners and others need to negotiate third party access arrangements to use that equipment, which should be owned by the port. If it were owned by the port, we would have a truly open-access arrangement and the state could facilitate trade. The state should be unencumbered by the commercial interests of one particular entity over another in doing that so we do not have one entity controlling that critical infrastructure and blocking access for other exporters.

I move on to further items in the budget. The great project that was announced back in 2017 was Westport. The budget has an allocation of \$11.5 million in this financial year and \$4.5 million in 2023–24 for a feasibility study for Westport. We have all observed—the opposition certainly has—the very slow progress of this project. It commenced back in 2017, not long after the McGowan government first came into office and right after this government killed, stone dead, any consideration of any freight and light-traffic solutions required to alleviate congestion on the freight network that services Fremantle port. Obviously, the Carrington Street and Stirling Highway upgrades were already planned, but, beyond that, this government came in and killed, stone dead, those necessary freight route upgrades. We then spent three valuable years watching what is nothing less than the theatre of Westport. There was the *Future port recommendations—Stage 2 report: May 2020*. Obviously, we are going to end up with only one outcome from that report, so it was really just a three-year long theatre. In August last year, I asked the government to provide the results of its traffic modelling for the restricted access vehicle 4 freight network, essentially the existing road freight network for the Fremantle port. Taking into account the projected container movements that were set out in that stage 2 report, I asked: what is the government’s modelling suggesting for traffic along the RAV 4 freight route, along the Leach Highway area? The reason for the question was simply to see what planning had been done, how we were going to deal with the expected increase in container movements—it is no secret there; it is all set out in the report—and how that existing network would cope with the expected increase in freight given that Westport has, at the very best, at least 10 years before it is complete.

Hon Dr Steve Thomas: You’re an optimist!

Hon COLIN de GRUSSA: I think that we are at least 10 years away from seeing Westport complete, and I will go into that in a bit more detail later. The point is that the government has come in and killed off the alternative freight network. Whether members agree with that is not the point. Whether members agree with Roe 8 is not the point. The point is: if the government is going to do that, it has to have another plan. What is the other plan? We asked a simple question to gain an understanding of what planning the government has done to deal with that expected increase in container movements that it is talking about. In all likelihood, this project is, at best, 10 years away. The response I received to that simple question was —

... the Westport office is continuing to develop updated long-term container trade forecasts. Following this process, further refinement of truck and rail movement assumptions will be undertaken.

That was in August 2021. It was not a trick question, and I was expecting to get a very comprehensive answer, such as, “Here are the results of all the modelling we have done. Go and have a look at that.” That would have been great. I expected that that sort of work would have to have been done if the government were going to eliminate one particular freight route. It would have to get some work done to show what an alternative route would be and what works would need to be done in the interim before the completion or even the commencement of the project. Instead the answer we received was: “Well, we do not trust the trade forecast in which our original decision was made, and, by the way, we have not actually done any modelling. We do not really know what the impact is going to be so we are still waiting on an answer.” We are still waiting on an answer to that simple original question, and hopefully someday soon this government will come clean on what the actual projected container movements are and what the impact will be on the existing freight network over the next 10 years.

The problem here is that if we do not have that modelling, if this planning is not being done very soon, we are going to reach gridlock on Leach Highway. We are going to have Leach Highway as a giant car park, essentially. It will also be a road safety risk if the expected increase in traffic is not properly planned for. To put the whole Westport debacle into perspective, it has been five and a half years since the election of the McGowan government back in 2017 and we are still a long way away from even developing a business case that will inform any decision to progress with this project. In five and a half years we do not even have a business case. I said 10 years before, but I think that was probably being generous. At this rate, if we do not even have the business case now, there is a very real prospect that we will not see an operational and fully constructed Kwinana outer harbour before 2035.

Hon Dr Steve Thomas: Decades!

Hon COLIN de GRUSSA: It is decades away, and I do not think that is an unreasonable estimate. This government has a 100 per cent success rate in presiding over delayed, stalled and over-budget infrastructure projects. As I am sure my colleague the Leader of the Opposition will agree, I cannot think of any major infrastructure project that the McGowan government has actually delivered during its time in government. I cannot think of one. Apart from projects that were started or initiated by the former government, there are none.

Hon Dan Caddy: Like a children’s hospital.

Hon COLIN de GRUSSA: Like the Perth Children’s Hospital.

Hon Dan Caddy: We are happy to talk about that all day.

Hon COLIN de GRUSSA: You are happy with that? You are happy with the fact that kids cannot get appointments to see paediatricians?

Hon Dan Caddy: If you were still in government, it would not even be open!

Hon COLIN de GRUSSA: You are happy with the fact that you have wrecked the health system?

The ACTING PRESIDENT (Hon Jackie Jarvis): Members! Hon Colin de Grussa has the call.

Hon COLIN de GRUSSA: You are happy with the fact that you can stand up with Optus Stadium and say, “Look at us; we are great”? It has nothing to do with this government. None of the infrastructure projects this government has talked about or commenced have been delivered. None of them will be delivered on time and none of them will be delivered on budget. None of them, not a single thing. So I am categorically prepared to state —

The ACTING PRESIDENT: Member, I will remind you to direct your comments to the chair, and perhaps even face the chair.

Hon COLIN de GRUSSA: Thank you, Acting President. I am prepared to state categorically that we will not have an operational and fully completed outer harbour delivered to the state of Western Australia before 2035. There is no way that will happen. As a result of that, let us see if the government is prepared to be transparent with the communities along Leach Highway, which will be impacted by the government’s failure to deliver this project in a timely manner, its failure to plan and its failure to find alternative traffic routes to handle the expected increase in the volume of container traffic. Let us hope that those people who live along the current freight route are communicated with by this government. I do not think they will be.

I want to move on to another part of the budget now, and that is the agriculture and food portfolio. I have to say this is a pretty light-on budget when it comes to agriculture and food. It is more of an attempt to make it look like something is being done, when actually there is not much happening here. I acknowledge the government’s \$25 million commitment over three years to the Western Australian agricultural research collaboration. This project, as the budget papers say, will invest the money over three years to grow agricultural research and development in Western Australia. It is a good investment. I have no problem with research and development. As I am sure Hon Darren West will attest, our farms are all laboratories. I cannot remember how many research projects we had going in partnership with universities, departments, private entities and so on. There were six, seven or eight different projects every year, all over the farm. They were great. We learnt a lot from those as well as from the ones we did ourselves. That is the beauty of that sort of work, as long as it is practical and can bring a real practical application of that research to farmers. This is a collaboration. It will build on the current research effort and get behind growers to adopt new practices and so on. It is always a good thing to be looking ahead. Our growers are known for being innovative and very efficient, and I am sure that producers right across Western Australia would welcome more research funding. That is a good thing, but we do not have much detail—what it actually is, how it is going to work for producers and what communication and consultation the government will have with producers.

Another project listed in the budget is the National Water Grid Fund. This is not a WA government-funded initiative; this is an Australian government initiative. There is nothing wrong with it; it is just not a state government initiative, and it is not right to pretend it is. In terms of climate action, the Department of Primary Industries and Regional Development component of the whole-of-government strategy on emissions reduction to comply with the Paris Agreement is a \$750 000 commitment over the current financial year and the next one.

There is quite an interesting project with the Katanning Research Station whereby the livestock branch of DPIRD is working to better understand and develop methods and techniques to mitigate greenhouse gas emissions from the livestock industry in Western Australia. It is a good thing that they are looking at that out there. It is nothing particularly exciting, but it is nonetheless welcome. The carbon farming strategy—again, this is the WA component of the carbon farming and land restoration program.

My colleague Hon Dr Steve Thomas will be very familiar with the Paid Escape project for international working holiday-makers, a project that he champions.

Hon Dr Steve Thomas: Escape and wander.

Hon COLIN de GRUSSA: Escape and wander, or work and wander. We are being told that this is not the “linen and boat shoes skipping down the vineyard” project—that this is a new initiative—but it is more or less just a continuation of the state government’s failed strategy from the previous year, which did not deliver much. In fact, there was almost nothing of any benefit to Western Australia farmers.

Hon Dr Steve Thomas: Not many workers.

Hon COLIN de GRUSSA: Absolutely—not many workers at all. We asked those questions in estimates. It seems as though the government is hell-bent on pushing more money into this project than actually investing time and

money into efforts to work with the federal government to fast-track the skilled workers that are needed in our agriculture industry, and other industries, too. That is where the focus needs to be, not in a flashy advertising campaign. We have continually questioned the merits of this approach. Very little benefit has been shown to have been delivered, and it seems as though the strategy was built more around maintaining the “fortress WA” narrative at the time, rather than working on strategies to provide real solutions to the industry. I really do not see how this could be characterised in the budget as a new initiative. It is not. It would be better to see this funding repurposed towards attracting and retaining the skilled workers that WA needs for the agriculture sector.

I move on now to biosecurity. Obviously, this has been very topical over the winter recess. I raise this issue in the context of the recent outbreaks of foot-and-mouth disease and lumpy skin disease in Indonesia and the importance of a very well resourced and properly skilled biosecurity capability within the Department of Primary Industries and Regional Development. The government has taken every opportunity it can to laud its \$15 million investment from the 2021–22 state budget. Apparently, this funding is aimed at providing an additional 22 FTEs to resource biosecurity efforts by that department. I say “apparently” because there has been absolutely no clarity on what those positions are, where they are located, how many people will be located in what regions and what they will be doing to provide the proactive capacity and capability that we need to avoid incursion and spread of any potential pests and diseases. There are a number of threats not just from lumpy skin and foot-and-mouth disease, but to the biosecurity of Australia and Western Australia. I have no issue with extra spending on biosecurity. Over the break I met a professor who has spent his entire life—50 years or more—researching foot-and-mouth disease and has been involved in planning processes for this state, our nation and other nations. He has observed that there is a tendency for biosecurity to wane in importance until something happens and then spending starts again. It would be better if those resources were funded evenly and strongly, even though that may not be particularly attractive to the punter out there, so that it does not drop away and that there is capacity.

Hon Darren West: That’s hilarious. You gutted the department.

Hon COLIN de GRUSSA: In a minute I will go on about how this government has gutted the department.

Notwithstanding that, apparently, there will be an additional 22 FTE in the department, the government has already done damage by having a lack of experience in the department thanks to machinery-of-government changes. Issues have been raised continuously—we have raised them in this place—about a lack of experienced veterinary officers within the Department of Primary Industries and Regional Development, especially officers with experience with large animals and good knowledge on how to manage outbreaks such as FMD. For example, there is no DPIRD veterinary officer located in the Esperance region. The nearest one is stationed more than 500 kilometres away. That has resulted in local farmers and private veterinarians having to deal with and monitor issues themselves and it puts great strain on local resources. It is incredibly important that veterinarians have knowledge in and experience of working with large animals, as well as local knowledge about the area in which they live and work, to manage those diseases. It is about knowing who the farmers are, how they operate and assisting them to make sure that biosecurity plans are put in place. We need local knowledge in the department. Unfortunately, the dysfunctional way in which DPIRD was established has led to the gutting of its most experienced biosecurity personnel. The department now does not have the necessary experienced staff to respond to an outbreak, even in an environment in which it is difficult to find anyone for any job. It took the government far too long to realise that and it made an allocation only in the 2021–22 budget. That has left us seriously exposed. As I said, the department has to be funded continuously and adequately every year and not just when it has to respond to any one outbreak. The FMD outbreak has highlighted the government strategy of shifting responsibility onto private veterinarians to assist with outbreaks, rather than having that embedded in regionally located departments with the capacity to proactively manage those risks. It means that we need to call on already stretched emergency services personnel to assist when there is an outbreak. We do not want an outbreak, but the way that the department was established has really gutted the department of any experience and created more problems that take far too long to resolve.

Of course, in talking about FMD I cannot leave out of my contribution today the Minister for Regional Development’s gaff and how the “cheap meat and milk” affair played out in the media. I acknowledge that the minister offered an apology, but it is worthwhile addressing the real issue. I understand the minister said following the release of those statements that her remarks were made to a journalist as essentially background information and that they were not for publication. For that, the minister apologised—that is, the minister apologised that her statements were made public. She did not apologise for the statements. She made an apology for the fact that her statements were made public. What is not lost on anyone is that she said it in the first place and that they formed the basis of her disdain and disregard for the industry for which she has portfolio responsibility. Distilled in its most brutal form, “Don’t worry. The export market will be destroyed as a consequence of any outbreak, but everyone in Labor’s constituency will get cheaper meat and milk”, was the context of those remarks. That is the kind of disdain that this minister has for her portfolio, and it is too bad for the absolute destruction of a valuable industry in our state, too bad for the destruction of all the livelihoods, families, regional economies and so many things. Make no mistake, the minister’s statements reflect not only her views, but those of the Premier and his government. Just look at how flippantly the Premier has disregarded and dealt with this issue and the minister’s conduct and at the way the agriculture portfolio has been funded and how DPIRD has been managed as an agency since the McGowan government has been in power.

The only really new initiative contained in this budget essentially relates to the Western Australian agricultural collaboration, and although that proposal has merit, it is difficult to make any judgements on it until we see further details of what that project will deliver. But the balance of any new initiative projects contained within the budget in the agriculture portfolio essentially amounts to DPIRD's commitments to a whole-of-government zero emissions strategy; a failed scheme to attract holiday-makers to work in the agricultural sector; free existing initiatives like the Rural, Remote and Regional Women's Network of WA, which can hardly be called a new initiative—it is a great initiative but not a new one—and the funding of the National Water Grid Authority, which is federal government funding anyway. Put simply, the list of agriculture-related new initiatives in this budget is very short and can be narrowed down to essentially one project, which is in itself is a research partnership.

I now turn to another portfolio for which I have responsibility—that is, the fisheries portfolio. I note that in the budget there is no appropriation set out for the compensation of fishers who will be affected by the south coast marine park under the Fishing and Related Industries Compensation (Marine Reserves) Act. During estimates hearings in the other place, the Minister for Fisheries advised that this was due to the marine park process not yet being completed and the quantum of affected fishers being determined. The question was intended to bring into sharp focus that there is a need for a very fair and transparent process through which licensed fishers affected by a proposed marine park would be compensated. It is no secret that professional fishers have lost confidence that they will receive their fair share of compensation under the FRICMRA, as administered by the Department of Primary Industries and Regional Development, and almost without exception professional fishers will have to try to argue the quantum of fair compensation well after they have lost access to their fishing ground and after they have suffered financial losses. It is quite a perverse circumstance, but it seems that it is working that way almost by design. Those fishers will have to try to negotiate a fair outcome when they are already at a significant negotiating disadvantage. It will be extraordinarily difficult for those families to die in the ditch to fight for a fair outcome that will take many, many years when they do not have any resources because their financial resources have already been depleted. It is a bit like someone who wants to build a freeway on-ramp on someone's front yard offering to buy a house at a very discounted price because there is already a freeway on-ramp in the front yard.

We need to have that process set in place so that the compensation process is based on the value of that resource prior to the marine park, and it must be done in a timely way. As an example of that, Ngari Capes Marine Park, which was gazetted over 10 years ago, has not reached a resolution with affected licensed fishers on their claims for fair compensation. Over 10 years later, having lost access to those fishing grounds and already having significant financial losses, we still do not have a resolution to that issue of compensation for those fishers. With that in mind, the fishers in the south coast and other areas of our state are looking at the process and saying that this is not fair. They are pretty much reaching a point where they are fatalistic about it, basically being resigned to either going out of business or suffering huge financial losses. They are not going to receive fair compensation from the McGowan government.

What we need with the implementation of the Aquatic Resources Management Act and subsequent amendments to the Fishing and Related Industries Compensation (Marine Reserves) Act are changes to the methodology used for evaluation, and that that is based on a reduction in the total allowable catch and that we get a simpler, fairer and faster outcome for those affected fishers. In that respect, I really do implore the government to provide full transparency to professional fishers who will be affected by the proposed south coast marine park. I ask them to provide transparency, firstly, on how the respective changes to the valuation methodology and the compensation process will be amended as a consequence of the implementation of the ARMA; secondly, on the time frame within which compensation will be determined following the gazettal of the proposed marine park; and, thirdly, that any changes to compensation methodology resulting from the implementation of the ARMA be undertaken in full consultation with the professional fishing industry such that all the parties involved have full confidence that a fair outcome can be achieved.

I have some more general comments now about the budget rather than focusing on those portfolio areas. I want to make the point that the budgetary process for the state should not be a device which is used cynically by the government of the day to maintain power or obtain political leverage. It certainly should not be a process of smoke and mirrors whereby the opposition is required to forensically investigate what it is that the government is actually hiding. The nature of this budget, and the ones that have preceded it, are a sad reflection of the McGowan government. It is a budget that does not adhere to the hallmarks of transparency and good governance; rather, it aligns with a wafer-thin political narrative. It is one that is not aimed at providing the best outcomes for the people of Western Australia, but one that aims to repair the significant damage that the government has wrought since it came to power in 2017. The people of Western Australia should not be fooled by the government's continual claims that the current crises playing out in our health, education, police, emergency services, communities and agriculture sectors are merely a result of the COVID-19 pandemic. If anything, the pandemic really has brought to light the catastrophic failures of the McGowan government and the consequences of its failed machinery-of-government initiative—an initiative that took a razor sharp knife to the public sector during its first term. The McGowan government is merely reaping what it has sown in the first four years of its government in terms of the crises playing out across those many sectors.

Make no mistake, if one stops to ask our healthcare workers, our police officers, our emergency service workers, our teachers or any other public sector workers for that matter—and I have—they will all tell a remarkably similar story. Those who have not already left are contemplating their future very seriously, and whether they should also leave. It is their unwavering dedication to serving our communities that is the only thing that stops them from leaving. Despite the way that this government continues to treat those public sector workers, they do that job because they are in the service of the public of WA. They stay in a job despite the pressures that are on them after having endured the brutality of a government that would not listen to anyone, and which has no regard whatsoever for the people through which absolutely critical services are delivered. People have been left broken, disillusioned and lost to the public service. This is why we are in the situation that we are in; not because of COVID, and absolutely not because everybody wants to work in the mining industry. The enduring legacy of the McGowan government to the people of Western Australia will be a broken public sector and a system of government that will take generations to fix. Unfortunately, the Premier and his government are too self-important and too fixed on maintaining a cynical and ultimately destructive political narrative to acknowledge their own failures.

HON STEVE MARTIN (Agricultural) [3.25 pm]: I rise to make a contribution on the debate that notes the budget papers 2022–23, and I look forward to that opportunity. I will start by making a few general remarks about the budget and then deal with some specific portfolio and electorate issues. The good thing about making a budget reply speech in the second week of August is that some time has transpired between the delivery of the budget and today. That has given us some time to focus and see what has happened. Sadly, we have seen another Labor project, at least in my area of interest of housing, put on hold. There were plenty of announcements in the budget, but so far there has not been a lot of delivery, at least in certain areas. Another huge surplus—we are up to about \$11 billion over two years I believe, \$5.7 billion approximately this year. The iron ore price remains high, which is great news.

Looking back to when our budget was delivered in late May, not much has changed for the McGowan government. The budget is still in rude good health, and that is a good thing for this state. But a lot has changed in the lives of Western Australians in two or three months. It seems like a long time when we talk about the interest rate, the cost-of-living pressures and the inflation that are now bearing down on us after years of flat, very low interest rates. We have now seen the Reserve Bank move rapidly and hard, and that will have an enormous impact on Western Australians. We have seen that the bite of inflation and cost-of-living pressures are real and enormous. On the one hand we have a state government that is positioned very well with a large surplus—the second one in a row—and on the other we have the population of Western Australia facing pressures and things really starting to get tough. The government is in a position to pull some of the levers that would relieve some of that pressure—there is not a lot that it can do about interest rates; that will run its course. Anything it can do around the cost-of-living stuff will be useful, and the surplus will be key in that.

This is my second budget in-reply speech and I raised some of these topics last time. Given the size of the surplus, I think it is disappointing that structural tax reform has again been largely ignored—so with payroll tax and stamp duty, we are about where we were. If we cannot make moves on those two taxes in this particular circumstance when the government is as flush with funds as it is, then it is difficult to see that anything will be done in the near term. I think that is a missed opportunity that we might look back on in years to come.

I want to make a couple of comments about some of the Premier's remarks regarding our budget situation and some of our fellow Australians in the east. I understand it was a good budget with a great result, but I hope that some of the gloating, particularly about how some of our Labor and Liberal colleagues in the eastern states are suffering, does not come back to bite us. The iron ore royalties and the GST return from the federal Liberal–National government are the structural changes in our budget circumstances. If iron ore dropped to \$60 a tonne and the GST dropped back to what it was, we would be in a mess. It is a good result, but hubris has a way of coming around and biting you on the what's-her-name.

Regarding iron ore, I do not know, because I do not live there, but I wonder whether the residents of Port Hedland and the Pilbara might have a view on the Premier gloating to the eastern states about our financial circumstances when we know where the iron ore comes from. It comes from the Pilbara. Do residents of the Pilbara feel that they are being adequately looked after, given the massive contribution that region makes to this state's finances and export income? I have seen some of the social housing situations in Port Hedland, for example, and it does not look like it is getting the attention it deserves.

The other point I would like to quickly touch on, which was raised by my colleague Hon Dr Steve Thomas in his reply, is the growth in funds that have been put aside in special purpose accounts. I will touch on some of the numbers. There are a number of new special purpose accounts, including the climate action fund, which contains \$1.25 billion; the \$500 million digital capability fund; the women's and babies' hospital account with \$1.8 billion; \$350 million for the remote communities' fund; \$750 million for the social housing investment fund; \$350 million for the softwood plantation expansion fund; and \$400 million in the Westport account. Not much of that has been spent. It is clearly a large amount of money, and we have to wonder about the timing as we get closer to the next election. I assume there is a fair bit of flexibility in those special purpose accounts about where that money will eventually end up, but at the moment, not much of it is hitting the ground. It is sitting in the budget from year to year. I will be keen to see what that looks like as next year rolls around.

The other point that was raised in my budget reply speech last year, and by Hon Dr Steve Thomas this year, was the capability of any government in Western Australia to deliver more than \$5 billion or \$6 billion in asset spend. The budget has close to \$9 billion in asset spend this year; we will see how we go. It appears that given the supply chain issues and the workforce issues that we are currently experiencing, anything close to that would be extraordinary. It would not stagger me if we were to spend again somewhere between \$5 billion and \$6 billion. Let us hope we get close to \$7 billion, but to get to what is in the budget seems overly optimistic.

I move on to a couple of areas of specific interest to me, in a portfolio sense. I start with forestry. We are nearly at the anniversary of the decision announced last September by the McGowan government to shut down the logging of hardwoods in native forests. The impacts of that are still rolling through. We have seen some budgetary implications of that. I want to mention the performance of the minister, who is not here today, at estimates. Hon Alannah MacTiernan was the minister in charge of the Forest Products Commission's performance at estimates. She put on a brave face. Obviously, the hardwood forestry sector has been rocked by this decision and its world is very uncertain at the moment. It does not know what is coming around the corner, literally, in the next couple of months, let alone after 2023, when a new forest management plan will be announced.

According to the out years of budget paper No 2 for the Forest Products Commission, it will be business as usual. It states that revenue from operations in 2023–24 will be \$153 million. So that members can gauge that, the 2021–22 budget estimate was for \$136 million. In 2024–25, revenue will be \$153 million and a bit more. In 2025–26, it will be \$153 million. This is despite the hardwood sector being shut down at the end of next year. It was put to the Forest Products Commission during the estimates process that that seems awfully optimistic. At this stage, the minister was starting to grasp the gravity of the situation and was getting a little agitated and was seeking clarification from the staff behind her. The response from the Forest Products Commission was, "That's okay. We realise it will not look anything like that, but Treasury just said to put in the old numbers, roll them out for a couple of years and we'll sort it out later." That is extremely lazy work from the Forest Products Commission, in a budgeting sense, which means, effectively, that it is worthless. Those budget papers pertaining to the Forest Products Commission provide us with no useful information. It is also staggering to the people in the timber industry who are trying to do their budgets that the government can be that lazy with its budgeting, because it does not matter to the government. It will just roll on. The forest management plan will change and it will just change the figures. The people actually in the sector—the private businesses trying to work out what their business will look like in 2024–25 for example—who will go to their bank on that basis, have no idea. I thought that was very disappointing, and we are about to hand the Forest Products Commission \$350 million to spend over the next 10 years. I thought I would touch on that.

As I mentioned, it is coming up to 12 months since the original decision on forestry was made. I have spent the last six to nine months visiting as many impacted businesses and communities as I can, as I am sure you have, Acting President (Hon Jackie Jarvis). The real concern at the moment is the enormous amount of uncertainty in those businesses. When the Premier made the announcement last September, we were told that it would be business as usual until the end of 2023 and that the government would announce, probably before then, a new forest management plan for the subsequent 10 years, which will work out what that looks like. But a very few short months after the 6 September announcement, things started to go astray. The logs were not available, as they had been. Certainly, firewood has not been available as it had been. I have been to a number of firewood suppliers in recent months who are either out or about to be out of supply for this year. It would be a good afternoon today to be selling firewood. Most of them do not have any. That is it for this year. Firewood businesses get their timber for the following year about nine to 12 months in advance. Almost none of them have any greenwood that will be deadwood next year, when they should be selling it. Those guys were told it was business as usual, and it is anything but. They are desperately trying to hang on to their staff and keep those businesses alive in those small communities, but that is very hard work.

Similarly, furniture manufacturers, a small but vibrant business sector in this state, do some wonderful work. Jarrah is a very marketable product here and around the world and we have some outstanding local furniture manufacturers. A number of them have jarrah in the business name—"jarrah this" or "something jarrah". That will be a very tough sell if there is no jarrah put in their tables or furniture. Again, the level of uncertainty in that sector is very high. It has been trying to get responses from the minister about what its industry will look like in coming years, but that has been difficult to achieve. Then we get to the sawmillers and logging contractors. We heard again from FPC that volumes were down because of market conditions, operating additions and the availability of logging contractors. It is no enormous surprise that shortly after a minister or Premier announces that an industry is effectively gone, people start looking elsewhere. They start to wonder whether they should repair a piece of equipment. When something breaks down, they ask themselves whether they should spend \$30 000 on a gearbox for a front-end loader or an old truck, or whether they should just cut back. I know that a number of mills are considering whether they have a future in the business, and that is flowing through immediately, not at the end of 2023, obviously. Businesses do not have the luxury that the Forest Products Commission has. The FPC can just roll out its budget and it does not really matter. That nonsense in the budget papers does not really affect anybody, but a small business that goes to a bank with a budget that says for November 2023, "not sure", or, "nothing", will have some very tough decisions to make, and they are being made.

That brings me to some items in the budget around what post-2023 will look like and how the Forest Products Commission will manage that. The Premier announced that there will be environmental thinning and clearing and, obviously, substantial clearing of mining hectares. Evidently, that is fine. That is okay. But who will be around to do that? Will the logging contractors who are needed still be around to do the environmental thinning and deal with the timber that is cleared from those mining hectares? There is every chance that Minister Kelly might get to the end of next year and proclaim his new forest management plan only to look around and see that the sector has gone because of his and the Premier's decision last year. One of the reasons for that is that we do not know what environmental thinning means. We and the sector have been asking whether it means a handful of tonnes or 50 000 tonnes. We simply do not know. The other people who do not know are Simcoa and Parkside Timber. Parkside Timber is a large investor from Queensland. It is a family business that made a significant investment in the Western Australian timber sector. Minister Kelly claims that he did not encourage that investment. He made a very good —

Hon Dr Steve Thomas: He put out a nice press release.

Hon STEVE MARTIN: He certainly put out a lovely press release in 2019 saying that there is a great, long-term future and that it is good to have Parkside here, but now Parkside is very unsure about what the future holds for it. Because of the way the industry works, we cannot have a business like Parkside but nothing underneath it. That large mill is set up to do some work with a certain standard and quality of log, and the other smaller mills operate around that to use what is left over, effectively. The future of that family's investment in Western Australia is in doubt. For those members who are not aware—although I am sure most members are—Simcoa's silica business at Kemerton is a great business. It is an export earner. Simcoa relies on jarrah in the form of charcoal that it burns in the process to produce silica. I am assuming that Simcoa is having quiet discussions with the government and is trying to guarantee the large number of tonnes that it needs, but where does it rank? Is the ranking Simcoa, furniture, firewood and then the small sawmills? Who gets what first? I think that in an answer in the estimates hearings the FPC advised that there would be a bidding process. Does that mean that the person with the biggest chequebook, which I assume might be a large business like Simcoa, will suck it all out of the market and the smaller firewood operators, furniture manufacturers and the very small timber mills will have nothing to bid for, or will they not be able to afford to match the top end of that market? Again, we are now into August 2022, and we do not know. We are hearing that later this year we will see what the management plans will look like. My guess is that it will be very vague and unclear. Again, that will make it very hard for those businesses to plan.

That brings me to some of the other things mentioned in the budget. A \$350 million fund has been put in place to plant pines in the south-west corner of the state. Again, we asked during the estimates hearings, and have been asking for months, what the break-up is of freehold farmers versus leaseback farmers. It is quite clear that the Forest Products Commission and the government's preference would be for the land to be freehold. The FPC and the government do not want farmers changing their minds after the first harvest and going back to growing grain, canola or livestock. Of course, the farmers would make that decision only if there was more money to be made from growing grain, canola or livestock, which is interesting. The FPC and the government are nervous about this plan stacking up financially for private enterprise. Obviously, the FPC will be attempting to purchase that land in some form. We attempted to find out from the Forest Products Commission whether it has an estimate of how much those hectares are worth. We are talking about land with 650 millimetres or 700 millimetres of rainfall. That is very valuable land. Even if the soil type is poor, if the land gets 750 mils of rain, it can produce something. I just made the trip from Frankland across to Manjimup. That land used to be used for farming cows and a few sheep, but it is now wall-to-wall canola for feed barley. Two and a half tonnes or three tonnes of canola at \$1 000 a tonne is a fair gross margin, Hon Darren West. That means that the land is much more valuable than it was even three or four years ago. The estimate of \$10 000 gross a hectare does not include planting the pines, which apparently costs \$1 500 or \$2 000 a hectare to rip it, plant it and maintain it. We are looking at \$8 500 a hectare on land that gets 700 millimetres of rainfall. The FPC simply will not get the hectares that it estimates it needs, which is 33 000 or 34 000 hectares. Land with that amount of rainfall could not be bought today for that amount of money, but, according to the plan in the budget, the FPC will be buying that in nine years for that sort of money. That simply does not add up. It has been put to me from people in that part of the world who should know that if the FPC could get half or two-thirds of that number of hectares, it would be a staggering result. I think the Forest Products Commission needs to reassess what that \$350 million will actually buy and the number of pines that can be planted.

Another thing that was mentioned in the budget was the community fund. A certain amount of money will go to those affected communities. We have seen the government spend a large amount of money in Collie, which is one location with a couple of mines. Quite clearly, the fund will have a large impact on that community, but it is a very localised spend. The timber sector covers an enormous amount of territory from just out of Albany, where we have the Redmond Sawmill, to Nannup, Manjimup and Greenbushes. We also have a logging business in Cunderdin in the wheatbelt called Mortlock Timber. We have a firewood operator in Northam, furniture manufacturers in Osborne Park and a firewood business in Malaga. It is a much larger spread, yet nowhere near the amount of money that has been allocated to Collie has been allocated to those communities. I think \$30 million has been allocated for those communities. I know that the Shire of Manjimup has its eye on all of that. How will those other communities get anything done? I have to say that the lack of consultation with the communities about how to achieve that

spend has been disappointing so far. I hope that the minister will spend some time in those communities and find out the best way to try to rebuild after those jobs are lost. Again, he will probably get to the end of next year and turn around and say that all the workers have gone and there is nothing to rebuild because they were offered a substantial amount of money to leave. A few are starting to do that, and by the end of this financial year a lot more will have left.

I want to move on to the housing portfolio and some of the things that have happened since the state budget was released. Minister Carey is now in charge of another stalled housing program. The Common Ground program was a key part of the state government's response to homelessness in this state, and we have a significant homelessness problem. Last week was National Homelessness Week and we heard from a number of people about the lived experience of what is happening on our streets. A key plank in this state government's response has been Common Ground. As early as 15 July 2020, then Minister McGurk announced—I am reading from a press release from the minister —

... the location for the new supported housing facility, along with additional funding for homelessness services in response to the COVID-19 pandemic.

People with complex needs will be housed and supported alongside low-income earners in the purpose-built Common Ground complex, which will include at least 70 self-contained apartments.

That was the one in East Perth. It continues —

The East Perth facility is one of two Common Grounds funded as part of the record \$71.7 million State Government funding boost for homelessness services announced in December to support the implementation of WA's first 10-year strategy on homelessness.

That press release is from 15 July 2020 and this project was first mentioned in late 2019. As I said, it is a key plank of the state government's 10-year strategy to combat homelessness. We are now two and a half years in. This is interesting. It was Minister Carey's decision, but he received advice from his department that it could not go ahead; it could not accept the tender.

Hon Sue Ellery: What's bizarre about a minister receiving advice?

Hon STEVE MARTIN: A couple of days before National Homelessness Week, the minister said that we could not accept the tender and we had to go back and seek better value. Minister Carey's release states —

“As disappointing as this is, this was done upon the advice of the Department of Communities and ensures that value for money is not compromised, under the heated construction market and to the WA taxpayers.

“The State Government will go back out to market shortly, with a new request for tender to deliver Common Ground Perth.

That is interesting. The minister has the money in the budget. According to Minister McGurk, we had the money in the budget in 2020. It sat there for the entirety of 2020; the next year, it was still there. Minister Carey re-announced it with some fanfare in this budget, yet a couple of months later the government has not accepted the tender because it will seek better value. There was no mention of the scope of works changing; it was still 112 beds in East Perth and 50 beds in Mandurah. Has the minister stuck his nose out the window and looked at the construction market? The government is not putting it on hold indefinitely; it will go back out shortly to seek better value. That would be optimistic in the current housing market. Perhaps there will be a change of scope of works. Maybe it did not get any tenders, but that would be hard to discover, or maybe they were 40, 50 or 60 per cent higher than the \$70-odd million that was in the budget. We simply do not know.

If we talk to the sector—Ruah Community Services and Shelter WA, for example—and both Ministers McGurk and Carey, we are told that Common Ground is a wonderful concept and will go a long way to easing the enormous pressure facing rough sleepers in Perth. But in an extraordinary decision, the minister, on the advice of the department, is seeking better value. I hope that process is quick and his optimism is repaid and he can find someone to build it for less than the recent tenders.

I want to touch on National Homelessness Week, which was held last week. It highlighted for all of us the issues facing rough sleepers in our community. It brought that home, particularly to me when I heard from some of the people who shared their lived experience of homelessness, and I thought I might share that with members. We heard from Anthea Corbett at the Shelter WA launch on Monday last week. The weather was similar to today's weather, which puts in perspective how tough it would be for those people. The good news about Anthea Corbett's story is that there was a happy-ish ending. She has reached a point in her life that is admirable and she worked hard to get there. It showed us that there is a way through this. Things such as Common Ground would be of enormous help. Through the support of Ruah, the state government and other agencies, she has been able to make great strides, but she had a very tough time, and I will share some of her experiences with members.

She was homeless. She is from Northampton, from memory, and she moved to the city and back and forth. She was homeless when she received a diagnosis of cancer on her foot. That makes living anywhere tough but living

in Northampton made it particularly tough, so she had to move to the city. That put her at risk of being on the streets, but she needed to be here to get treatment. I had a chat to her. A friend of mine who has gone through a similar thing made a poor call—this is a bit gruesome—to slice off bits of his foot to try to get rid of the cancer and keep it at bay. Anthea took the very brave decision to say, “No, I want this done. Take it off below the knee.” She was fitted with a prosthetic leg. She charged up the steps of the podium the other day like she was a 22-year-old. She made that decision and that effectively saved her life, but it made her transition from homelessness to living in appropriate housing a really tough one. She basically got through with the support of the sector around her. The message was that if enough support is in place and appropriate housing is available, there is a way out of homelessness for Western Australians. She sent an inspiring message to all of us.

I want to talk about the social housing waitlists. The numbers continue to grow, sadly. Minister Carey is doing what he can, but we now have over 19 000 applicants, which is approximately 34 000 people on our social housing waitlist. That is a significant increase since June 2019. We now have more than 4 100 on our priority waitlist. Despite announcements of record spend, the social housing waitlist continues to grow. Quite clearly, not everyone on that waitlist is on the streets. The vast majority have a home; they simply seek more appropriate housing. But that number continues to grow and the average wait time is now years. I will just reinforce the numbers. On 30 June this year, there were 19 070 applicants. That is a 38 per cent increase since June 2019. The priority waitlist had 4 141 applicants. That is a 163 per cent rise since 2019. At the same time, we have a very low rate of rental vacancies in the private market.

We were in Manjimup last week and the shire CEO informed us that that morning Manjimup had zero rental vacancies—0.0. Regional Western Australia for some reason is at least as bad and usually worse when it comes to private rentals, and the social housing market is tough as well. That adds to the housing stress. Rents have gone up. We are still affordable compared with Sydney and Melbourne and the other larger eastern states capitals, but availability is the issue in Western Australia. It does not matter whether people can afford it if there are no properties to buy or rent. At the moment, we do not have enough rental properties.

I will go back to the Common Ground story, which was recognised by the state government as being crucial to the pathway out of homelessness and was a key plank in its strategy. Crisis accommodation beds are focused in the Boorloo Bidee Mia facility. We are about at the one-year anniversary of the opening of Boorloo Bidee Mia, which has been successful. It has worked really well in getting people who have very complex needs into a bed and off the streets. I have been asking questions about its capacity, which is appropriate. The minister announced at the time that it had a planned capacity of 100, clearly based on need. The government thought that it needed to cater for 100 people; therefore, it built a facility that could hold 100 people. The number of people in that facility appears to be steady and consistent in the mid-60s. The people who run that facility suggest that that is about the maximum that can be accommodated to run it safely for residents and staff. That appears to be a safe, well-run facility capped at about 65. That is fine, but money was allocated for 100. We are not going to get to 100 and that might be appropriate. That tells us that there is still a need. We really need Boorloo Bidee Mia mark 2. The emphasis with that facility is the CBD, but there is also Fremantle, Midland and Armadale. I think smaller might be better. We might need three, four or more of these 20, 30 or 40-bed facilities, which would ease the problem. Most of the services congregate around the CBD. There is an argument about whether that is because there is homelessness here or the homeless are here because the services are here. That does not really matter. We know there are homeless people in the eastern suburbs and in Fremantle. Boorloo Bidee Mia is doing a great job, but it is capped at 60-odd residents. Given there is \$2.4 billion in the housing and homelessness budget, I urge Minister Carey to look at spreading that response around Western Australia.

I will just mention another issue that was brought to light last week as part of National Homelessness Week. We do a reasonable job at responding in the city—the services do a good job, the not-for-profits do a good job and the government responds—but in regional WA, the response is sadly lacking. The *Ending homelessness in Western Australia 2022* report was headed by Professor Paul Flatau and released by the Western Australian Alliance to End Homelessness. The report found that people who live in rural and remote Western Australia experience homelessness at a much higher rate than people who live in Perth or Mandurah. I am not referring to raw numbers but to a higher rate. That makes sense; there is a large population in the city so there will be more homelessness here. But as a percentage of the population, people in Perth, Mandurah and Bunbury experience homelessness at a rate of 27, 26 and 25 people per 10 000 population, whereas for outback north—I am not quite sure what the distinction is—the rate is 142 people per 10 000; for outback south, it is 73; and for the wheatbelt, it is 31.8. That rate is 400 per cent higher than in the city. Our response needs to be a little more nimble and tailored, and we need to do more in places like Esperance, Busselton, Geraldton and so on because there is a real need there. Coupled with that, of course, is that the private rental vacancy rates in those areas are even lower than in the city. It is about one per cent in the city. In Manjimup, it was zero last week. It currently sits around 0.6 per cent in most regional areas—Albany, Geraldton, Kalgoorlie et cetera. There is work to do there. As I have said, the minister has a large allocation in this budget and we need to see some results.

I have a couple of other more Agricultural Region-specific issues. Hon Colin de Grussa touched on the response to foot-and-mouth disease. I do not need to go over the minister’s missteps, but I think it is important that we all

understand the significance of this. If a large outbreak were to happen in Australia—I think it is still a small chance, but it is not a chance we can take—the Australian Bureau of Agricultural and Resource Economics and Sciences has estimated that the impact would be \$80 billion over 10 years. After 10 years, ABARES estimates that our export market access would recover by 80 per cent for beef—so, after 10 long years, we would get only 80 per cent of our current market back—87 per cent for pork and 92 per cent for sheep meat. That tells us how important this issue is. It needs the full attention of the minister and the government.

This is one of a couple of issues that are obviously not in the budget because it has happened quite recently. As we have discovered with COVID, the tracing of a disease in a pandemic or an epidemic is crucial. Western Australia is not well placed to electronically trace sheep. The Victorians electronically tag every sheep, which reduces the time that it takes to track down what goes where, effectively. Estimates vary, but it would be somewhere between three or four days to three or four weeks depending on the type of tagging. The Victorian state government makes a contribution to that process. I think that was made possible through the sale of Melbourne port some years ago; that has assisted with that rollout. Now that FMD is on our doorstep, we are obviously aware of the need to act. I am sure the government will look at making a contribution to an electronic tagging process, because it would then be much quicker and easier to contain an outbreak if it gets here—let us hope it is an “if”.

Hon Colin de Grussa also touched on biosecurity funding. From my reading of the numbers, some of the state governments in the east have made a greater jump in response to the outbreak in Indonesia. I think it should absolutely be the focus of the Department of Primary Industries and Regional Development this year to spend more on biosecurity in the short term. I just want to touch on one of the reasons that I think we have taken our eye off the ball in that area. I am not talking about the borders in this instance; I am talking about our feral animal population. If foot-and-mouth disease got into the feral pig population, for example, it would make it almost impossible—Hon Dr Steve Thomas would probably have a better idea—for us to stand up and say to our trading partners, “It’s gone. We’re clear of FMD and we can now get back to trading.” If FMD was in the feral pig population and/or the feral goat population, its eradication and control would be a much harder task. Previous governments, both ours and yours, let state land run amuck with feral animals and weeds. Feral pigs can be found throughout state forests. In the north of the country, there are feral animals everywhere. If FMD got into those populations, it would make the task of controlling an outbreak so much harder for industry and government. A little bit of prevention over the past 20 years might have made that situation look a little better now.

The other issue, of course, is compensation. There was an initial flurry of questions about whether people would be compensated, because there was a bit of panic initially. A bit of messaging from the state government around the issue of compensation would be useful. My understanding is that it is an 80–20 model—the government would provide 80 per cent and industry would provide 20 per cent. I am not sure about the split between the federal and state governments in that component. I assume the state government knows what its share of it is. I would be surprised if it is 50–50, but it would be significant. If we start culling tens of thousands of animals, the state government’s contribution will be enormous. The 20 per cent share from industry is interesting. I do not know whether there is a levy in place at the moment that is putting aside any money for the potential culling of large numbers of animals. I do not know where the industry will find that in a hurry. I am guessing it will be able to park it and pay a levy for the coming 15 years, which will be interesting if no-one gets back into livestock because they cannot trade. The state and federal government’s contribution might be larger than they anticipate. I think some clarity from the government around that would be useful, when it looks at the budget for that department.

There are a couple of other things I would like to touch on. We saw a record 24 million-tonne grain crop in Western Australia last year. That is an outstanding result. It is wonderful news and great for the state and rural and regional communities. Getting the grain on a boat to get it to a market as quickly as possible presented a significant challenge to Co-operative Bulk Handling Ltd grain handlers and marketers. Western Australia was in a very unusual circumstance in that our grain prices were trading at a significant discount to world prices because we could not get it to market quick enough. Obviously, there are supply chain issues in every sector and in every port across the world at the moment, but only a few short years ago 24 million tonnes would have seemed well out of reach. Now it has been achieved and CBH has quickly responded and put some work into what the average crop might look like going forward. It estimates that it might be a 22 million-tonne average and, by 2033, they might be harvesting 28 million tonnes of grain in this state. Hon Darren West has stepped out on urgent parliamentary business, but if it keeps raining like it has been for the last week in Northam, he might contribute a fair bit of that. It is looking like there will be at least another 20-million tonne crop on top of a fair carryover from last year, so CBH will be trying to get grain out of port very quickly.

That brings me to the topic of the agricultural supply chain improvement program. ASCI is the state and federal government contribution to rail, which is being spent in the budget. We asked in estimates about the time line on some of this. There are three tranches to the ASCI money, which is mainly federal money. There is a \$40 million contribution from the state and a significant contribution from CBH. It is being spent on various rail lines, sidings and facilities across the state, except for \$72 million that is parked in the southern wheatbelt region, waiting for a study to assess whether the line from Narrogin to Kulin will be upgraded. It is a study. I asked in estimates whether that meant that some of the federal money is being parked as well as some of the state money. The Leader of the

House assured me it was. We are not spending all the federal money up-front on the three projects that are to be done. Most of the \$72 million is commonwealth money with a state contribution. That is stuck there, I assume, until this study finds out whether there is a need for the line or the costs of the line. It is my understanding that, even if the report comes back positively, \$72 million gets us halfway to Kulin. Now, I happen to live in that part of the world and there is not a grain bin between Narrogin and Kulin on that railway line—not one that has operated in the last five years. That is interesting. Do we build that line? Some of the proposed uses for the line are stated in the minister's press release. It states —

... it will provide the capacity for other primary producers, for example hay exporters, to use a rail service.

Again, this is interesting. There are a lot of hay plants in Western Australia. A large number of them are on the Great Southern Railway line. That is about the middle of the hay belt. None of them use the Great Southern Railway line to transport hay, yet somehow this new upgraded line from Narrogin to Kulin will attract the hay export market onto rail. I know exactly what that study will say when we see it in six months: the grain growers do not want it and it is not needed. I do not understand the delay. A kaolin mine was mentioned. I should declare that that kaolin mine is a couple of paddocks from my farm at Wickepin. That mine might be a user of the line. That will be a great result; it will get half a million tonnes off the road network. Has the government spoken to the kaolin operators about whether that would be appropriate and when, and so on?

Unfortunately, Acting President, it does seem it will be some time before that \$72 million is spent. I might be a little biased but I think the main freight task is getting those extra tonnes that growers are about to produce to a port as quickly as possible. If that is not an outcome of that \$72 million spend, then I think we are missing the point of this program. That would be disappointing. I will make one more point on the ASCI funding. We have seen a change in the federal government recently and we have heard about the dire budget position and “huge spending pressures” from Treasurer Chalmers. This is what new governments do; they always say the other mob stuffed it up. Five and a half years later we are still hearing that from across the chamber. That is fine; that is what incoming governments do. There is no difference here.

We are seeing enormous spending pressures. Aged care is about to get a much deserved increase in funding. Child care will also get an increase in funding, and there is a significant budget deficit and large debt looming. My point is, if we have not spent ASCI mark 1, years after getting it, it is going to be very hard to get ASCI mark 2. Minister Chalmers has a long shopping list in front of him. He has “huge spending pressures”—his words, not mine. I hope the wheatbelt rail network will get his attention in 18 months. I urge the government to get the report done quickly and spend that money. If it is spent on that section of line, that is good, unless there is a better spend for that. ASCI funds can be spent on road and rail but, so far, every cent has gone to the rail network. There are enormous pressures on our road network in the grain freight task around Chester Pass Road. I think about a million tonnes a year go to Albany port on that road, so that might be a useful spend. If members think the Narrogin–Kulin line is worthy of an extra \$70 million, get it in ASCI mark 2, but get it in front of the Treasurer right now. He is facing huge spending pressures and we do not want those vital transport links to slip down the list.

I just have a couple of quick things before I run out of time. Hon Colin de Grussa mentioned Westport. I do not know whether it will happen in five years or 10 years. That is fine. There is \$400 million in one of those special purpose accounts for Westport. That is great. Oakajee is in the Agricultural Region. It is a shame Minister MacTiernan is not here. We hear a lot about Oakajee, but we do not see anything in the budget for it. I think we got \$7 million last year for a road upgrade. Talk about the road to nowhere! The road to Oakajee does not go anywhere. There is nothing at Oakajee—nothing. Another budget and another year down the track, if the government wants to put it out of its misery and let everyone know it is dead and buried, that is fine. The government brings it up every year. Oakajee is a potential hydrogen hub and a great port that we need, but, sadly, we do not see anything in the budget. It has just slipped through again, which is disappointing.

I know the Leader of the House has been to Esperance Senior High School; she went there quite recently. I believe there is \$1 million for a STEM facility. I hope that is spent on the bit of the TAFE building that the Leader of the House has claimed back into the high school. Do not spend it on that. The rest of that high school is falling down. In fact, this afternoon, in this weather, those kids will be running from classroom block to classroom block without shelter. It is in need of a serious upgrade. It is great that the million is there in the budget, and it is great that it is going to STEM, but do not waste it on something that will have to be bowled over in a couple of years when the government gets around to realising that it should be on the list of schools that need some work. I have been to a fair few high schools and schools in the Agricultural Region, not in the metro region. But if there is a worse set of buildings anywhere than at Esperance Senior High School, I would be keen to go and have a visit. It reminds me of the old ag department buildings from a few years back that were much unloved for decades. Esperance Senior High School is similar.

I will draw my remarks to a close shortly. I want to mention that the Geraldton Health Campus project—I could not help myself—is in another budget. I think it has been included in five budgets now. This is similar to the Common Ground story; we have gone back to the market for better value. As far as I am aware, we have not upped the money. We still have a nice car park. We have still had the funding announced and a series of media releases

from various ministers, local members, the member for the Agricultural Region and the Premier. It is all good. It is all about to happen. We are now six budgets in for this government and the Geraldton Health Campus project remains parked, which is unfortunate. Even a start date would be good. Just give us a start date. I do not expect to know when the tough building market is going to end, but draw a line in the sand and say, “Let’s start it on 1 February 2023”, or something. At this stage, we have no idea when that project will commence.

I wish the government well. I have a feeling that in 12 months the world will again look very, very different from what it does now. The interest rate stuff is still happening. The inflation story is still to be resolved. Cost-of-living pressures are enormous. We are seeing wage rises, after a period of wage stagnation, starting to be delivered. I wish the government luck with getting this budget on the ground. The next one might be a seriously different beast.

Debate adjourned, on motion by **Hon Colin de Grussa**.

APPROPRIATION (RECURRENT 2022–23) BILL 2022
APPROPRIATION (CAPITAL 2022–23) BILL 2022

Cognate Debate

Leave granted for the Appropriation (Recurrent 2022–23) Bill 2022 and the Appropriation (Capital 2022–23) Bill 2022 to be considered cognately, and for the Appropriation (Recurrent 2022–23) Bill 2022 to be the principal bill.

Second Reading — Cognate Debate

Resumed from 16 June.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [4.23 pm]: I thank the minister for the opportunity to make a few brief comments on the appropriation bills, which are, of course, the bills that approve expenditure. We are still debating how that expenditure will be put towards the Western Australian people, services and economy, but these are the bills that allow for that expenditure. The minister will be very pleased to know that the opposition and, I presume, the crossbench have decided not to crunch the numbers and attempt to block supply in this circumstance, but to allow the government to proceed to expend the money as part of its appropriation bills. I know the minister is just hanging out for us to lend our weight and support to the passing of the appropriation bills.

I do not propose to spend a huge amount of time talking about this. It is traditional that members generally focus their budget comments on addressing the budget, as we have been doing over the previous weeks. But I think it behoves us to do a quick recap of where we find ourselves in relation to the budget and the economy and why there are so many stressors on the government at the moment. What has changed? Bear in mind that the budget was delivered back in May and we are now in August. A few months have passed, and we have seen a few significant changes. Of course, we know that the budget was, once again, a massive revenue for the state of Western Australia and the McGowan government. The government has predicted a \$5.7 billion surplus in the budget, slightly behind the \$5.8 billion surplus it had last financial year. Bear in mind, though, everybody, that that was raised last financial year when we received the *Annual report on state finances*, so I fully expect it to be raised again. I still think we have a reasonable chance of a record budget surplus in 2021–22, and of course, we will still have a significant budget surplus in 2022–23.

Why is that happening? As we have said, obviously this government has been the beneficiary of the biggest fiscal boom in not just this state’s history, which it is, but also the history of any state in Australia. This has been the biggest fiscal boom ever experienced by a state jurisdiction in this nation. What is it based on? That is obvious, is it not? It is a \$5.7 billion or \$5.8 billion surplus based on an increase in iron ore revenues of around \$6 billion. It is not even complicated, honourable members. It is not as if government members have been great economic managers and have come out with a set of savings that reduced expenditure or they created a whole new program of some sort that delivered new services. They have been lucky that as a part of the COVID crisis in particular—bearing in mind that the boom started before the beginning of COVID but was propelled along because of it—and because of the building stimulus packages around the world, not just locally but through Europe, the Americas, Asia and China in particular and a lot of other places, it has resulted in an iron ore price that still remains at over \$US100 a tonne.

Dare I remind members of the question I asked way back in February 2019 about what the impact on the government’s finances would be if the iron ore price stayed above \$US90 a tonne for any considerable period. I remind members, particularly those opposite, that it was the position of the then Treasurer that the prospect of iron ore remaining above \$US90 a tonne for any significant period was “highly unrealistic”. Here we are today and there has been a fair bit of movement. The last time I looked, it was about \$US107 a tonne. I do not think it has dropped below \$US107 a tonne for any significant period. Therefore, this is a government that has benefited from the greatest boom in our history. The question is: who is receiving the benefit for it?

I do not think the current Premier will be judged in the future on his capacity to respond to the COVID-19 crisis. He kept us isolated, and that kept us safe, and he did so with a lot of support across the board, including from lots of us. He kept the community safe. But I do not think that is how he will be judged. I think he will be judged in the future on what he did with the greatest economic boom that this country, not just the state, has ever seen. Perhaps

it is a little bit early to be talking about his legacy. I am not one who buys into the gossip that he might be jumping to the private sector anytime in the near future. I think it is a little early to jump into legacy debates. But when we look back in a decade and we ask, “What is the legacy of this Premier?”, it will not be the COVID response upon which he will be judged; he will be judged on what he did with the greatest economic boom this nation has ever seen. The answer will be: it is not that he looked after the community or changed the economic settings of the state—in fact, generally, when he has changed them, he changed them for the worse. What he has done is to look after the political interests of the McGowan government beautifully. What he has done is to look after his own interests and the interests of his government. I get that there is obviously a great incentive to do that. He wants to be around for as long as possible but he seems to have forgotten that the great wealth generated by this state was not generated by him. It is not owned by him; it is not his wealth. It is the wealth of the people of Western Australia, who should ultimately be the beneficiaries of it.

Debate interrupted, pursuant to standing orders.

[Continued on page 3187.]

QUESTIONS WITHOUT NOTICE

SOUTH WEST COACH LINES — COLLIE–BUNBURY SERVICE

582. Hon Dr STEVE THOMAS to the Leader of the House representing the Minister for Transport:

I refer to the cessation of the South West Coach Lines bus service between Collie and Bunbury on 1 February 2022 and to my questions without notice 216 and 244 asked in March.

- (1) Will the minister now commit to provide a public bus service for the residents of Collie that will allow them to attend, amongst other areas, TAFE, university, employment and medical appointments in the City of Bunbury?
- (2) Will the minister commit to the provision of a subsidised public bus service operating daily, from Monday to Friday, between Collie and Bunbury?
- (3) If no to (2), why not?
- (4) When will a decision be made on the service and when will it be communicated to the people of Collie?

Hon SUE ELLERY replied:

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

- (1)–(4) As advised previously, the decision by South West Coach Lines to end its service is disappointing. The minister and Transwa have been working with the member for Collie–Preston and the local community to discuss their public transport needs and whether any potential improvements can be made to provide better links between Collie and Bunbury. This work is nearing completion and will be announced in due course. The state government’s commitment to improving public transport in Collie and the south west is clear. In 2018, the government increased the frequency of Transwa road coach servicing into Collie, reversing cuts by the former Liberal–National government. The state government is also delivering a new locally built *Australind* train, following the failure of the former government to plan for or fund a replacement at the time it should have been replaced.

COMMUNITIES — BUSINESS CONTINUITY PLANS

583. Hon Dr STEVE THOMAS to the Leader of the House representing the Minister for Community Services:

How many teams, units and directorates within the Department of Communities activated a business continuity plan in the three months from 1 May 2022 to 31 July 2022?

Hon SUE ELLERY replied:

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

From 1 May 2022 to 31 July 2022, within the Department of Communities, 11 business units, seven directorates, and zero divisions have activated a business continuity plan.

PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT — VETERINARY OFFICERS

584. Hon COLIN de GRUSSA to the Minister for Agriculture and Food:

I refer to the current foot-and-mouth disease, FMD, and lumpy skin disease, LSD, outbreaks in Indonesia and the threat that an outbreak poses to Western Australia’s agricultural sector.

- (1) How many qualified veterinary officers are currently employed by the Department of Primary Industries and Regional Development, and where are they located?
- (2) Are all veterinary officer positions currently filled; and, if not, what steps is the government taking to fill these positions, and why have they remained vacant?

- (3) In the context of a disease outbreak such as FMD or LSD, can the minister please outline how DPIRD provides adequate veterinary officer capability in areas where there is no locally based DPIRD veterinary officer?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question and I agree absolutely that both foot-and-mouth disease and lumpy skin disease have the potential to be devastating to our export-oriented livestock industry. I can assure all parties that since the increased risk occurred with the move of FMD and LSD into Indonesia around May this year, we have been very focused on dealing with it.

- (1) At the moment, there are 53 qualified veterinary positions in the DPIRD biosecurity team; 43 of these are in animal biosecurity policy and operations and are located in Perth. Regionally, there are positions in Bunbury, Albany, Broome, Northam, Kununurra, Geraldton, Moora, Katanning and Narrogin. DPIRD diagnostic laboratory services has 10 qualified diagnostic veterinarians; eight are located in Perth and two in Albany.
- (2) Currently, five policy and four field veterinary positions are vacant. It is well recognised that there is a national shortage of veterinarians. DPIRD has and continues to undertake extensive recruitment activities to fill vacant positions.
- (3) The Department of Primary Industries and Regional Development works closely with the private veterinary sector to build partnerships, increase awareness of reportable animal diseases and build capacity regionally. This includes subsidising significant disease investigations to enhance early detection and awareness for emergency animal diseases. Private veterinarians regularly investigate disease reports in the regions in collaboration with DPIRD diagnostic and field veterinary staff. Special vet foot-and-mouth disease forums have been taking place across the state. In a biosecurity response, DPIRD can engage private veterinarians across Australia to work in the response and has made contingency plans in this regard. This may include activation of the commonwealth's international resource arrangements for specialist staff from other countries.

FORRESTFIELD–AIRPORT LINK

585. Hon TJORN SIBMA to the Leader of the House representing the Minister for Transport:

I note reliable reports of technical problems which have been identified during the testing and commissioning phase of the Forrestfield–Airport Link, and which are likely to further delay the opening of the line.

- (1) What are the specific problems that have been identified during the testing and commissioning phase?
- (2) When did the minister or her office become aware of the problems?
- (3) What is being done to remediate the problems?
- (4) When might the problems be rectified?
- (5) Is the commencement of driver training contingent on the resolution of the problems?

Hon SUE ELLERY replied:

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

- (1)–(5) It is expected on a project of this magnitude and complexity that refinements to some pieces of infrastructure would be required during the testing and commissioning phase. Commissioning of the Forrestfield–Airport Link continues and driver training has now commenced, marking one of the final stages of our testing and commissioning phase.

CHILDREN IN CARE — WHEREABOUTS UNKNOWN

586. Hon NICK GOIRAN to the Leader of the House representing the Minister for Child Protection:

I refer to the answer to question without notice 531 answered on 15 June 2022.

- (1) Have the eight children recorded in the placement type “unknown” been found?
- (2) For how many days have each of the eight children had their whereabouts recorded as unknown?
- (3) Has the one child reported to the Western Australia Police Force as a missing person been found?
- (4) How many children who are in the care of the CEO have their whereabouts currently recorded as —
- (a) a missing person;
- (b) not in contact with caseworkers; or
- (c) unable to be supported by the Department of Communities?
- (5) Further to (4), how many have been reported to WA Police as a missing person?

Hon SUE ELLERY replied:

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

The term “whereabouts unknown” or language such as “found” may lead to the assumption that every child with a placement type of “unknown” is a missing person, not in contact with caseworkers and unable to be supported by the Department of Communities. This is incorrect. While a child is recorded in a placement type “Unknown—in contact”, or the young person is unwilling to disclose their location, they are still in contact with their caseworker or other safety networks that keep in contact with them. Every child still has access to the same supports that would be made available to them if they were residing in an endorsed placement.

- (1)–(3) All the children referred to on 15 June 2022 are no longer recorded in a placement type “Unknown—in contact”.
- (4)–(5) As of 9 August 2022, there are currently two children recorded in placement type “Unknown—in contact”; and two children recorded as “missing child”. Both have been reported to the Western Australia Police Force.

CHILD AND ADOLESCENT HEALTH SERVICE — CHILD HEALTH APPOINTMENTS

587. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Health:

I refer to the answer provided to question without notice 477 asked on 19 May 2022 on the delivery of child health appointments undertaken by community health nurses and the reference to the red phase of the Western Australian COVID-19 framework for system alert and response.

Can the minister advise whether the following services are now being offered to families: face-to-face drop-in sessions; face-to-face parenting groups; and face-to-face child development service appointments?

Hon SUE ELLERY replied:

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

The Child and Adolescent Health Service continues to provide services in line with the red phase of the Western Australian COVID-19 framework for system alert and response. Drop-in clinics and parenting groups have not occurred during the SAR red alert phase; however, children who required face-to-face child health appointments, including child development service appointments, have been seen face to face at community clinics throughout the pandemic, as well as in the home as required. There is currently no change to services that are provided via telehealth or in person.

Also consistent with the red alert phase, WA Country Health Service child development services are currently being offered via telehealth and face to face. The individual needs of the child and family are taken into consideration when determining the most suitable modality. Face-to-face services are prioritised when the child development service is unable to meet the clinical need of the client via telehealth.

From 15 August 2022, the WA Health COVID-19 SAR framework will shift to a blue alert phase and child health parenting groups and child development services will resume being provided face to face where physical distancing can be accommodated at the venue.

POLICE — RESPONSE TIMES

588. Hon PETER COLLIER to the minister representing the Minister for Police:

I refer the minister to the response provided to the Standing Committee on Estimates and Financial Operations in relation to the average response times for priority 1, 2, 3 and 4 grades of service for all metropolitan districts from 1 July 2021 to 30 April 2022.

- (1) Will the minister distinguish between priority 1 and priority 2 response times over this period?
- (2) If not, why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of this question. The following information has been provided to me by the Minister for Police.

The Western Australia Police Force advises that a response to this question cannot be provided within the required time frame. The honourable member may wish to place the question on notice.

WESTERN POWER — SOLAR INSTALLATIONS — REGIONS

589. Hon JAMES HAYWARD to the parliamentary secretary representing the Minister for Energy:

I refer to the installation of solar systems at rural and remote residential properties.

- (1) Is the minister aware of regulations introduced by Western Power in February 2022 that require solar installers to reduce the capacity of grid connections in certain circumstances in rural and remote locations?
- (2) How many complaints has Western Power received in relation to those regulations since they have been introduced?

- (3) What is the real-life impact of a residential property being limited to a 20-ampere circuit breaker in terms of the ability to use multiple appliances simultaneously?
- (4) Is the minister concerned that rural and remote customers are being disincentivised to install solar systems as a result of system capacity limitations that do not exist in urban areas?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. The following information has been provided to me by the Minister for Energy.

- (1) Western Power has not changed the supply allocation or grid capacity.
- (2) Western Power has received seven complaints related to 2022 technical rule changes that have introduced a requirement for the installation of main switch circuit-breakers in certain circumstances.
- (3) The standard electrical supply allocation for rural connections is 32 amperes, single phase. Some rural customers have a total of 40 amperes, split over two phases. This is substantially more than the actual maximum demand used for most homes, particularly given that there is usually some diversity of usage of household appliances at any given time.

Consumers wanting to increase their load should firstly make an assessment against the standard connection service capability and the electrical infrastructure installed for their home. If the set-up is inadequate, the Australian Standard Wiring Rules (AS/NZS 3000) specify how to manage site maximum demand, including the use of a circuit-breaker main switch.

- (4) Although the supply allocation has not changed, the requirement for a main switch circuit-breaker is triggered when a new circuit is added, such as when solar panels are installed. The Minister for Energy has asked Western Power to assess the opportunities, risks and consequences of alternative options to adapt to the changing energy needs of customers and is expecting an update later this year.

BUNBURY OUTER RING ROAD — ENVIRONMENTAL IMPACT

590. Hon Dr BRAD PETTITT to the Leader of the House representing the Minister for Transport:

I refer to the clearing undertaken thus far for the Bunbury Outer Ring Road southern section and the daily reports provided.

- (1) Has there been any capture, injury or death of any western ringtail possums or other wildlife species since clearing of the southern section began?
- (2) If yes to (1), please list the captures, injuries and/or mortalities that have been recorded and when they occurred.
- (3) Can the minister guarantee that no threatened or priority fauna will be injured or killed as a result of the project?

Hon SUE ELLERY replied:

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

- (1)–(3) The Bunbury Outer Ring Road project has been subject to rigorous independent environmental assessments, which were validated today by the Federal Court. A number of possums have been captured and released into adjacent habitat, in accordance with the conditions of the environmental approval.

The McGowan government is committed to delivering this critical infrastructure project, while minimising the impact on flora and fauna through a significant offset package, including acquiring and revegetating large portions of land, which will be set aside for permanent protection as future wildlife habitat.

POLICE — DRUG TESTING

591. Hon Dr BRIAN WALKER to the minister representing the Minister for Police:

I refer to an article in the *Geraldton Guardian*, dated Tuesday 19 July, which suggested that recent roadside testing undertaken by the Western Australia Police Force across Geraldton, Kalbarri and Carnarvon has resulted in almost a quarter of those tested—23.5 per cent—returning positive results for drugs of one type of another.

- (1) Is the minister able to provide a breakdown of the positive results obtained, by drug type—that is, cannabis, methamphetamine, alcohol and/or other specific drugs?
- (2) Is he able to say at this stage whether any of those who tested positive for cannabis cite medicinal prescription as the reason for their result?
- (3) Can the minister confirm whether phase 3 of this targeted testing drive, as referenced in the article, has commenced; if it has, are any additional figures now available, and can those be shared with the house?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of this question. The following information has been provided to me by the Minister for Police.

The Western Australia Police Force advises —

- (1)–(2) A response to this question cannot be provided within the required time frame. The honourable member may wish to place the question on notice.
- (3) Phase 3 has been completed—6 197 random breath tests were conducted, with 19 testing positive for alcohol, and 160 drug tests were conducted, with 27 testing positive.

FIRE AND EMERGENCY SERVICES — FACILITY VISITS

592. Hon MARTIN ALDRIDGE to the Minister for Emergency Services:

I refer to the minister's decision of last week, now prohibiting opposition members of Parliament from visiting Department of Fire and Emergency Services facilities and meeting with staff and volunteers unless there is a "pressing operational requirement".

- (1) Does the minister acknowledge that this decision is inconsistent with longstanding arrangements for members of Parliament wishing to visit government facilities such as schools, hospitals and police stations?
- (2) Does the minister's decision uniformly apply to Labor and minor party MPs?
- (3) Was the minister's decision requested or supported by advice from DFES?

Hon STEPHEN DAWSON replied:

I thank the honourable member for the question.

- (1) No.
- (2) Yes.
- (3) I will have to check.

BROCK BURSTON — POLICE PROSECUTION

593. Hon NEIL THOMSON to the Minister for Education and Training:

I refer to legal actions taken against Mr Brock Burston in 2021 by the Department of Education. What were the associated costs to the department, including legal action by the department, such as estimated staff time preparing for a case; costs to act as witnesses, including time, travel and accommodation; direct legal costs; and all other related costs?

Hon SUE ELLERY replied:

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

The Department of Education has not taken legal action against Mr Brock Burston.

FOREST PRODUCTS COMMISSION — FIREWOOD SUPPLY

594. Hon STEVE MARTIN to the minister representing the Minister for Forestry:

I refer to concerns made public by the Western Australian Home Heating Association regarding firewood shortages.

- (1) Can the minister confirm the amount of firewood supplied by the Forest Products Commission to contractors for the years 2019, 2020, 2021 and 2022?
- (2) Has there been a shortage of household firewood for the current 2022 winter?
- (3) Will there be a sufficient supply of firewood available to meet the demands of Western Australian households in the winter of 2023?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The following information has been provided by the Minister for Forestry.

- (1) The amounts are 76 776 tonnes, 91 675 tonnes, and 86 027 tonnes. Deliveries for 2022 have not yet been completed.
- (2) In 2021, 86 027 tonnes of firewood were delivered. This was the second-highest delivery of firewood over the entire current forest management period. It is only below the 2020 supply, which delivered 91 675 tonnes.
- (3) The Forest Products Commission will continue to provide firewood to its contractors. The FPC cannot predict the demand for 2023 and is not the only source of supply in the state.

DIRECT FLIGHTS — BUSSELTON–MELBOURNE

595. Hon Dr STEVE THOMAS to the minister representing the Minister for Tourism:

I have been advised by the minister's office that she is unable to give an answer today, but I would like to read it in so that she can provide an answer when the opportunity arises.

I refer to the flights between Busselton and Melbourne three times a week that commenced on 6 April 2022.

- (1) Since the launch of the direct flights, how many passengers have travelled one way from Busselton to Melbourne?
- (2) Since the launch of the direct flights, how many passengers have travelled one way from Melbourne to Busselton?
- (3) Since the launch of the direct flights, how many passengers have undertaken return flights from Busselton to Melbourne?
- (4) Since the launch of the direct flights, how many passengers have undertaken return flights from Melbourne to Busselton?

I accept that the questions will not be answered today, President.

Hon ALANNAH MacTIERNAN replied:

I thank the member. I can confirm that we are waiting for the finalisation of that. The answer will be provided tomorrow.

FISHERIES — KOOMBANA BAY, LESCHENAULT PENINSULA AND BUNBURY BEACHES

596. Hon COLIN de GRUSSA to the parliamentary secretary representing the Minister for Fisheries:

I refer to the current fishing activities for shore and in-shore netting of fish in the localities of Koombana Bay, the western shore of the Leschenault Peninsula and Bunbury beaches.

- (1) Can the minister provide details of the most recent studies undertaken by the Department of Primary Industries and Regional Development to assess the impact of net fishing activities in the aforementioned localities?
- (2) Further to (1), will the minister please table all relevant studies, inclusive of their findings and recommendations?

Hon KYLE McGINN replied:

I thank the member for some notice of the question. The following answer has been provided to me by the Minister for Fisheries.

- (1) The Department of Primary Industries and Regional Development has not undertaken any recent studies specifically focused on the impact of net fishing at the aforementioned localities. Ongoing assessments of the state of Western Australia's fish resources and the fisheries they support are undertaken, with the findings published annually in the *Status reports of the fisheries and aquatic resources of Western Australia*. The *Status reports of the fisheries and aquatic resources of Western Australia 2020/21* reported that 98 per cent of the state's fish stocks were assessed as not being at risk or vulnerable through exploitation—fishing. The report also classifies the west coast nearshore and estuarine finfish resource, to which the aforementioned localities relate, as sustainable—adequate.

The department also undertakes recreational fishing surveys of WA fishers, including netting, on a regular basis. The last statewide recreational fishing survey was published in 2018. The publication of the 2020–21 findings is imminent.

- (2) I table the following information.

[See paper [1464](#).]

TRAIN DRIVER WORKFORCE

597. Hon TJORN SIBMA to the Leader of the House representing the Minister for Transport:

This is question 664. I refer to the train driver workforce.

- (1) What is the current number of train drivers, by FTE and headcount, who operate services on the metropolitan rail network?
- (2) What is the size of the driver workforce, by FTE and headcount, required to operate metropolitan rail services safely and efficiently for each of the next financial years, 2022–23, to financial year 2027–28 inclusive?
- (3) What is being done to recruit this future workforce?

Hon SUE ELLERY replied:

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

- (1)–(3) The Public Transport Authority currently has approximately 350 qualified railcar drivers, which is enough to operate the urban rail network, including the soon-to-be opened airport line. The PTA has an established pool of successful applicants awaiting placement in upcoming railcar driver training programs.

FOSTER CHILDREN — MONITORED LIST

598. Hon NICK GOIRAN to the Leader of the House representing the Minister for Child Protection:

I refer to the article titled “The ghost list: Foster kids languishing in a broken system” published by WAtoday on 27 September 2019 that cited 423 children on the monitored list, and I note the follow-up article “The ‘ghost list’ grows: 1000 WA children at risk do not have a caseworker” published by WAtoday on 29 July 2022.

- (1) How many children are currently on the monitored list?
- (2) Why has the number more than doubled in less than two years?
- (3) Has any work been done by the department to measure the outcomes of those children on the monitored list compared with those with a dedicated caseworker?
- (4) If yes to (3), what are the differences?

Hon SUE ELLERY replied:

Honourable member, do you have a number? I am sorry; there are a few in the member’s name.

Hon Nick Goiran: It is C642.

Hon SUE ELLERY: I do not have it in my file, but I will check. If it comes in before the end of question time, I will give it to the member. What was the date, honourable member?

Hon Nick Goiran: It was today.

Hon SUE ELLERY: I have not seen it.

MENTAL HEALTH — PERINATAL PILOT PROGRAM

599. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Mental Health:

I refer to the answer provided to question without notice 993 asked on 17 November 2021 in relation to perinatal mental health programs and the seven pilot services awarded a grant as part of this announcement, which states —

These pilot programs were funded for twelve months.

- (1) Can the minister advise whether funding to continue these perinatal mental health programs has been extended beyond the 2021–22 financial year?
- (2) If yes to (1), what is the total amount of funding that has been allocated to extend these programs, and when does the funding conclude?
- (3) If no to (1), why not?

Hon SUE ELLERY replied:

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

- (1) Funding was continued for five of the seven pilot services to June 2023. The two that did not receive additional funding were extended to 30 December 2022 to continue delivering services with unspent funding.
- (2) The total amount of funding that has been allocated to extend these programs is \$661 200.
- (3) Not applicable.

POLICE — VACANCIES —

GOLDFIELDS–ESPERANCE, KIMBERLEY AND MIDWEST–GASCOYNE DISTRICTS

600. Hon PETER COLLIER to the minister representing the Minister for Police:

- (1) What is the current number of vacancies for police officers in the goldfields–Esperance, Kimberley and midwest–Gascoyne districts?
- (2) What is the current number of vacancies for police staff in the goldfields–Esperance, Kimberley and midwest–Gascoyne districts?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Police.

Western Australia Police Force advises that a response to this question cannot be provided within the required time frame. The honourable member may wish to place the question on notice.

HOSPITAL CAMPUS — VASSE

601. Hon JAMES HAYWARD to the Leader of the House representing the Minister for Health:

I refer to plans by St John of God Health Care to build a new day-hospital campus in Vasse on a site more than eight kilometres away from the existing Busselton Health Campus.

- (1) Did St John of God Health Care liaise with the Department of Health in choosing the site for the new hospital campus?
- (2) Did the government suggest or offer the possibility of co-location for the new hospital on or nearer to the grounds of the existing Busselton Health Campus to realise possible operational efficiencies?
- (3) If no to (2), why not?

Hon SUE ELLERY replied:

- (1) No.
- (2)–(3) Not applicable.

YOUTH DETENTION — BANKSIA HILL DETENTION CENTRE AND CASUARINA PRISON

602. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Minister for Corrective Services:

I refer to youth detention.

- (1) Can the minister please provide an update on average out-of-cell hours for detainees within Banksia Hill Detention Centre and Casuarina Prison respectively, across July 2022 and August 2022 to date?
- (2) What is the longest period a young person has been locked in their cell for at Banksia Hill Detention Centre and Casuarina Prison respectively this calendar year?
- (3) In answer to (2), on what dates did this occur?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question. The following information has been provided to me by the Minister for Corrective Services.

- (1) For Banksia Hill Detention Centre for July 2022, it is 7.37 hours. For Banksia Hill Detention Centre from 1 to 8 August to date, it is 7.62 hours. For unit 18 from 20 to 31 July 2022, it is 6.23 hours. The data is not available for unit 18 for August.
- (2) This information is not readily available and would require extensive resources and a considerable period of time to extract.
- (3) Not applicable.

MATERNITY SERVICES — CARNARVON

603. Hon MARTIN ALDRIDGE to the Leader of the House representing the Minister for Health:

I refer to the state government's decision to close maternity services in Carnarvon, forcing expectant families to travel up to 1 000 kilometres to give birth in Geraldton or Perth.

- (1) How many families have been impacted since the cancellation of maternity services in February?
- (2) Noting the commitment from WA Country Health Service to re-establish the service as soon as possible, has a date been set to resume maternity services in Carnarvon?
- (3) How many families have sought reimbursement for travel and accommodation expenses incurred due to this closure?
- (4) What is the total the state government has spent on travel and accommodation reimbursements to date?

Hon SUE ELLERY replied:

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

- (1) Seventy-one women have been supported to birth in Perth or Geraldton based on clinical need and preference. Comprehensive antenatal and postnatal services continue to be provided to families in Carnarvon.
- (2) A date for resumption of maternity services is still to be determined based on workforce sustainability to provide a continuous birthing service.
- (3) All 71 women have been offered reimbursement and, of these, 22 have accepted.
- (4) Approximately \$50 000 has been paid, noting that further reimbursements are currently being processed.

BROCK BURSTON — POLICE PROSECUTION

604. Hon NEIL THOMSON to the minister representing the Minister for Police:

I refer to police costs associated with action taken in 2021 against Mr Brock Burston, a Department of Education officer in Kununurra.

What were police costs, including —

- (a) investigation costs;
- (b) court costs; and
- (c) all other related costs?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Police.

The Western Australia Police Force advises that a response to these questions cannot be provided in the required time frame. The honourable member may wish to place these questions on notice.

COMMUNITIES — PORT HEDLAND HOUSE FIRE

605. Hon STEVE MARTIN to the Leader of the House representing the Minister for Community Services:

I refer to the tragic death of three children in a house fire in Port Hedland last month.

- (1) Was the family known to the Department of Communities?
- (2) When was the last time the department made contact—verbal, written or in person—with the family?
- (3) Will the department be undertaking its own investigation into the circumstances leading up to the deaths of these children; and, if so, what is the time line for the investigation, and will the findings of that investigation be made public?

Hon SUE ELLERY replied:

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

- (1) Yes.
- (2) The Department of Communities continues to provide support to the family in a sensitive and culturally appropriate manner.
- (3) As has been previously reported, the department immediately commenced a review into its interactions with the family. As a court process is underway, it is not appropriate to provide further comment.

BIOSECURITY POSITIONS

606. Hon COLIN de GRUSSA to the Minister for Agriculture and Food:

I refer to the \$15 million set out in the 2021–22 state budget towards funding 22 additional biosecurity positions within the Department of Primary Industries and Regional Development.

- (1) How many of these positions have been filled to date?
- (2) Can the minister please provide —
 - (a) the title of each of the 22 additional positions;
 - (b) the primary duties of each position; and
 - (c) the location of each position?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The answer is as follows.

- (1) Of the 22 positions, 20 have been filled.
- (2) (a)–(c) These positions cover critical roles in biosecurity surveillance, biosecurity response, preparedness, incident and emergency management. They include veterinary officers, policy officers, scientific officers, research scientists, biosecurity officers, as well as logistics operations and public information officers for emergency response.

I wish to table detailed further information.

[See paper [1465](#).]

CORONAVIRUS — GOVERNMENT PROGRAMS

607. Hon TJORN SIBMA to the Leader of the House representing the Premier:

By way of explanation, this question without notice is a dated question, from 5 April. I advised staff I would be asking it today. I hope it is in the Leader of the House's pack. I refer to the Leader of the House's media statement of 26 March 2020, "Administrative changes to support COVID-19 response".

- (1) Are the following programs still on indefinite hold —
 - (a) the McGowan government's public sector reform program;
 - (b) Our Priorities: Sharing Prosperity;
 - (c) the strategic investment in the Perth and Peel regions; and
 - (d) the Supporting Communities Forum?
- (2) If yes, is this likely to remain the case under a second-term McGowan government?

Hon SUE ELLERY replied:

- (1) (a)–(d) Yes.
- (2) A decision has not yet been made.

SCHOOLS — CHILDREN WITH HARMFUL SEXUAL BEHAVIOURS

608. Hon NICK GOIRAN to the Minister for Education and Training:

I refer to the minister's answer to question without notice 370 that as at 20 May 2022, two alleged or convicted offenders were attending the same public school as their victims.

- (1) As at the start of term 3, were the two alleged or convicted offenders still at the same school as their victims?
- (2) What is the current total number of alleged or convicted offenders who are attending the same public school as their victims?
- (3) What is the current total number of students who have been identified as having engaged in harmful sexual behaviours?
- (4) Is the minister aware of any offenders attending the same private school as their victims?

Hon SUE ELLERY replied:

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

- (1) No. Only one of the two students remains at the same school.
- (2) Two.
- (3) In 2017, the McGowan government put in place the protocol to manage safety arrangements for school students when a young person at a school is charged with harmful sexual behaviours. Prior to this, under the Liberal–National government, no such arrangements were in place. Between February 2017 and 9 August 2022, the Department of Education received 167 police notifications for public school students under this protocol, and 25 have also been received for students enrolled in non-government schools.
- (4) No.

FOSTER CHILDREN — MONITORED LIST*Question without Notice 598 — Answer*

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.05 pm]: I have the answer to question without notice 598 asked earlier today by Hon Nick Goiran.

- (1)–(2) It is incorrect to state that the numbers have more than doubled in less than two years. On 1 July 2022, there were 636 children in care and 398 other cases on the monitored list, a total of 1 034 cases. In September 2019, there were 423.5 children in care—interesting—and 538 other cases on the monitored list, a total of 961.5.

The number of cases on the monitored list changes daily due to the complexity of cases and reprioritisation of workload, always with the primary focus being the safety and wellbeing of children. Children in the CEO's care who do not have an allocated case manager continue to receive services and support, supervised by a team leader. The types of services and support provided will be individualised in response to the child's or families' specific circumstances.

- (3)–(4) Being on the monitored list does not mean the child is not being cared for. It means the child or family does not have an allocated caseworker. The management of the monitored list is not a one-off triage process. The child’s and family’s circumstances are regularly reviewed to assess any change to safety and risk factors. The immediate safety of children is always actioned as a priority. Prior to a case being placed on the monitored list, the team leader reviews the case to ensure that there are no tasks that require immediate action. The “Casework Practice Manual” outlines clear guidelines about the types of cases that can be placed on the monitored list.

PORT OF ESPERANCE — IRON ORE CAPACITY

Question without Notice 172 — Correction of Answer

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.06 pm]: I would like to provide a correction to an answer to Hon Colin de Grussa’s question without notice 172 on 16 March 2022. The answer provided to part (3) was “3.16 million tonnes per annum” as opposed to “16 million tonnes per annum”, which is the correct amount.

ESPERANCE PORT — IRON ORE EXPORTS

Question without Notice 281 — Correction of Answer

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.07 pm]: In response to Hon Colin de Grussa’s question without notice 281, an answer was provided on 6 April 2022 to part (1)(i) that the “temporary pricing agreement expires on the date the port use deed expires, unless renewed”, which is incorrect. The correct answer should be that the “temporary pricing agreement expires on 27 October 2022”. I apologise to the house for the errors.

QUESTION ON NOTICE 760

Paper Tabled

A paper relating to an answer to question on notice 760 was tabled by **Hon Sue Ellery (Leader of the House)**.

HEALTH — HAND SANITISER UNITS TRIAL

Point of Order — Question on Notice 763 — Answer

Hon MARTIN ALDRIDGE: I rise to make a point of order in relation to question on notice 763, which was answered today. The question was addressed to the Leader of the House representing the Minister for Transport; Planning; Ports. Part (1) of the question sought a number of documents in relation to a market-led proposal including a concept submission, business case, business case evaluation and contract executed. The answer to that question was “information on this proposal can be found on the MLP webpage”. President, I draw this to your attention and also the minister’s attention because she may not be aware of this because it was a question on notice, but also in the context of the many rulings made by Presiding Officers of this house with respect to reference of websites, especially when that information is not available on that website.

Hon SUE ELLERY: On the same point of order, if I may, I will take that on notice and I will chase it up for the member.

The PRESIDENT: To round that off, thank you for your point of order, honourable member. I am aware that every effort is usually taken to not just reference a website and that usually those documents are tabled. The Leader of the House has indicated that she will take up that issue. There is no point of order.

We will now move back to orders of the day 9 and 10, debated cognately—the Appropriation (Recurrent 2022–23) Bill 2022 and the Appropriation (Capital 2022–23) Bill 2022.

STANDING ORDER 108(2)

Point of Order — Questions on Notice — Answer Advice

Hon NICK GOIRAN: I am just familiarising myself with standing order 108(2), which states —

When a question on notice remains unanswered after one calendar month, the Member to whom the question is directed shall advise the Council, at the conclusion of the period for questions without notice on the next sitting day, the date when an answer is expected to be provided.

We seem to be speedily moving on to the next item of business, but question time has just finished and it would seem that now is the appropriate time for the relevant members opposite to rise from their seats and address standing order 108(2).

The PRESIDENT: I thank the honourable member. I will take that under advisement. I am sure the Leader of the House will consider which questions on notice the member is referring to and will likely report back to the honourable member at the next available opportunity. It would be helpful if the honourable member would provide the numbers to the Leader of the House so as to expedite the matter, which I am sure he will do behind the chair. There is no point of order.

APPROPRIATION (RECURRENT 2022–23) BILL 2022
APPROPRIATION (CAPITAL 2022–23) BILL 2022

Second Reading — Cognate Debate

Resumed from an earlier stage of the sitting.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [5.11 pm]: It was such a long time ago that I feel like I should recap where I got to this afternoon, but I will try to progress as much as I can because I really want to focus, in a relatively small amount of time, on those things that have changed significantly since the dropping of the budget. I gave a substantial budget reply speech the week after the budget dropped, bearing in mind that that was in May, which is now three months ago. What has significantly changed? Again, the basics are still the same. This government has had the good luck to fall into the greatest economic boom that any state has ever seen. Members might remember “Lucky” Phil from *Hey Hey It’s Saturday*. This is the lucky government that got a very good deal in terms of its revenue. It has not done a lot with expenditure; it is certainly not financial management that has resulted in the circumstances in which the state finds itself. It is very much about a boom in revenue. That has now been the case for a number of years. This government will have had something like \$20 billion worth of surpluses over a five-year period. It is an unheard of result. I must admit that I get a little tired of the rhetoric around good economic management because the state has very much got an absolute reward for the circumstances in which the world finds itself. I will address some of the issues that stem from that.

The question I asked before we were so abruptly interrupted for question time was: how will this Premier be remembered in the future? In particular, I think he will be remembered for what he did with the greatest economic boom the state has ever seen. How will we measure his legacy? A few things have changed. One of the first things that has changed is that we managed to get a substantial answer, probably for the first time. It was not the fault of the Minister for Emergency Services, who does a great job in trying to get Treasury and the Treasurer, who is also the Premier, to provide fulsome answers. It took until the budget estimates for us to get a fulsome answer on what this government is doing with debt. I am pleased to say that in the budget estimates process seven weeks ago, we finally got the confirmation for which we had been asking for some years in this house. We asked: what was total public sector net state debt when the McGowan government came to power in 2017? The government had been quite coy about it. It likes to throw out a figure of \$43 billion based on a set of budget figures—four-year forward estimates that did not include the greatest economic boom that we have ever seen, the reform to the GST and a lot of other things. It likes to throw out that figure. What did the government actually inherit? We finally got an answer.

Hon Dan Caddy: It was \$40 billion.

Hon Dr STEVE THOMAS: No, it did not even get close to \$40 billion of debt.

Hon Darren West: It was projected.

Hon Dr STEVE THOMAS: It was a four-year guess based on a set of circumstances that did not eventuate, and the government has been able to milk that beautifully. Well done! It has milked it beautifully for years.

Hon Dan Caddy: You keep bringing it up.

Hon Dr STEVE THOMAS: I do not think any real economist actually believes the rhetoric the Labor Party comes out with, but it has managed to milk it a bit. What did Treasury say, during budget estimates, was the total public sector net state debt when the McGowan government came to power? Treasury has now belled the cat on the government’s rhetoric. According to Treasury, which we would think would know, net state debt was \$32 billion. What did this government inherit? It inherited \$32 billion of net debt.

Hon Darren West: You know better than Treasury, don’t you!

Hon Dr STEVE THOMAS: I probably do in some circumstances, but that is a whole other argument. It was \$32 billion of net debt. We have to give the government a little credit, because through the budget process, net debt will come down a fraction. Over the first few years, it came down almost imperceptibly, but the government crowed that it was going to get net public sector state debt under \$30 billion—just. What happened? Over the first five years of the McGowan government, in the middle of the biggest economic boom in any jurisdiction in this country, this government managed to briefly drop net public sector state debt from \$32 billion to \$30 billion. Guess what the forward estimates show? The government liked to throw out the forward estimate numbers previously. In a couple of years’ time, following the biggest economic boom the state has ever seen, net debt will be back up to \$32 billion. What has happened to debt during the biggest economic boom this state has ever seen? Nothing! It is a net zero in terms of net state debt. The McGowan government wants to keep hoodwinking people into thinking that the \$43 billion figure was real and will keep transferring the blame for that process, but there will come a time when government members will have to stand on their own two feet and take responsibility for their own performance. We have not seen a lot of that so far.

I will look at some of the headwinds the government faces despite this. As I said just before we were interrupted, the reality is that the good economic circumstances are not yet complete. The iron ore correction has not completely occurred. The price of iron ore is not now \$US230 a tonne, as it was briefly when the real money was rolling in

and the money bin—the money bin the Premier seems to be addicted to rolling in—was filling up from the huge surpluses and the cash that the Premier loves so much. The current price is starting to get back to that correction. When it does, the government will have to face a few economic headwinds. This is what I want to focus on for 10 or 15 minutes. Some of those are fairly obvious now to the wider community, even if they do not appear to be so obvious to the McGowan government. The first, of course, is that the inflation cat is out of the bag for the time being. It may not be for a decade, but it will be for a year or two. People were a bit surprised.

We went to a budget where inflation was not a key topic, because at that point we had not started to see some of the really interesting figures coming out. The consumer price index for Perth, the first set of inflation figures around that time, was running at 6.8 per cent, at a time when Australia was running at 5.1 per cent. We have had a set of quarterly figures since then—they have come out quite recently—that indicated that Perth's CPI has actually dropped a little bit. It has gone from 6.8 to 6.4 per cent, whereas the national CPI went from 5.1 to 6.1 per cent. One can see that rebalancing of inflation. Of course, the state government is not primarily responsible for a lot of the drivers of inflation. Obviously, the oil price is a significant driver of inflation and there are other areas. This state government is responsible for some of those things—they have even come up for debate today.

There was a very good contribution from Hon Steve Martin who talked about state government infrastructure.

A member interjected.

Hon Dr STEVE THOMAS: It was an excellent contribution, member. I know the member wanted to congratulate him and join in.

He described the infrastructure issues that this government faces with a boldly ambitious \$8 billion infrastructure plan year-in year-out for a number of years—over \$8 billion. He was quite right when he said that no-one had achieved any higher on the \$5 billion to \$6 billion average that has been there over a long period of time. What has it done in having that huge expenditure in the marketplace? It is actually not going to deliver the infrastructure any faster. It puts enormous pressure on the economic cycle; in particular; in construction. What have we got? We have got blowouts of time and blowouts in budget. Even the Auditor General has taken to describing some of these things, particularly in a recent report on cost blowouts in major projects, in which the Auditor General looked at 17 major projects and identified that all 17 projects were blowing out their time lines by at least a year. I will not need to go into great detail about the government's Metronet issues: blowouts of time and blowouts of cost. I am sure other members will be making something of a contribution to that.

This government has contributed to inflationary pressures. This government has contributed to the problem. It has done it not just in competing in a very constricted infrastructure tunnel, if one will. It is not just that people who are trying to build homes are competing with government projects for builders, carpenters, brickies—all of those. One day I will be interested to see what the impacts of the stimulus packages on construction did over time. That will be something that will be really interesting to have a look at, what the impacts of those were—both state and federal, and both sides of politics. I would be really keen to see that. But it is certainly the case that the state, in competing with the private sector—including home owners—for construction capacity, has had a major impact, both on inflation and on the construction itself. It is not just that government projects are blowing out by years—when the average time frame to build a house used to be under a year—it is now about two years. It is probably not three years, it was a bit of perhaps an over egging of the estimates, but it has blown out to be around two years to build a house. Heaven forbid that a person actually needs to have repairs or alterations done as a part of the process, because that is a bit more complicated. There are a lot of tradespeople who are not really interested, even to the point where storm damage is becoming difficult to repair.

I know it is not just in this state, but I will also want to make a mention of a couple of the responses of this government in this state in when it comes to the lack of resources—which is a little hard to blame the government for—but most particularly, for skilled workers. Members should remember—I hope they do—the first acts of the now Premier when he assumed power in 2017. One of the first things that this Premier did was to made changes to skilled migration. In 2017, as one of his first acts in government, he slashed the skilled migration list for Perth and Western Australia from 178 occupations down to 18. That 18 were entirely medical, but that is not to say necessarily that those 18 occupations have been a success story for the state of Western Australia. We are not oversupplied in most medical specialties or employment options. At least they remained on the list! In 2017 there was 178 down to 18, which was one of this government's first actions. What was the inevitable outcome? In 2021 the government had to go “Whoop, we got that wrong.” In 2021 that occupation list added 134 occupations back to it. Funnily enough, including a fair few around construction—and a whole pile of others where we just could not get workers.

A little bit of humility would be fantastic. I wonder whether we will see the Premier go, “Yeah, I actually got that wrong.” I wonder how many additional bricklayers, carpenters or people involved in the construction sector we might have in the state of Western Australia if the Premier, who was elected in early 2017, did not make it his first agenda to cut everybody out who was coming in to fill those services. I wonder where we would have got to with that. That was a genius move, that one. It was one of the Premier's many backflips. We should have entered him in the Commonwealth Games! I think we won the medal count anyway, but I think that might have added one more goal to us. The backflips were fantastic: he could have done it in diving, acrobatics or gymnastics. It was

a welcome backflip—not the first one he has done and it will not be the last one he does. This government made a contribution to making things significantly worse, and that is a shame because we could have had a better economy and a better outcome.

One of the other things I spoke about back in May was wages policy in the state of Western Australia. Again, I like to give credit to the government where it is due—I do; I do it regularly. I always say the Minister for Emergency Services is such a good minister.

Hon Stephen Dawson: Gets me in trouble.

Hon Dr STEVE THOMAS: Yes, I know.

Hon Tjorn Sibma: Gets you in trouble, too!

Hon Dr STEVE THOMAS: It is not doing my preselection chances any better than yours! In terms of wages policy, it is absolutely the case that it has a significant impact. When times were tough at the start of the process when revenues were not great, the previous government had actually—in the end, finally—put in place a tougher wages policy for the state. That was then made even tougher by the incoming government with its thousand-dollar wage rise policy. It was a tough wages policy. It was required, and kudos to the government for doing that. It was a very tough wages policy and economically was needed. I have been saying now since May that the government will have to start justifying its wages policy on the basis of two things. The first is the inflation rate, which virtually every economist in the country was saying was on the rise. I think there is probably some fair criticism of the Reserve Bank that it probably did not act quickly enough to use the only lever that it currently has, which is the interest rate. The interest rate level is less effective than it used to be and that is why reserve banks around the world have started doing other things that they call quantitative easing, which is, simply, printing money. That is why most economists in the world seem to have swung dramatically to the left. They have all bypassed Keynes and have probably landed around Marx and Lenin, over in the corner, in their modern monetary policy agenda. It was absolutely predictable that inflation and the consumer price index were going to rise, and the Reserve Bank was probably a little tardy with that.

This government has an issue in that the CPI is rising and inflation is high, which is impacting the cost of living—they absolutely are—and people are struggling. It will get worse as interest rates continue to rise, which I think will happen until early to mid-next year, and we add on a couple more per cent at least to the base rate, which will add on at least three per cent to retail banking rates. Suddenly, people will be paying the sort of interest rates that those of us who are getting on a bit remember. Perhaps not the 19 to 22 per cent that some people remember, but I suspect that many of us will remember the seven, eight and nine per cent home loans and the nine, 10, 11 and 12 per cent business loans. I think we will get a bit closer to those figures—certainly closer than we are now—because the retail mark-up is not insignificant. This government has to deal with this inflation at a time when it is, in itself, rich. That is the problem it is faced with. If the government did not have the iron ore wealth pouring into the money bin, and government members were not doing Scrooge McDuck impersonations —

Hon Tjorn Sibma: Keep saying it.

Hon Dr STEVE THOMAS: It is too much fun not to!

If that was not happening and the government was in New South Wales or Victoria, it would have a valid argument that its deficits were enormous and it did not have the capacity for significant pay rises. It is the easiest thing in the world that if you have money, you throw it out there and make significant structural changes to the budget's bottom line. It is not now that the government pays the penalty; it is five and 10 years down the track, so it has to be really careful. That is why Treasury should be costing out all the options. The government is a little bit addicted to handing out nice little cash lollies to people, such as the \$400 power rebate, which I have welcomed, as a one-off, instead of doing something far more significant, such as freezing fees and charges. The government could have gone that little bit further. The population of Western Australia, in my view, will look at this and say that at a time when this government had more money than it could spend, which is absolutely the case, it is keeping that money for itself and it is not looking after community members in the state. That is the problem that this government has and that is why I think that the Premier's legacy will ultimately start to suffer. Nobody lasts forever on the throne. We are already starting to see a bit of the emperor arrogance coming through. Nobody lasts forever, and at a point in time when the government is wealthy and the people cannot make ends meet, I think the government has a problem.

A few months ago, I said that the government must address this problem and review its wages policy. It finally did, but what did it do? The government did what it continually does: it handed out a significant current lolly, which was a cost-of-living boost of \$2 500, which is a one-quarter of one per cent change to the actual wages policy itself. It is a bit like the cost of living versus the \$400 energy payouts: you do it once; you do it now, and it comes at a cost. There are almost one million households in Western Australia, so let us say that it is a \$400 million policy. A freeze-fees policy would have cost the government \$160 million extra in the current financial year. Yes, it has some further impacts down the track, but the government also has the capacity down the track to change that outcome. Therefore, if the cost of living starts to settle down and if inflation goes back to its normal parameters of two to

three per cent, then suddenly the government has the capacity to change it. By handing out the money now and not looking after the community, the government looked after its own interests ahead of the community's interest. That is the problem that the Premier has.

The Premier thought that his budget would be highly received, particularly because of the electricity fees handout, and it was thrown back in his face, to a large degree. Nobody was overly impressed. People will take the money, because everybody always takes the money, but no-one was all that impressed. The same thing, to some degree, will happen, in my view, this time around with the government's wages policy. Yes, the government has handed out another lolly, but the increase is significantly lower than when it is occurring. States that have huge budget problems have been more generous.

A tough wages policy is generally a good thing. We do not want to go overboard and be silly about it and that is why it has to be based on Treasury modelling. But what the people of Western Australia will remember, in my view, most simply, is that at a time when this government was rich and getting richer, they were getting poorer to the point that they were struggling to make ends meet. There will come a time, as interest rates go up, when there will be people who cannot keep their houses. Some of those people, I suspect—particularly recent purchasers—will find that they are trapped because the value that they paid for the house is now higher than what the house is worth. Therefore, what they owe will be more than what they can sell their house for, and they will be stuck in an interest rate trap that they cannot afford. Bear in mind that this will not be the first time I have seen that. I remember those circumstances in the early 2000s, before the 2000s boom hit. I remember quite distinctly that people in the south west were stuck in that trap, and I think we will find that people will remain stuck in that trap. There are a limited number of things the government can do about it. One of the things it could do is stop hoarding the money for its own benefits and start requiring services and support to be provided across the state.

The final thing that I want to talk about is the government's housing policy. Here are a few numbers for everybody that I pulled out of various census data. According to the 2021 census, in Western Australia, there were 263 826 rental properties, which was 27.3 per cent of all dwellings. In the 2011 census, 10 years earlier, there were 231 824 rental properties, or 29.2 per cent of all dwellings. Basically, what has happened is because of policies both state and federal—the federal government is equally to blame, perhaps even more so—the proportion of private rentals compared with the entire number of dwellings has dropped by a couple of per cent. Before members think that it is okay because the public housing service is picking up the difference, according to Shelter WA, in 2021 there were 42 661 public and community housing stocks. That number was down in 2016–17, which was the last year of the previous government, from 44 087. Therefore, according to Shelter WA, we are down 1 426 public and community houses, and so the public housing stock is not picking up the difference.

If we look at those figures, it means that 16 per cent of the rental stock out there is public and 84 per cent of it is private. I make this point just before I move on to the last little bit. The private rental sector has become a villain. Be it from state governments and federal governments, there has been a vilification of rental homeownership and I think it is a problem. It could be about this horror of using house investment for wealth creation, which many years ago used to be a completely normal part of wealth creation. In fact, it is not a bad idea. People would pay off their first house and they would go and buy an investment house. Someone would rent that investment house, so the rental money coming in would pay off the second house. It got misused on occasions, but, for the most part, it was a completely legitimate wealth creation strategy, but we vilified it. We vilify it all the time. It is the greedy landlords all the time. It is the left-wing rhetoric that is out there that says that landlords should not be able to make money off investment of this sort. Guess what the result of that has been? Landlords are getting out of the housing marketplace. Yes, I am going to finish directly. I know a lot of landlords who are now saying that it is not worth investing in housing rentals because they basically have no control over how the house is treated and they are better off with commercial rent if they are going to go into the rental market. A lot of them are shifting into commercial tenancies because they have better control. They think that someone who is renting on a commercial basis is more likely to look after it. Again, no doubt there is the occasional exception, but I think that is largely true.

Another thing that is happening is that a large number of home owners, particularly in resort-style and tourism areas, are simply saying, "I can rent this house out for \$500 a week and make \$25 000 a year and I'll have a permanent tenant I can't do much with, or I can put it on Airbnb and make the same amount of money from three to four months of rental in a year, with a weekend here and there." They would be better off, and they would retain control of the housing stock that they own. Nobody is going to walk into an Airbnb and demand to change the furniture or build into the walls or do any of the other things. They are generally not going to wreck it. There is this massive shift out of investment housing. I think that both state and federal governments have to stop vilifying private investment in real estate as an asset and wealth-creation device, because the people who are struggling with it the most are the people who cannot find houses to live in. People will vilify negative gearing or capital gains or any of those things—how dare they! The latest version of this is that the state government is considering some changes in commerce to further disempower landlords. I urge the government to have another look at that, because it will just drive more people out of investing in housing. I can tell members opposite that we are down 400 houses based on the information from Shelter WA. If people keep pulling private rentals out of the marketplace because the government makes it more and more difficult to maintain them and it wants to vilify rental ownership, investment housing and the like,

it is going to make it much tougher for itself. Some of those solutions are not necessarily just the state government's solutions, but it is not going to fix the housing crisis in a hurry. Perhaps embracing the landlord community instead of attacking it might be a useful tool to use.

I want to finish with this: the government has a huge amount of money. It is still rolling in the money bin. What has it not done well? It has not provided efficient services; it has not reformed the economy, particularly through taxation; and it has not paid down debt. It is simply holding its money for its own future benefit. If that is the case, I think that in the longer term, this government will be judged on its legacy very poorly.

HON TJORN SIBMA (North Metropolitan) [5.42 pm]: I will hopefully make a brief contribution to the cognate debate on the Appropriation (Recurrent 2022–23) Bill 2022 and the Appropriation (Capital 2022–23) Bill 2022, but I want to focus more specifically on the capital bill dimension. I think it is worthwhile sometimes considering the scale of finance that we are voting on, because sometimes it just passes unremarked. I draw the attention of members who are interested in these matters to clause 4 of the Appropriation (Capital 2022–23) Bill 2022. The appropriation for capital purposes is a sum of \$5 170 419 000. That is an enormous amount of money. I reflect on the way that that proposed capital spend is being apportioned across areas of government service and the appropriate portfolios. It is worthwhile considering that according to schedule 1 on page 6 of the bill, under items 144 to 147, which are the transport portfolio-related capital spend items, \$1.54 billion will be spent by the Public Transport Authority alone. That is \$1.5 billion of the \$5 billion total allocation, which obviously gives us an indication of where the government's priority is.

This is probably the first appropriation cognate debate that I have made a contribution to and I am departing from my usual practice of silence for a couple of reasons. One of those is where this fits into the overall scrutiny of government financial management. We obviously get the shock and awe of budget day, when members read through the budget papers as quickly as they can and respond to a government's self-promotion, and they try to figure out what is going on, how money is being managed and what the government's priorities are. As is the custom in this house, we have a far more rigorous and far more targeted budget estimates hearings process. The other place just rolls through the individual budget line items, and there might be one or two decent questions and one or two decent answers. However, the way we do things in this chamber is a little more considered and targeted. I think it provides a greater public service insofar as it provides an understanding of the mechanics of financial management and service delivery in this state.

I might just reflect on two hearings—transport and Treasury. The transport hearing was enlightening, and I will get to some of those issues shortly, as was the Treasury hearing. What was clear through this process insofar as it relates to the enormous Metronet project is that there was a grudging acknowledgement of the overall capital spend of Metronet, but it was not clearly demarcated. There is an unhelpful air of mystery around the future recurrent spending obligations not just to keep this massive expansion of the rail network running, but also to give some clarity about the level of fare subsidisation that will be required to keep it operating. Those latter remarks would probably be more appropriate in dealing with the recurrent bill dimension for future years. I will focus more specifically on the capital dimension.

It is worthwhile acknowledging that Metronet as a concept has grown in scope and scale over the last five or six years, particularly after the original concept was delivered. This is not to criticise investment in public transport; nor is it to criticise, effectively, opportunities to expand where that is sensible. It is important to acknowledge that this overall project was going to cost only \$3 billion. If a line-by-line assessment was done and bits in budget paper No 2 were crossmatched with bits in budget paper No 3, the full capital cost of this project would be \$10 billion. I have said that a couple of times publicly and that has never been disabused or criticised. That is an acknowledgement that this is now a \$10 billion project, which is obviously 300 per cent larger than the original concept. A fair proportion of that capital spend was gifted by the last federal government, and I think it was far too easy on this state government. I think it was overly generous and supported projects that were economically dubious, and I will leave it there. Where is the full responsibility best driven home? It is to this state government, and future state governments, which will have to sweat the asset and make it economical. As much as we have attempted to create an asset, double-entry bookkeeping demands that we also focus on the liability side of that column. The liability side of that column, insofar as recurrent budgets in the future go, is a great unknown. That is inappropriate at the best of times, but is doubly dangerous now when we are going through a very testing set of macro-economic circumstances. We do not really know where the financial position and budget position of Western Australia will be in five years. It may not be as rosy as it is today, and already there are some particularly challenging signs.

I want to reiterate the fair, sound points raised by my colleague Hon Dr Steve Thomas about inflation, cost-of-living pressures, an overheated economy, lots of dollars with not many people to fill the jobs, materials shortages and backlogs of supply. We—I mean “we” in the most collective sense—are contributing to an economically dangerous time for Western Australians because state government money is competing with the private sector. Is that not more exemplified than in the Metronet project? I do not think it possibly could be. During budget estimates, which is why it is such a useful exercise, we were able to obtain, I think for the first time, a more comprehensive set of what the benefit–cost ratios were for the individual Metronet components. One of them, which relates to a bill that will hopefully be debated tonight—if we get there—concerns the Armadale line upgrade. That is an expenditure of \$1 billion in capital terms. A benefit–cost ratio index attributed to it is 0.36. For every capital dollar that is spent,

we obtain only 36¢ in value. We—I use the collective “we” here—need to be far more rigorous in our infrastructure planning spends for future budgets because something that is so obviously uneconomic needs to be seriously reconsidered in economic circumstances like this. That is not to say that there are other benefits that will stem through it. There is a premium that will be put on social benefit uplift. I appreciate all of that, but is now the time to be spending \$1 billion on a project that is uneconomic in sheer analytical terms, when the entire economy is overheated and we are running quarterly CPI in the vicinity of seven per cent, I think leading the nation on the last two quarters? This is particularly dangerous.

I think it is too late to turn back. The decisions have been made. Contracts will be entered into and will have to be fulfilled. But once we get to that point, I think this Parliament is owed a little more scrutiny and transparency about how projects individually are being delivered. I want to focus on one particular matter before I get to the next one, and then I will probably leave it if I can take it up to the dinner adjournment. I customarily lodge my questions without notice as early as I can in the morning because I want to give the ministers appropriate time to come back with a comprehensive answer, and when a minister is away, it allows me to recalibrate and ask other questions in sufficient time. At 8.30 this morning, I lodged seven or eight questions. A number of them were to the Minister for Transport. I understand that she is not present at Parliament House, but she has been fantastic answering questions today and it is not often the mark of a minister who is unavailable to Parliament. I compliment her on answering the question. I am not satisfied with the calibre of the answer but that is another issue, which I am dovetailing into now. The Forrestfield–Airport Link part of Metronet is one of the Metronet works still under development, but it is coming to its conclusion. It is unfortunate, because I take the minister for this, that in any large complex problem, there are going to be issues that eventuate or are realised throughout a testing and commissioning phase. I think it is inappropriate that we still have no closer idea of when that line will come into service. This is a dimension of Metronet that is already running two to 2.5 years late. The government has missed I think the second or third rescheduled deadline, which was 30 June just passed. This is not to nitpick but if the Western Australian public, through either the state or federal government, is going to spend \$2 billion on a project, I think they are entitled to know when it is going to get up and running. I have said two or three times publicly that it is a simple proposition; if the government cannot give a target date, please confirm what the problems are. Is it something to do with the exhaust fan? Is it something to do with the communications or a mobile phone black spot somewhere in the tunnel? Is there another issue, perhaps to do with switchboards at Bayswater Station? I am not so concerned about what the issues are but at least cop up to them and give us some measure of confidence that the government has a plan to remediate those problems. That is all I have asked for today and I just got a pat answer back. Unfortunately, the answer seems to be word for word a similar response to one given to a journalist who asked a similar question earlier today. I am happy an answer was provided but I do not think too much intellectual effort went into crafting an answer—it should not have to be crafted; just tell us what the problems are so that we can have something to look forward to.

I do not think that lack of transparency is to the government’s credit. It sets a very low standard for disclosure about the management of the Yanchep extension, the Byford extension, the Ellenbrook extension and the Armadale extension. There is quite a lot on. Not only am I not very confident that the government will be able to spend that full capital allocation on this, not even this year but in future years—it will not be able to get the money out the door—I am very concerned that the individual project components that make up this \$10 billion large monolith are not going to be properly developed, scheduled and delivered. When problems are encountered, as they inevitably will be, the public will be kept in the dark. People are mature enough to know that there are problems. At least level with them and tell them what the government’s solutions are.

If I have three or four minutes left, I will focus on another area of non-disclosure or belated disclosure. Again, it is a capital spend item. We were able to probe into this to some limited degree during the budget estimates process. It concerns the initial radio systems replacement project that was let in 2017–18 to a Huawei–UGL consortium. In June in the other place, the minister conceded that \$6.6 million had to be paid out to Huawei because that contract could not be fulfilled for reasons that anyone with a passing interest in geopolitics could tell you. Not only that, the replacement contract was 50 per cent higher than the original. Effectively, the Western Australian taxpayer has paid out a company that will not deliver anything and, because of that disruption, the state government has had to enter into a new contract at an additional cost of \$127 million. That does not necessarily give me confidence about the state government’s capacity to manage its capital appropriation. Not only that, the most disappointing aspect was that that information was hidden from the public of Western Australia for six months. The determination to pay out Huawei and to proceed with a new contract was made in the days approaching Christmas last year. I am glad we got the disclosure in the end but it puts significant question marks around intent, trust and the capacity to prudently manage large sums of money, particularly large apportionments of capital allocation. Whatever trust I had in the government to get it right I think evaporated during that budget estimates when we learnt that the Minister for Transport sat on that information for six months and has not even deemed it necessary to provide a plausible excuse or justification. If that is the low standard that has been set, that is the low standard I expect from the rest of Metronet and I think that is an absolute pity.

Sitting suspended from 6.00 to 7.00 pm

HON NICK GOIRAN (South Metropolitan) [7.01 pm]: The Legislative Council is continuing its analysis of the McGowan Labor government's latest budget in the form of the two bills that are presently before us in this cognate debate, the Appropriation (Recurrent 2022–23) Bill 2022 and the Appropriation (Capital 2022–23) Bill 2022. What a careful analysis of the budget brings to our attention—in fact, it exposes—is two deeply troubling matters. The first is that this secrecy-obsessed government continues to refuse to come clean on how much taxpayers' money it has wasted. The second is an astonishing arrogance by this administration that sees serious priorities utterly ignored. I will turn to the first of those two matters, which is the amalgamation of secrecy and waste.

It would be very hard to find a Western Australian government that has ever been more secretive than the current administration. To compound that outrageous secrecy, we have a government that seems to have an attitude of reckless waste towards taxpayers' money. The waste by the McGowan Labor government has been so great that that has even been the finding of the Federal Court of Australia. I draw to the attention of members the decision in the case of *Palmer v McGowan (No 5)* [2022] FCA 893 and the judgement by Justice Lee, which was handed down last week—in fact, exactly seven days ago on 2 August. For those members who have not had an opportunity to peruse and consider this judgement, I highly recommend it to them. There is a fair amount of reading to get through, but, nevertheless, I draw specifically to members' attention paragraph 523 of this judgement, where Justice Lee states —

These proceedings have not only involved considerable expenditure by Mr Palmer and the taxpayers of Western Australia, but have also consumed considerable resources of the Commonwealth and importantly diverted court time from resolving controversies of real importance to persons who have a pressing need to litigate.

We can see from that one paragraph in the judgement by Justice Lee in the Federal Court last week that there are three groups of persons whose money has been wasted because of this litigation. One of those people is Mr Palmer. That is a matter for him as a private citizen. If he wants to waste his money with this type of litigation, that is a matter for him. One of the other groups is the commonwealth. The commonwealth's considerable resources have been wasted by Mr McGowan and Mr Palmer. But, again, that is a matter for the commonwealth. That is a problem for the Albanese federal government—that Mr McGowan has wasted its money. The third group that is mentioned in this decision is the taxpayers of Western Australia. Mr McGowan, the member for Rockingham, the Premier of Western Australia, has been found by the Federal Court of Australia to have wasted the money of the taxpayers of Western Australia. Such is the attitude of this government that considerable expenditure has been wasted.

The question becomes: exactly how much money has been wasted by Mr McGowan on this matter? I draw to members' attention and remind members that we usefully had the benefit of the budget estimates process in June, just prior to the winter recess. On 20 June this year, there was a very informative budget estimates process that involved the Department of Justice, the State Solicitor's Office and the office of the State Coroner. I will not spend any time talking about the office of the State Coroner other than to quickly observe that the State Coroner could not possibly have attended on that day. That will be a discussion in a debate for another day with respect to another individual who considers themselves completely immune from any accountability. This is hardly any wonder when the leader in Western Australia is Mr McGowan and has recklessly wasted taxpayers' money. His attitude exceeds no bounds when it comes to a complete lack of accountability and lack of responsibility.

On 20 June 2022, we had a session with the Department of Justice and the State Solicitor's Office. I asked questions specifically about some line items in the budget. One of those was found on page 455. I drew to the attention of the very hardworking parliamentary secretary representing the Attorney General that that particular line item dealt with legal costs on behalf of the state of Western Australia. That particular item was of interest to me—in particular, a sum of \$1.85 million. As the record reflects, it was ascertained, between me and the parliamentary secretary representing the Attorney General, that some \$1.4 million in that line item was assigned to what can be referred to as the Palmer matters. In fact, Hon Matthew Swinbourn directed that one of the staff answer the question. The *Hansard* shows that that individual stated —

Thank you, parliamentary secretary. The matters that that item refers to are still incomplete and are still before the court. The position that we have taken is that until those matters are settled, it is inappropriate for us to break down what those numbers represent because it could prejudice a settlement of legal costs with the parties involved in those matters.

I responded to that by saying —

I disagree with you, but I accept that that is the answer that you have provided. Can you indicate what those matters are without necessarily providing the costs of those matters? I presume, for example, that one of them is the Clive Palmer litigation.

The response from the officer was —

I can confirm that they are Palmer matters.

In essence, we know that the Treasurer, Mr McGowan, the member for Rockingham, is using some \$1.4 million of taxpayers' money in his ongoing dispute, his ongoing ego game, with Mr Palmer. What we want to know, and

what the taxpayers of Western Australia are entitled to know, is exactly how much has been spent on this utterly pointless litigation that resulted in this 139-page judgement by Justice Lee last week. We do not know the answer to that question. Because the Labor government is obsessed with secrecy, it refused to tell us.

There was an opportunity during question time earlier today for me to ask the hardworking parliamentary secretary representing the Attorney General exactly how much money has been spent on this particular fiasco, but there would have been no point in asking that question today, and quite possibly no point in asking it tomorrow or on Thursday, because, you see, Mr Deputy President, the arrogant attitude of the McGowan government is that it will not under any circumstances provide any information on this matter until such time as the court case has, in its subjective view, finished. Until then, it will continue with this charade that somehow any discussion about this matter or any disclosure of information, let alone adherence to a so-called gold standard of transparency, will somehow jeopardise its case—that is, the case between Mr McGowan and Mr Palmer. As I have been at pains to explain to members previously, how could it possibly jeopardise the case for Mr McGowan to come clean and tell us exactly how much money has been spent? It would not have jeopardised the case in any way whatsoever.

We have had this unbelievable result whereby Mr McGowan must be very pleased with himself because he has been awarded \$20 000 from the deep pockets of Mr Palmer. Meanwhile, Mr Palmer has been awarded \$5 000 from the probably less deep pockets of Mr McGowan. But hang on a second. Who is going to pay that money? Is Mr McGowan going to pay the money or are the taxpayers of Western Australia again going to be paying something? He opened his mouth and defamed Mr Palmer and now the people of Western Australia are going to have to pay for it. It is bad enough that taxpayers are going to have to indemnify the defamer, Mr McGowan, the member for Rockingham, for that, but they are also going to have to fund his legal costs, which is top secret information according to the McGowan government. It could not possibly tell us how much money has been spent on that. This is something that we have tried to ascertain and extract from the top secret McGowan government. Remember, this is the government that promised that it would adhere to a gold standard of transparency, and, five years in, the record reflects that it has never once adhered to that standard. In fact, a reasonable observer would say that it has gone out of its way to ensure that it has done the exact opposite. One perfect example of this is that I asked the government about this during that same instructive and worthwhile budget estimates session on 20 June. At page 15 of the transcript of that session, the record reflects that I said —

There is something very interesting about the Palmer case because, as I understand it, the Attorney General, who obviously has responsibility for not only the Department of Justice but the state solicitor, is a witness, or was a witness in the Palmer case. It was reported that he needed to go back to the Sydney court to redo his evidence or to give his evidence for a second time. Whose budget does that airfare come out of? Is it the Department of Justice or the State Solicitor's Office, given he was a witness?

This is the answer that was provided by the hardworking parliamentary secretary. He said —

I am going to be consistent with the position put by the Attorney in the other place, member, and as you know, I am here in a representative capacity. I will quote from the corrected *Hansard* of Thursday, 26 May. The Attorney General said —

As I say, I am not prepared to discuss any costs related to that case.

I will just pause there. Such is the arrogance of this unreliable Attorney General—I will get back to the issue of unreliability in a moment—that he would say, on the record, in the *Hansard* in the other place, and repeated by his hardworking parliamentary secretary in this place —

... I am not prepared to discuss any costs related to that case.

That is the arrogance of the individual. He goes on to say, as quoted again by the parliamentary secretary —

No doubt, once it is finalised, there will be further questions put to us, but I do not want to discuss the costs in that matter prior to the finalisation of the case. I am so instructed by the State Solicitor. We do not want to compromise the state's position.

What absolute garbage! As if the state's position would possibly be compromised by the provision of some information to the taxpayers of Western Australia to let them know how much money has been spent. Keep in mind that the question that I had actually asked in the budget estimates process was about the airfare. How could it jeopardise the state's position for the McGowan government, under the guise of its so-called gold standard of transparency, to disclose how much taxpayers' money was spent by Mr Quigley jumping back on a jet to Sydney to give his evidence for a second time? He manifestly messed up the first time; hence why the Federal Court declared him the unreliable Attorney General. He had to fly back to Sydney for a second time, at whose cost? Did he pay for it himself? He obviously must not have paid for it himself because if he had paid for it himself, I am sure that there would have been a fair amount of grandstanding going on and he would have already told us that he paid for it himself. Therefore, it is reasonable to infer that the taxpayer funded it. If the taxpayer funded it, tell us how much it was. Do not pretend that, somehow, it is going to jeopardise the state's position in the case. Do members think that Mr Palmer could care less how much money Mr Quigley has spent on an airfare to Sydney and that somehow it will jeopardise the case? It would not jeopardise the case. It is false for the McGowan government to suggest

that, and the leader of these falsehoods in this instance is the unreliable Attorney General. He is the person who said it! The poor old parliamentary secretary has been left having to simply regurgitate the rubbish that has come out from the Attorney General.

There is no good reason why tomorrow a statement could not be made by the Attorney General. The unreliable Attorney General could stand up in the other place and declare precisely how much that airfare cost. There is no reason why that could not happen. He does not need to wait until Thursday's hearing when Mr McGowan will be back in court again, fighting with his nemesis, Mr Palmer, in yet another court hearing. Guess who is paying for that? The taxpayers of Western Australia will yet again be charged with the bill for Mr McGowan to go back on Thursday. Why? He will go back so he can debate, in the Federal Court, about the costs of this matter.

Let us keep in mind that Justice Lee has already said, and I quote from his judgement from last week, "The game has not been worth the candle." He has already said that, yet Mr McGowan is still going to instruct his solicitors to go back on Thursday to have, presumably, another pointless discussion around costs. Meanwhile, he could not possibly disclose to the people of Western Australia how much these costs are! Although, because of some scrutiny through the budget estimates process from the excellent Standing Committee on Estimates and Financial Operations that we have in this chamber at the moment—it is hardworking, as is the staff—we have found out that it is at least \$1.4 million. What really concerns me is that I doubt very much that the government has estimated the costs correctly. I say that because of a pattern of behaviour that has emerged from this government. I remind members of the Crawford v Quail case, which, astonishingly, every time I ask another question about that, despite the fact that it has been "finalised" quite some time ago, the figure keeps increasing.

How much is it with respect to the McGowan and Palmer file? The taxpayers certainly do not know; the opposition does not know; and the Parliament does not know. That is because it has been hidden under lock and key by the McGowan government as per usual. This is the government that promises gold standard transparency, but continues to deliver the exact opposite.

It is the case that Justice Lee referred to this whole fiasco as not being worth a candle, and members might want to know why. Unfortunately, and it will be rather awkward and uncomfortable for fans of the Premier, but the brutal reality is that Mr McGowan, the Treasurer, the Premier, the member for Rockingham, has made a defamatory statement and he has done so at the cost of taxpayers to boost his own profile. That is the only way we can read this particular judgement. I bring to members' attention paragraph 434 in which Justice Lee goes through his preliminary observations, deep into this judgement. The third of his preliminary observations at paragraph 434 reads —

Thirdly, this is a case where Mr McGowan and Mr Palmer have taken advantage of the opportunities created by publication of the impugned matters to respond forcefully in public and (particularly in the case of Mr McGowan) to advance themselves politically.

A Federal Court judge, in a judgement last week, particularly singles out Mr McGowan. In other words, he is even worse than Mr Palmer, particularly in the case of Mr McGowan "to advance themselves politically". At whose cost? At the cost of the taxpayers of Western Australia. There is the Treasurer counting the money, very pleased with himself. As the Premier he has anointed himself as Treasurer, because he could not possibly give that job to any of the other members in his party. He is busy counting his money, and while he is at it, he thinks he might continue to have a stoush with Mr Palmer, because, who knows, what on earth would possibly motivate him to want to actively have a stoush with a person with those kind of deep pockets! All that was required here was for Mr McGowan to keep his mouth closed. That was too much for him. Last week, Mr McGowan was facing a very uncomfortable press conference. I would encourage anyone to have a look at that as the body language in that particular press conference was very powerful, incredibly powerful. He was being asked these awkward, awkward questions. Yet, for him, in the days after this scathing decision from the Federal Court to basically boast and suggest that he would do it all again is just incredible. He would do it all again at the expense of the taxpayer—seriously! This is the Treasurer of Western Australia; the Premier of Western Australia proudly saying that he would do it all again and then to pretend, again, that somehow, as he said, "Well, it was Mr Palmer who started it." No, he did not, Premier. The only reason there was a Federal Court decision last week and a Federal Court action last week, when the judgement was made, was that the Premier, the member for Rockingham, defamed Mr Palmer. Had the Premier not defamed him, there would have been no case. Actually, the person who started it was the member for Rockingham.

Hon Sue Ellery: Go outside this place and prosecute that argument and see how you go.

Hon NICK GOIRAN: Once again, another member in the departure lounge, in this case, Hon Sue Ellery, decides to try with her pearls of wisdom to say—in case the taxpayer of Western Australia missed it, the Leader of the Government, the most experienced member opposite, from the comfort of her retirement chair—basically, "We don't really care; prosecute your argument outside here." It is the taxpayer of Western Australia who is continuing to fund this feud, such is the arrogance of this member and her government. All the while, from the comfort of her departure lounge chair, does she rise to provide the information to the taxpayer as to how much money has been spent here? Not on your life. She would not dare do that because, of course, that would mean adhering to gold-standard transparency, which we have not seen once in five years. This member is the leader of the pack. Such is the standard that is provided by the leader of the pack. This is outrageous. The member opposite should be ashamed that the taxpayers

of Western Australia have been put to this considerable expense because her leader, the member in the other place, was incapable of keeping his mouth closed. I would like to know While the member opposite from the comfort of her departure lounge chair continues to make interjections from time to time: does she know how much money has been spent? The member opposite is a very senior member of cabinet. I would like to know whether she knows how much money has been spent. Is it \$1.4 million? Is it \$1.8 million, Leader of the House? How much of the taxpayers of Western Australia's money has been wasted by her and her government? Does the Leader of the House know the answer to that question?

Hon Sue Ellery interjected.

Hon NICK GOIRAN: She does not know the answer to that question. How outrageous. From her departure lounge chair, she thinks she can make these unruly interjections. It is typical of the arrogance of this member and this government. Meanwhile, the government continues to hide behind its secrecy obsession. In the end, the taxpayers of Western Australia will be informed. It might be uncomfortable for Mr McGowan and it might be uncomfortable for Hon Sue Ellery, but the taxpayers of Western Australia will ultimately be told how much money has been wasted in this matter. Members opposite might not like it. They might like to delay it for as long as possible. We asked them prior to the winter recess, but they could not possibly tell us. We are asking them again, but the honourable member does not even seem to know the answer. Ultimately, it will be found. I hope that on Thursday when this matter is before the Federal Court for yet another discussion on costs, the McGowan government finally comes clean on how much money has been spent. It is not asking too much. Of course, this court judgement reflects badly not only on the McGowan government's expenditure of taxpayer money, but also on what can now be described as the unreliable Attorney General. I draw specifically to members' attention paragraph 146 of this extensive, scathing judgement by Justice Lee that was issued last week. He spent some time specifically considering Mr Quigley ahead of everybody else. At paragraph 146, he is particularly concerned about a gentleman by the name of Mr Quigley. Justice Lee says at page 42 of the judgement —

Mr Quigley is the Attorney-General of Western Australia. Prior to his election in 2001, he was a barrister and solicitor having been admitted in 1975.

Regrettably, his evidence was both confused and confusing.

He is not the only McGowan government minister who could be described as confused or confusing. Nevertheless, this is from the Federal Court and the Federal Court judge is concerned at this moment in time only with the Attorney General of Western Australia, who is "confused and confusing." He goes on to say —

Mr Quigley's evidence-in-chief was directed to one proposition: there had been no "Attack Plan" as alleged by Mr Palmer in his reply. Mr Quigley claimed that in his interview on ABC Radio Perth he had only been recounting in hindsight what had (apparently) happened, rather than explaining a pre-ordained plan.

During cross-examination, however, Mr Quigley gave contradictory evidence ...

There are warning bells immediately—unreliable Attorney General. We have already got contradictory evidence between evidence in chief and cross-examination. Justice Lee goes on at paragraph 149 to say Mr Quigley —

... accepted that what he had said in the interview was indeed to claim that he and Mr McGowan had engaged in a plan, but that the explanation he had given to the public on the radio about those tactics was "completely false".

All of a sudden, we have the Attorney General conceding, supposedly, that when he speaks in public, what he is saying is completely false. Justice Lee goes on in paragraph 150 to say —

In particular, Mr Quigley debunked the claim made by him in the interview that he and Mr McGowan had "identified a weakness" in Mr Palmer's position, namely the non-registration of the arbitral awards, and that they had planned to exploit that weakness by preparing legislation to be enacted prior to Mr Palmer realising he should do so ...

By way of quick translation, Justice Lee is effectively saying that Mr Quigley is in the witness box, has said something on radio, and all of a sudden in the witness box, Mr Quigley is saying, "Forget about what I said on radio; it was all rubbish." That is what he is saying in the witness box—that everything he said on radio was rubbish. The justice goes on to say —

He said in his oral evidence that he did not even know about the topic of registering the awards, at all, at the time he gave the interview:

...

He insisted that what he had said in the interview, namely that such a "weakness" had been identified, and what had led to the preparation of the legislation, was "completely and utterly false" ...

He is in the witness box, telling people that what he says on radio is completely and utterly false. People should keep that in mind next time they hear Mr Quigley on the radio, and ask themselves the question: "Is this going to be tested in court one day, and he's going to say, 'Everything I've just said is completely and utterly false'?" That is his track record.

Justice Lee goes on, at paragraph 150 —

In doing so, he engagingly accepted that his version in the witness box was “truly spectacularly different” to what he had said at length and in detail in the interview with ABC Radio Perth ... and repeatedly stressed that his evidence should be preferred because he was under oath ...

So that there is no confusion here, when Justice Lee uses this very charitable language about the Attorney General and says that he “repeatedly stressed that his evidence should be preferred because he was under oath”, we should keep in mind that this repetition has occurred 15 times. When Justice Lee says “repeatedly stressed”, he goes to the extent of citing it in his judgement on 15 such occasions.

Paragraph 151 states –

Then, on 8 April 2022, Mr Quigley was recalled.

That means he has had to jet back over to Sydney at a cost to the taxpayer that is unknown; it is top secret, according to the McGowan government and its fake gold standard of transparency. Mr Quigley is back in the witness box on 8 April. At paragraph 152, Justice Lee says —

With respect —

Wait for the hammer blow to come next —

Mr Quigley’s second appearance in the witness box just added to the brume of his testimony. Even though his return was at his request, for the purpose of correcting “mistakes” ... Mr Quigley misstated his previous evidence he said he wanted to change.

Let us be clear here: we have an Attorney General who, on the first occasion, is in the witness box and is actually saying to people, “Forget about the garbage I have said in my radio interview; it is all utterly false.” That is what he said on day one. On day two, he jets back over to Sydney to fix his mistake, and when he is supposedly fixing his mistake, the judge catches him out to say that he has misstated his previous evidence. It is no wonder that the judge then says that the Attorney General is an unreliable witness. It beggars belief that there is even a discussion taking place about whether the Attorney General should remain in his seat. He obviously should not.

We know that there are some 10 Labor members of the current Western Australian Parliament with law degrees, eight of whom have been admitted as barristers and solicitors in Western Australia, as I understand it, and one of them is Mr Quigley. He is the only one, out of all those members, who has a finding of unreliability in the Federal Court against him—that he is unreliable. He is the only one; none of the others have that—Dr Buti, Margaret Quirk, Hon Matthew Swinbourn, Hon Pierre Yang. None of these honourable members has a Federal Court finding against them that they are unreliable—not one of them. Only one of them has that, and that is Mr Quigley. He is unreliable, and yet Mr McGowan continues to leave him in his seat.

What is apparent from this fiasco is that the Premier of Western Australia has a deep, deep conflict here. He has a serious duty as the Premier of Western Australia and he cannot reconcile that with his friendship with Mr Quigley. The fact that Mr Quigley and Mr McGowan are mates and friends is of no interest to me whatsoever. That is a personal matter between them. But it is not a justification for an Attorney General to remain in his seat when a Federal Court judge has said he is unreliable, least of all in circumstances in which there is a plethora of other individuals to select from.

According to Mr McGowan, Mr Quigley will remain in his seat, in the departure lounge, for the next two-plus years, along with the leader of this house. Obviously, their friendship is the only reason that is happening. Mr McGowan repeatedly said last week, in that very awkward and uncomfortable press conference, that he respects the court’s decision. Well, if he respects the court’s decision, the Attorney General has been found to be unreliable and needs to go. Bring in one of the reserves. Bring in a replacement Attorney General. How can it still be this particular individual, who has cost the taxpayer of Western Australia by having to redo his evidence in some kind of sequel performance, when the sequel performance was probably worse than the original. According to Justice Lee, he still made mistakes in his sequel performance.

At paragraph 153 of this scathing decision, Justice Lee says —

Mr Quigley was pressed in cross-examination as to just how long before 11 August he had become aware of the risk of Mr Palmer registering the awards. Mr Quigley repeatedly said he was unable to recall; indeed, he could not even say whether it was hours, days, weeks or months prior to the 11 August Cabinet meeting ... But despite this, he later agreed ... that “one of the reasons why [he was] keeping it all secret in June, July, August 2020 or thereabouts was because if Mr Palmer heard about it, [he] might register the awards”.

Justice Lee then provides his commentary on the latest fiasco, in the sequel performance, by saying —

In other words, he —

Being a reference to Mr Quigley —

seemed to accept he was aware of it for months.

So every time the Attorney General of Western Australia opened his mouth during this particular testimony, whether it was on the first occasion or in the sequel performance, his evidence was riddled with errors.

Justice Lee then charitably says, at paragraph 154 —

With a degree of understatement, this evidence sits unhappily with the evidence given on 9 March ...

No kidding. It is a fiasco. This is not some amateur who is sitting in the witness box; this is the first law officer of Western Australia, whose performance was such a debacle that a Federal Court judge had to charitably say, “With a degree of understatement, this evidence sits unhappily with the evidence given on 9 March.” Translation: this is a dog’s breakfast.

He goes on to say —

Indeed, Mr Quigley was placed in the uncomfortable position of having to concede that part of the account he gave in the radio interview was not “completely and utterly false”—as he had asserted on 9 March—but was, in fact, “completely and utterly true” ... In other respects, Mr Quigley’s evidence was that he had no recollection of various matters, even though they were the subject of his original affidavit, his oral evidence on 9 March and/or his further evidence on 8 April ...

With a memory like that, it is no wonder that we are here, five years after Mr Quigley and Mr McGowan promised that they would expedite law reform with respect to elder abuse in Western Australia, and we have seen nothing of it. He has probably forgotten about it, such is the unreliability of the Attorney General.

If that does not concern members enough, at paragraph 157 Justice Lee quotes from counsel for Mr McGowan. The person representing the member for Rockingham—the Treasurer and the Premier of Western Australia—talking on behalf of his client about the Premier’s great mate, the Attorney General of Western Australia, says —

Counsel for Mr McGowan conceded that “[i]f one were to try logically to reconcile [Mr Quigley’s evidence], you would be utterly defeated”, labelling it as “outright silly”:

Justice Lee comes in over the top and says —

To similar effect, my comment at the time was that I considered Mr Quigley’s evidence was not dishonest, but was “all over the shop”: ... I adhere to this view.

He goes on to say —

It suffices to note that Mr Quigley was not a reliable historian of events.

It follows that I do not consider it is safe to place any reliance upon Mr Quigley’s evidence.

It is not safe to listen to anything he says. Everything that he says is unreliable and unsafe. On his first occasion in the witness box, the Attorney General said, “Don’t listen to what I said on radio; it was all wrong.” Then he tried to redo it, but he made a hash of that and now, in the end, the Federal Court has said, “Sorry. We just can’t rely on anything that you’ve had had to say. We cannot rely on anything you have had to say.” This is the star witness for Mr McGowan. Mr McGowan decided, presumably, to write the cheque for his mate to fly over to Sydney, presumably in business class, not once but twice, to be the star witness in the case. We will not tell the taxpayer of Western Australia what the cost is—that is top secret. It ended up in a completely pointless outcome with Mr McGowan no doubt very pleased with himself that he is going to get \$20 000 from Mr Palmer, only to have to give him a cheque for \$5 000 at the same time. What a brilliant decision that was. It was so very wise to bring that court case forward. But in the meantime, it has ended up with his great mate, the Attorney General, being found in a Federal Court to be unreliable.

Of course, this is no surprise to those of us who have been in the legal fraternity for many, many years. It is a well-known fact—we have had this discussion previously in another debate—that Mr Quigley is uncomfortably on the receiving end of two adverse disciplinary matters by the Legal Practice Board of Western Australia. He is also, as the Procedure and Privileges Committee found in the last Parliament, right at the centre of another fiasco that saw litigation against the upper house of Western Australia. The Legislative Council was embroiled in litigation, and at the centre of all that was Mr Quigley. It is another case that he was at the centre of that was a complete fiasco for Mr Quigley. The Legislative Council and, might I add, the former Clerk of the Parliaments, was completely vindicated with respect to that particular litigation against the super-arrogant and unreliable Attorney General. How many more failings do there need to be before this person gets the chop, or is he immune from that because he is best mates with the member for Rockingham, who has assured him that he will not get the chop until 2025 when the Premier retires? That is the gold-standard governance under the McGowan administration. This is utterly outrageous.

I do not think it is asking too much for Western Australians to be treated better than that. They should not have the Premier hiding his great mate in the departure lounge for the next two years. Two years is far too long. It should not even be two weeks, but this unreliable Attorney General will be left in his seat for more than two years all because he is the Premier’s great mate. As I say, I call on the Premier and maybe some of the cooler heads in government if anyone has the courage to stand up to him, to do something about this. I doubt anyone is going to,

because it seems as though the only person who has the courage to do that is the Minister for Regional Development. When she does that, she suffers the consequences: “The Minister for Regional Development wants us to run a candidate in North West Central? Well, I, Mr McGowan, the dictator of Western Australia, say that will not be happening. How dare you!”

Withdrawal of Remark

Hon PIERRE YANG: Point of order, Deputy President.

The DEPUTY PRESIDENT: Point of order.

Hon NICK GOIRAN: I withdraw the remark.

Debate Resumed

Hon NICK GOIRAN: Mr Deputy President, it is outrageous that when somebody shows a bit of courage to stand up to the member for Rockingham, who from time to time behaves like a dictator, they were then on the receiving end from that particular individual. It is outrageous. The people of Western Australia deserve more than that, and above all else, they deserve to know exactly how much of their money has been spent on this utterly pointless exercise. It involves a counterclaim by the Premier against Mr Palmer. It involves his defence costs with regard to the matter brought against him by Mr Palmer. Why? It is not because Mr Palmer started it, but because the Premier opened his mouth and defamed Mr Palmer. The people of Western Australia deserve to know exactly how much all that cost. They need to know the witness costs. Who else has had their taxpayers’ airfare covered by the Premier of Western Australia other than Mr Quigley? Certainly, Mr McGowan would have been one of them. How much has all that cost? I do not agree that the government has to wait until Thursday to provide that information, but if members insist on waiting until Thursday for the case to be finalised, they need to ensure that they have the information when we resume next Tuesday, because the opposition will most certainly be asking that question, as is our duty.

HON NEIL THOMSON (Mining and Pastoral) [7.46 pm]: I would like to speak on the Appropriation (Recurrent 2022–23) Bill 2022 and Appropriation (Capital 2022–23) Bill 2022 as we come to this time of night. I have found the process over the last few months interesting. We had the committee meetings, which I thought were more revelatory than we saw this time last year. I will comment on some outcomes of those committee meetings, because prior to the committee, I spoke to the budget and I think it is important to make a few comments on some specific issues that have come to the fore. It is really taking on today’s theme of secrecy, a lack of transparency and the opacity of information that comes through in the budget process, specifically in the Department of Communities. We had quite an interesting dialogue with officers from that department and the minister acting in that role on behalf of the Minister for Housing. On 12 May, John Carey put out a press release titled “\$408 million in additional investments for housing and homelessness”. Quite a lot of fanfare was put forward in that press release. There are comments on new measures such as \$2.1 billion for 3 300 homes and \$45 million for spot purchases. When I read the press release, I got the impression that there has been a significant increase in social housing and the provision of housing for the homeless. I am sure my colleague Hon Steve Martin will talk more on this, and certainly the comments by my other colleague Hon Dr Steve Thomas were very prescient. He raised the issue about the challenges now facing the rental market and home owners who step into the market to provide rental housing.

But, in reality, we are seeing this government increase pressure on people who choose to invest in housing.

A lot of people invest in housing. If we care to look at it, something in the order of between 10 and 20 per cent of people step up in the process of negative gearing, for example, across various suburbs in Perth. Those numbers are fairly consistent across all demographics throughout the Perth metropolitan area, but I digress on that point. The important point is that this government has not done very much in the space of social housing; in fact, it has not done very much in the space of construction of government-owned housing. One factor that I believe is driving this process is the machinery-of-government changes that we have seen occur in the last few years. In fact, in July 2021, I believe, it was mentioned in the dialogue we had with an officer from the Department of Communities, a Mr McIvor—I will have to get it correct—who gave some very interesting information in relation to the second tranche of the transfer of land from the Housing Authority to DevelopmentWA.

What has occurred in simple terms—it sort of gets buried in the budget and we cannot see it—and what gets disguised by these headline press releases on all the investment being made into social housing and homelessness is that in 2017 and 2018, the Labor government did this process of machinery-of-government reforms, which, over the last few years, has resulted in the transfer of the land asset from the Housing Authority to DevelopmentWA. That has had quite a fundamental effect on the way that the state delivers social housing. What gets disguised in the headline figures is that we have now made the government’s job of building housing more expensive in the headline figure that is actually used to construct that housing and particularly to purchase that land. For those who maybe do not understand what I am saying, the point is that in the past, the Housing Authority used to be the owner of a significant amount of in globo land—that is, undeveloped land. There has been a tradition in Western Australia for the Housing Authority to own vast areas of land around the outer metropolitan suburbs of Perth in particular that it can use to engage in partnerships or joint ventures with some of the larger property developers and then

deliver social housing. It has been very successful. We have seen communities like Ellenbrook, for example, develop in that way, and there has been a process under which a certain percentage of lots have been made available to the Housing Authority in order for it to then construct social housing. That has all gone now. One point is that since the machinery-of-government reforms, restriction has been placed on the Housing Authority to develop up to only 30 lots at a time—that is, relatively small-scale developments. We have seen some unusual outcomes of that, and we saw an example in the town of Manjimup the other day that I have no doubt my colleague, Hon Steve Martin, will talk about at some stage. We are seeing a concentration of social housing in smaller developments, which I do not think is a very good outcome from a social point of view, because of the restriction that has occurred with the changes and the machinery-of-government processes.

The second part, of course, is the huge transfer of the land asset—it is in the budget and was discussed in the committee hearing—free of charge from the Housing Authority. There has been no expenditure back from DevelopmentWA; DevelopmentWA did not have to purchase that land off the Housing Authority. That land has simply been transferred to DevelopmentWA. It has now gone to the new entity formed by the merger of the Metropolitan Redevelopment Authority and LandCorp. Some specific features of the two agencies need to be considered as the reasons that I think this is debilitating the ability of the government to deliver social housing like it used to in Western Australia.

I placed a question on notice some time ago focused on government-constructed housing in general. Over the period of the Barnett government, if I recall correctly, in the order of a thousand government homes were built a year, whereas for the five years of the McGowan government, that number has reduced to about 600. It is not surprising when we look at the acts that govern the activities of these two agencies. DevelopmentWA is not an agent of the Crown but it has to act on commercial principles. Under section 19(1) of the Western Australian Land Authority Act —

- (1) The Authority is to —
 - (a) perform its functions in a cost-efficient manner —

That is fine —

- (b) endeavour to achieve or surpass the long term financial targets specified in its strategic development plan as existing from time to time —

That is fine, but this is the important kicker —

- (c) ensure that no individual project undertaken by the Authority has an expected internal rate of return that is less than the minimum rate of return specified in its strategic development plan as existing from time to time.

Because DevelopmentWA is a government trading enterprise, it also has liability for duties, taxes and rates. Section 32 states —

- (4) The Authority is to pay to the Treasurer in respect of each financial year an amount equivalent to the sum of all local government rates and charges that, but for subsection (2) and section 6.26(2)(a)(i) of the *Local Government Act 1995*, the Authority would have been liable to pay in respect of that financial year.

It pays this tax equivalent to the Treasurer. It does not pay it to local government for the land; it pays it to the Treasurer. It also has these dividend requirements under section 38 —

- (1) Any surplus remaining at the end of a financial year after the cost of the operations of the Authority and the amount of any interim dividend paid under subsection (7) during that financial year have been taken into account —
 - (a) may, in accordance with this section, be paid wholly or partly as a final dividend to the Consolidated Account; and
 - (b) to the extent that it is not so paid, is to be applied for the purposes of the Authority.

That is an important point. We have taken land out of the Housing Authority. I will go through some of the very different ways in which the Housing Authority operated, which had a mandate to provide social housing for the most vulnerable people in our state and deliver affordable housing for those who were just getting on the first step of the housing ladder. It got away from the spin—away from the situation in which we have these grand statements by the minister that the government is spending all this extra money. The government had the asset to deliver that; it quietly got on with the job and delivered in spades. Instead, the government took the very golden egg from the goose called the Housing Authority and gave it to DevelopmentWA in order to provide these dividends—the tax equivalents, duties and rates—back to the Treasurer. It is really just a great big money machine. As Mr McIvor said, something in the order of \$570 million was transferred on 1 July 2021. That was the second tranche. I am yet to find out what the second tranche was worth. I believe that in the order of \$3 billion worth of land might have been transferred away from this entity called the Housing Authority whose mandate is to look after the most vulnerable in our community. In a way, it is great because then the minister can say that the government has this consolidated account, it has made all this money from the land it has taken off the Housing Authority and it has given it to

DevelopmentWA to make some profits to pay into the consolidated account. It takes some of those profits and funds and, with great fanfare, it announces through a media release all the extra money it is spending on social housing but the outcomes are actually much worse.

The reality is that this government has failed to deliver social housing in the same numbers that previous governments were able to deliver. What is worse, we have curtailed the ability of the state agency that is responsible for protecting and housing the most vulnerable. The Housing Authority has had a long track record of working with government on some of the large broadacre areas around the city. Some of the crown land has been rezoned and strategic planning has been undertaken in order to enable the Housing Authority to build on its land asset over time so that it can continue to enter into these joint ventures in a way that provides that incredible outcome that we have seen over many years at many levels. We do not talk about the housing continuum anymore. We do not see that come out; we just see those grand announcements from the government saying that it will give back the money it took off the Housing Authority in the first place to build some more houses for social housing. We do not see the nuanced approach that the Housing Authority had when it did not have this mandate for profit making to deliver a range of housing options for people, including shared equity. We saw great fanfare about a little bit of trickle money coming into shared equity. We had that discussion. Mr McIvor gave some figures and said that additional money is finally being put into shared equity. We used to go on the Opening Doors website and see that virtually every suburb in Western Australia had available housing for shared equity. I am not talking about social housing but shared equity—people getting that first step on the housing ladder.

We hear comments like “Are you serious?” If people sat down and looked at the detail of what happened when the machinery-of-government reforms came into play, they would see how this led to the spin doctoring saying we have all this money. Look at what has been delivered on the ground. We have a housing crisis in Western Australia, particularly at the lower end. We are strangling the new housing market where people make those first steps. Those people on \$50 000, \$60 000, \$70 000 or \$80 000 a year, those single income families or those double income families that may be earning up to only \$100 000 a year, used to be able to readily access those incredible developments.

I suppose if there is a commendation, we did have a conversation with officers in the committee, and that was better than last year. It is great that the committee is so ably chaired by Hon Peter Collier. I found that this year was more useful. I got some information. We need to take a serious look at the effectiveness of some of the structural changes that have gone on across our agencies through the machinery-of-government reforms to make sure that we deliver those housing numbers that we need into the future and ensure that there is adequate housing supply and we are not strangling the Housing Authority, which is not required to pay that dividend under the Housing Act 1980. It is not required to pay dividends to Treasury and it is not required to pay taxes, but, ironically, it pays rates to local governments, which is very interesting indeed. It has certainly led me to have a number of further questions, which will be coming in the near future. This land transfer issue has fundamentally impacted our ability to deliver for the most vulnerable in our community.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [8.05 pm] — in reply: I thank honourable members for their contributions to the debate on the Appropriation (Recurrent 2022–23) Bill 2022 and the Appropriation (Capital 2022–23) Bill 2022. Certainly, there were no surprises in the contributions that were made. I will certainly bring those contributions to the attention of the Treasurer to make sure that he understands and is aware of the thinking of honourable members in this place. Members have heard me talk over the past few weeks about the success of this government’s budgetary prowess and skill and how we have managed the economy over the past five years, particularly in the last two years. Without going over again the cost-of-living support that we are providing, the record investment in the health and mental health systems or, indeed, the additional \$1.6 billion for the continued response to COVID-19, honourable members will know that this budget involves record investment in this state and we will continue to keep this state safe and strong.

With that, 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 — Cognate Debate

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

RAILWAY (METRONET) AMENDMENT BILL 2022

Second Reading

Resumed from 16 June.

HON SUE ELLERY (South Metropolitan — Leader of the House) [8.13 pm] — in reply: I want to thank members for their contributions to the debate and provide a response to some of the issues that were raised. Hon Tjorn Sibma went into the Armadale line shutdown. That 18-month shutdown is required to facilitate critical rail works for the Victoria Park–Canning level crossing removal project and the Byford rail extension. Although it is not strictly within the subject of the bill, it is important to address some of the points raised about the shutdown. The shutdown

of up to 18 months is required to tie in the Thornlie–Cockburn Link and to do the level crossing removal project and the Byford rail extension. The government made the decision to announce the closure 12 months in advance in order to allow for extensive consultation to be undertaken with the community. Some \$16 million has been allocated in the 2022–23 budget for Armadale line replacement bus services. A number of different shutdown options were considered; however, it was determined that shorter and more frequent shutdowns over a longer period would be more disruptive to the community over that longer term. A single extended shutdown is the least disruptive over the longer term, providing certainty for passengers and, importantly, a safer working environment for Metronet construction workers. It should be noted that after the initial announcement by the commonwealth government to fund the initial level crossing removals in Victoria Park, the Minister for Transport met with the relevant councils. Both the City of Canning and the City of Armadale requested that their councils be considered for Metronet projects and funding, and the minister subsequently took this up with the commonwealth and was successful.

The Byford rail extension and the Victoria Park and Canning level crossing removal projects are key election commitments. Those level crossings removals are particularly important due to the future increased frequency of trains from the Thornlie–Cockburn Link. The Minister for Transport and the government have acknowledged that this transformation of the Armadale line will bring significant disruption. We do understand that a long-term rail shutdown will be inconvenient for many people, businesses and the broader community, and we apologise in advance for this. Our government has a strong track record of working with the commonwealth to secure funding for transport projects, with a record amount of funding confirmed for road and rail projects throughout Western Australia.

There was some contribution on benefit–cost ratios and Infrastructure WA, and it was suggested that Infrastructure WA did not assess our Metronet projects. Infrastructure WA is required to review infrastructure proposals valued at \$100 million or more and to provide a report to the Premier prior to an investment decision being made. This function only commenced on 1 January 2022. The business cases for all Metronet projects were completed before this date and submitted to Infrastructure Australia where required. Reports on the respective projects and benefit–cost ratios were published by Infrastructure Australia. The state government respects and understands the Infrastructure Australia evaluation process; however, assessing the Byford rail extension solely on the basis of quantifiable economic outcomes is, in fact, a narrow focus to take. Rail line extension projects offer a multitude of benefits over and above traditional transport outcomes. The Infrastructure Australia evaluation process does not incorporate the wide-reaching land use and community benefits that are not quantified in traditional economic analysis, such as the market certainty for development that a new station brings and, therefore, the economic growth and community building opportunities around the upgraded Armadale station and future Byford station precincts acting as a catalyst for investment in Armadale and Byford to offer more local housing choice, create employment hubs and making it easier to access nearby community assets, significantly improve access to jobs and local amenities in Armadale and Byford, and improving community cohesion and social inclusion.

Similarly, the Infrastructure Australia evaluation does not reflect many of the long-term positive outcomes that the removal of level crossings through Victoria Park and Canning will provide. I am a resident of Victoria Park and I can tell members that the contribution to my mental health makes these projects worthwhile. The project will unlock significant areas of urban land for public use, positively influencing the way that people live, work and interact with the local community, including facilitating development of civic centres, integrating community assets and the activation of station precincts, facilitating land use development, encouraging investment in economic growth, improving the access to jobs, health and social services in the Town of Victoria Park and the City of Canning, and enhancing those connections I talked about before. The government is committed to constructing the Byford rail extension and the Victoria Park and Canning level crossing removal projects in accordance with Metronet objectives to deliver those wide-reaching benefits to the local community, providing more transport, employment and housing choice in the areas they choose to live.

Comments were made about transferred patronage. Around the world, COVID-19 has impacted public transport usage. However, our government’s safe and sensible approach to COVID-19 meant that Perth was able to sustain patronage greater than the vast majority of public transport networks interstate and internationally. In January 2022, public transport fares were capped at the cost of a two-zone fare. Notwithstanding the impacts of the latest wave of the pandemic, outer stations on Transperth’s network have experienced higher passenger numbers than the network average, suggesting real growth in passenger numbers. Our two-zone fare cap is a cost-of-living improvement for people as well, and people are taking advantage of it.

Hon Dr Brad Pettitt, who is out of the house on urgent parliamentary business, raised some issues around precinct development. It has repeatedly been said that Metronet is more than just a rail project. Investment in rail will work as a catalyst for land use change in over 8 000 hectares of land within walkable catchments around Metronet stations. To contribute to the sustainable growth of Perth, Metronet station precincts are being designed and developed as inviting, active, safe and inclusive places for their local communities, also offering housing services, employment and recreation opportunities, which will benefit from access to a high-quality public transport.

The *Metronet Station Precincts Gateway* document provides a high-level assessment and future scenario of how planning and development around Metronet stations can contribute towards meeting the objectives of *Perth and Peel@3.5 million* and other state government policies. That document will inform a basis for further engagement with key stakeholders on how station precincts can develop over time.

Metronet is progressing well, with a number of projects completed and a record number underway. Stage 1 of the Bellevue Railcar Manufacturing and Assembly Facility is completed, with the first locally manufactured railcar to be on our tracks for testing soon—they said we could not do that! We have recreated the railcar manufacturing industry in Western Australia in just a few years.

The Denny Avenue level crossing removal has also been completed, together with the new Mandurah multistorey car park. A record number of projects are underway, and we are transforming the public transport network across Perth and the suburbs. Of course it has been, and is, a challenging environment to deliver infrastructure. We are delivering these projects during a global pandemic and now in a very tight construction market, facing significant cost pressures. But we are proud of what has been achieved by the workers on this project. Currently, over 10 000 workers are employed on our Metronet projects.

Members made the point that this bill is an enabling bill. It does not go beyond granting a head of power. Although I appreciate that people had views, questions and comments that they wanted to make about Metronet and how we are progressing, the bill is a very simple bill that will provide for a head of power. It is an enabling bill. I am happy to commend the bill to the house.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chair of Committees (Hon Dr Brian Walker) in the chair; Hon Sue Ellery (Leader of the House) in charge of the bill.

Clause 1: Short title —

Hon TJORN SIBMA: Minister, thank you for your second reading reply speech. Behind the chair, I have given an undertaking to the minister to try to wrap this up by the adjournment tonight. I think the hardworking advisory staff deserve to get home at a suitable hour on a very wild and woolly evening. I have some questions to ask. They are reasonably predictable questions. If they are answered, that would be wonderful and I will continue along those lines.

In the minister's second reading reply speech just given then, she referred to the 18-month planned shutdown that will be a consequence of this bill passing. It is important to note that this is enabling legislation and the minister is being quite generous in opening up for further examination some of the consequences of the passage of this bill. This chamber has been told on a number of occasions that a number of shutdown options were considered prior to government making the determination that an 18-month shutdown, all things considered, was optimal and would cause the least disruption overall. How many shutdown options were considered and when were they provided to the minister for consideration?

Hon SUE ELLERY: Effectively, we are looking backwards at that. The honourable member will appreciate that I am a representative minister, not the minister. I know the member has asked a series of questions. Essentially, as I understand it, the choices made were whether to do a series of shorter shutdowns or one longer one and provide a period of certainty across that time, as opposed to providing less certainty if there were shorter shutdowns that might not be as short as the period prescribed—then the short shutdowns would start to add up, as they might not be as short as originally thought. I probably cannot take it any further than that. I am happy to raise the member's concerns with the relevant minister but that question is looking backwards and I am the representative minister so I am not sure I can give the member much more than that.

Hon TJORN SIBMA: I look forward to the minister undertaking those kinds of consultations. I will reiterate the point that the minister and the government have been quite consistent in articulating the line, or at least creating the impression, that this determination to shut down the line for 18 months was part of a longer term deliberative decision and that options—plural—were considered prior to the final decision being made. I think they were announced in February this year. I will continue that course of action to understand what options were considered, but I might put this question: would information regarding those options be considered discoverable through a question on notice or freedom-of-information process? I want to save my time and go through the appropriate avenue. I am taking on trust that options were considered. I am just trying to understand what options there were. That is not subject to cabinet-in-confidence or commercial-in-confidence considerations. I just want to try to get an understanding of why there is a reluctance to provide the information.

Hon SUE ELLERY: I do not think I could answer the question whether it is discoverable through FOI, and I am not sure that anyone at the table could tell me. The member has asked a series of questions and I have had to give him those answers. I am happy to raise his concerns again and I understand why he is asking the question but it is looking backwards. As a representative minister, I am not able to add anything further.

Hon TJORN SIBMA: I thank the minister. Would the minister be in a position to outline when this particular decision was made, and whether it was made by the minister or was a cabinet decision?

Hon SUE ELLERY: The best advice that I can give the member is late last year, but I am not able to take it much beyond that.

Hon TJORN SIBMA: I thank the minister. I acknowledge that, although some members and stakeholders may have been confronted by the announcement, the government has actually done the right thing in providing quite extensive forewarning about the fact that it will be shut down. I will probably have some questions about the economic impact of that shutdown and how bus services or otherwise might be provided. We have been acting on the assumption that, all things being equal, the shutdown will commence in very early 2023, so next year. Might I ask what preconditions are required to initiate the shutdown at that time, and what degree of slippage is embedded in that forecast?

Hon SUE ELLERY: I cannot give the member a precise date. With regard to what needs to happen beforehand, I can tell the member that the government expects to announce the contract details shortly; the member can take “shortly” and define it however what he wants to define it. Once that is done, there will need to be consultation with the proponents. They need to secure plant and material, including the precast beams, and then do all the prep work that needs to happen. We have a broad outline of when we think that work can be done, when it can start and therefore when it can finish, but a whole lot of preparatory work has to happen once that contract is awarded.

Hon TJORN SIBMA: I thank the minister for that. I might get to the contract dimension subsequently. Would it be fair to assume that preparatory work might be contingent upon labour force availability and supply availability? I am not going to hold the government to a firm start date; presumably, though, the government is operating within windows of contingency. Is it fair to assume that the government intends to effectively commence the shutdown—although that is a weird way to phrase it—within the first quarter of 2023, or might it slip beyond that? Are there risk factors that might push the commencement of the shutdown, and obviously the completion of the project, further to the right?

Hon SUE ELLERY: It is fair to say that, from the assessment work that has been done already, we think it is achievable to start early next year. The clock starts ticking on the 18 months from there. In terms of the contract, it is probably less about labour, because those putting in for the contract would already have an understanding of their workforce. But it might be around some of those other elements of materials and plans. So the best advice is that we believe it is achievable. Once the contract is awarded and those consultations occur, it might be that there is some slippage; I cannot predict whether there will or will not be, but the best advice is that the time frame announced is achievable.

Hon TJORN SIBMA: I might pick up on a reference to the finalisation of the contract. I appreciate that the government will make an announcement when it is appropriate to do so, when it is consistent with other planning. When this matter was raised in the other place in the course of debate—possibly in March or April, from memory—the Minister for Transport gave an indication that the contract negotiations were approaching their final end point. Might I reasonably assume from the advice provided today that there has been a contractual outcome and that parties have signed?

Hon SUE ELLERY: The best I can tell the honourable member is that an announcement will be made shortly.

Hon TJORN SIBMA: Thank you, minister—I had to try. I seek some advice. This is a very short bill in terms of clauses. Where I do not see a natural fit, my tendency is to put matters into the debate on clause 1. The intention here is to refer to a document that is also attached to the bill.

Hon Sue Ellery: Is this what you’re referring to?

Hon TJORN SIBMA: No, it is not the plan. It is a report from the Director General of Transport on the plan of construction. I think this is a required element under the Transport Coordination Act. Is clause 1 the best place?

Hon Sue Ellery: Yes. I’m relaxed about that.

Hon TJORN SIBMA: Okay. I raise this due to the obvious fact, which the minister referenced in her second reading speech, that a business case of some sort was provided to Infrastructure Australia for evaluation. We might have different views on methodology, but the project was funded in part by the commonwealth. In a previous, similar bill—the Railway (Forrestfield-Airport Link) Bill 2015—the report that we are referring to also included quite explicit reference to a project definition plan:

“A project Definition Plan (PDP) has been produced following extensive consultation with the relevant stakeholders including the Department of Planning; Main Roads Western Australia; the City of Belmont; the Shire of Kalamunda; the Department of Transport; the Department of Aboriginal Affairs; Perth Airport Pty Ltd and the Department of Infrastructure and Regional Development.”

In relation to the Railway (METRONET) Amendment Bill 2022, has a PDP been prepared for the Armadale line railway projects? If that document—or documents—exists, can it be tabled?

Hon SUE ELLERY: The PDP exists. I am advised that the intention is to release that when the announcement is made, and the announcement will be made shortly.

Hon TJORN SIBMA: The minister has me on tenterhooks! Might I ask a question about the PDP? Given the limited opportunity, I might as well try. A dimension of this project involves the elevated rail through Victoria Park.

I think the Leader of the House said that she puts a lot of store in her own mental health on the completion of the project, and I wish her well in that respect!

Hon Sue Ellery: My mental health is important for everyone here!

Hon TJORN SIBMA: Least of all for us humble types labouring in opposition.

That dimension of the project—the elevated rail component—was probably not, I think, in the initial concept. If I might put it this way: were different versions of project definition plans drafted and devised over the course of the last five years as they relate to the Armadale line? If so, how many versions are there and when was the most current version, which is about to be released, developed?

Hon SUE ELLERY: I am told that no, only one was ever created for that purpose.

Hon TJORN SIBMA: That was quite a definitive answer. Might I ask when the drafting of that PDP commenced and when it was finalised?

Hon SUE ELLERY: I do not have a date. I do not have that information available. I am advised that before the PDP was done, a range of options and analysis was done and there were a few variations of that which resulted in one PDP. I am also advised—I think I need to say this for completeness—that a summary of the PDP is what will be released when an announcement is made.

Hon TJORN SIBMA: Over the course of the next two or three minutes, I will ascertain the process of the decision-making. Did the PDP, or a version of it, form part of the business case that was provided to Infrastructure Australia? I presume that if they are not exactly the same documents, there is a degree of commonality between the business case, as proposed on an economic basis, and what the government proposes to do. Was the PDP provided to Infrastructure Australia, or was a summary or executive summary of it provided?

Hon SUE ELLERY: A lot of lingo is being thrown around tonight. For Infrastructure Australia’s purpose, as I understand it, the options analysis work that I described before is what constitutes a business case in its terminology. The PDP is the final decision document that goes to Infrastructure Australia, but I think the member might find that the expressions “PDP business case” and “options analysis work” et cetera are probably interchangeable in different jurisdictions. But for this purpose, I understand that the business case and the options analysis is the work that was done at the beginning of the process, and that the final document that is delivered to Infrastructure Australia is the PDP.

Hon TJORN SIBMA: I thank the minister. For the purposes of the state government making its decision to approve expenditure, is it the options analysis work or the project development plan more mature that forms the basis for the minister or the government more broadly to approve the project and its funding requirements?

Hon SUE ELLERY: I am not sure what the member is seeking, but I put it to him this way: the PDP is the final product. It is the normal process by which the state government makes decisions. There may well be an Expenditure Review Committee consideration. That may well then go to a cabinet decision. The development of the PDP and all that work occurs after the decision to invest has been made.

Hon TJORN SIBMA: I suppose the question was: is the consideration of the PDP the body of work that the minister relies upon to take to the Expenditure Review Committee for cabinet approval?

Hon Sue Ellery: The PDP is the very end product that goes beyond state government, in this case, to Infrastructure Australia.

Hon TJORN SIBMA: It is the end of the line. Has it occurred in relation to Metronet projects or is it foreseeable that the state, the ERC and then cabinet might approve a version of a project that differed from the PDP that is produced at the end? Is there a degree of integrity between the documents? I suppose what I am asking here is: is there a possibility for a PDP for this or some other project to expand or contract in scope or in scale or in the phasing and differ from what the state government thought it was signing up to at the initial point?

Hon SUE ELLERY: The broad, simplest answer is yes. In this case, for example, there has been a change of government. Obviously, we go through the process of making sure that the new government commits to the things that the previous government had committed to. But in a more general sense, I am a member of ERC as well and, from time to time, whether it is this project or other projects, if there is a significant shift in scope or something happens of some significance, it goes back to ERC or cabinet. Things frequently do, particularly in the current environment.

Hon TJORN SIBMA: I suppose I will wait to see the summary of the PDP that comes out with the announcement that the contract has been awarded.

Moving on, might now be an appropriate time to ask about the relationship between this bill, its implications for the build out of this Metronet component and the overall railway growth plan that is worked on by the Public Transport Authority? Can I do that on clause 1?

Hon Sue Ellery: You can. To what extent I am able to answer it, we will see, but I am relaxed about when you ask it.

Hon TJORN SIBMA: I might dovetail them all into clause 1. It might expedite the process if there is no objection moving forward. Can I ask, first and foremost, whether this bill aligns with the Public Transport Authority's rail growth plan?

Hon SUE ELLERY: Yes.

Hon TJORN SIBMA: That is comforting to know. The last I checked, that rail growth plan was not publicly available on the Public Transport Authority website, so unless I am navigating cyberspace inexpertly, would it be possible to ask for a copy of the rail growth plan to be tabled?

Hon SUE ELLERY: That is a good try. I am told it never has been made public. It is an internal working document that the agency relies on, so no.

Hon Peter Collier: Be a trailblazer!

Hon Sue Ellery: You don't be a trailblazer when you're a representative minister. It is a career-shortening exercise.

Hon TJORN SIBMA: They are certainly words from the wise; I will bear that in mind if my political career takes me anywhere.

I am bringing this up because I think the rail growth plan is actually explicitly referred to in the course of budget paper No 2, which piqued my interest in the issue. I might take this up at another opportunity, but I think that, in the absence of there being any commercially sensitive information—I doubt that—having an insight into longer term agency or PTA strategic asset management framework planning is actually to the benefit of everybody. I suppose the particular dimension I am interested in is how often that particular core strategic document, which I am understanding it to be, is rewritten, and how it is rewritten in the light of government funding priorities and the like. I assume that I am not going to be satisfied by that document being tabled tonight; I will ask for it elsewhere and I will seek some clarity via the minister in the usual format for why that document is guarded so secretly. But I am also interested in that document because I would presume—I can only proceed on the basis of some presumption, equal parts guesswork and the other being reliably informed—that a rail growth plan, by sheer title, would give an indication of forecast patronage pools, presumably including future population models, because I could not understand why the department would make long-term infrastructure decisions that are dependent on receiving some fares without having a sensible understanding of population movements and densities. I mention it because the absence of that information would be a dereliction of planning if it does not exist. Has there been a forecast of boardings over, say, a five-year period as a result of the works that the government is going to undertake? I will leave it there for now.

Hon SUE ELLERY: I am advised that when the summary of the project definition plan is released when the announcement is made, the member will see within that projected patronage at opening, and then the general year that is used beyond that is 2031. The member will see those when that material is released.

Hon TJORN SIBMA: I might just get into the timing and phasing. Because a number of projects are incorporated in this, including the rebuilding of stations, the removal of level crossings and the elevated rail component as we have discussed, is the Leader of the House able to provide, in her representative capacity, any indication of when the project's subcomponents might be delivered? I might start with the easiest bit first. For example, will work on the Byford extension happen concurrently with the works on the elevated rail component through Victoria Park or will those be broken apart? Is it more sensible for the government to do the level crossing removal first? If the Leader of the House could provide any insight into the easier to deliver bits and the longer term bits, that would be great.

Hon SUE ELLERY: I am advised that there will be two separate contractors for each project. They will generally occur concurrently. I do not have any more information on how they will be sequenced within each project. I guess they will need to work that out themselves inside those projects.

Hon TJORN SIBMA: I thank the Leader of the House for that; I appreciate that. I am also interested in the potential impact of work on this Metronet component, broadly speaking, on other elements of Metronet project delivery. Is there a relationship between the scheduling of these works and their impact, for example, on the Thornlie–Cockburn Link being delivered; and, if so, what might that be?

Hon SUE ELLERY: Some of the works around the Thornlie–Cockburn Link and the Armadale line extension are being reconfigured so that they can take advantage of that 18-month shutdown, so as to minimise disruption outside that period.

Hon TJORN SIBMA: From my layperson's understanding of the reconfiguring of the works, I assume that the principal body of works relating to the Thornlie–Cockburn Link can be accomplished within the 18-month shutdown window. Is that how I should understand that or have I got that wrong?

Hon Sue Ellery: The advice I have been given is that to the extent that they overlap, the timing has been reconfigured to bring that overlap within the 18-month period.

Hon TJORN SIBMA: I thank the Leader of the House. Moving along—I actually do not have too many subthemes—I want to focus a little on the elevated railway component at the northern end of the line. Reflecting

on the nature of this jurisdiction and the need to bring forward bespoke pieces of legislation to enable any railway construction to occur, I might ask the obvious question. We are principally talking about grade-level rail, except for this elevated component. Am I right to assume that no further legislative requirements are needed to enable the elevated rail component through the inner city?

Hon SUE ELLERY: Yes, that is correct.

Hon TJORN SIBMA: Would it be a different scenario if the government had chosen to tunnel, for example, or would that option be covered by this bill? It is a slightly hypothetical question. I am just trying to understand how it works.

Hon SUE ELLERY: The methodology, whether it is above or below ground or at ground level, does not matter. It is an enabling bill, which can enable any methodology.

Hon TJORN SIBMA: The need for legislation is modelled as independent or agnostic on delivery options.

I am interested to get a further insight because presumably any body of significant works in a dense urban environment will, by its very nature, be disruptive, irrespective of how those works are delivered, as the sheer fact of the 18-month shutdown attests to. Can I get an understanding of the economic base case which preferences above ground or elevated rail delivery over a tunnelling option? I am agnostic on these issues. I am just trying to understand the economic drivers of this because I think the government has made a claim that yes, it has conceded that, overall, if we adopted a strictly dry economic analysis to this particular venture, it is not cash flow positive, there is no positive MPV, we get 36¢ back for every dollar delivered. The government has made a case for why that is, which I will leave where it is. Obviously, if economic considerations are not the only consideration, is there a significant difference in the cost of delivery between tunnelling and elevated rail? I would like to know what that is.

Hon SUE ELLERY: At grade level is the cheapest, but that does not get rid of the level crossings. The next is to elevate. The most expensive option is to tunnel. There are variations of how a tunnel is done but that is the most expensive option.

Hon TJORN SIBMA: The minister may not be in a position to provide this information now but I will probably ask it through the usual process. If a dollar amount is available, that would be fabulous. Obviously, this is dependent on the geotechnical realities of the location with which we are dealing. I appreciate those variables. Is there a cost per track kilometre comparative between at-grade versus elevated versus tunnelling options for something like the Victoria Park precinct?

Hon SUE ELLERY: There is not a dollar matrix, if you like; that is a kind of standard that we can apply across the board. It depends on all the things that we might imagine it would depend on, including the topography. We do not have those numbers here for this project.

Hon TJORN SIBMA: There is a confluence of themes and interests here. I might move to the issue of consultation, in a way distinct from consultation with affected local governments, commuters, Main Roads and the Public Transport Authority over the 18-month shutdown, but more specifically with the degree of consultation undertaken thus far and ongoing and planned around the particular land use dimensions and outcomes that an elevated rail line will present. Would the minister be able to provide some sort of insight into who is included in those stakeholder consultations and where they are directed at? For example, is there a degree of a finer definition of “project imprint” and the utilisation of what I will inexpertly call “dead space” underneath? If the minister could provide some insight into that, I would be most appreciative.

Hon SUE ELLERY: I am advised that activation underneath the elevation is subject to consultation obviously with local government, so at officer level those discussions are ongoing. Briefings have been provided to councillors. Community reference groups have been set up, and that is how that consultation is occurring. The final concepts for what that will look like is a fair way off from now.

Hon TJORN SIBMA: I have one or two further questions on this line. I might just ask a basic question. How high off the ground is the elevation likely to be and what will that present in physical constraints and opportunities?

Hon SUE ELLERY: All will be revealed in the project definition plan summary that is released, and an announcement will happen shortly.

Hon TJORN SIBMA: I am going to apply that answer somewhat pre-emptively to my next five planned questions. I think the minister has demonstrated what experience and a very senior executive decision-making role in the government brings to these proceedings, and she has saved herself and her hardworking staff some time as well, which is a lovely way to start our first sitting day back after the winter recess.

Hon Sue Ellery: I’ve been doing it for 21 years.

Hon TJORN SIBMA: There you go. I am in the minister’s debt. I might do this to a future Labor opposition member!

Hon Sue Ellery: And I’ll be long gone when that happens—the year 2075!

Hon TJORN SIBMA: I can tell the minister that hope dies last!

I might ask about some of the impacts of the passage of this bill and the build-out of Metronet on some existing infrastructure just to understand the full impact of the passage of this legislation. I understand that there was an upgrade to Beckenham train station or it opened in 2014 and that station will be affected by this upgrade to some degree. Can the minister quantify the monetary value of what the government is doing there? Can she explain that, because I am interested to know how this work will affect infrastructure delivered within, say, the last 10 years.

Hon SUE ELLERY: I am advised that the 2014 upgrade was less than \$10 million. It went to making the station accessible and providing some additional shelter. What is proposed, essentially, is a new station, so a significantly higher investment.

Hon TJORN SIBMA: Does that assume the demolition or significant remodelling of the existing station to build a new one?

Hon Sue Ellery: Yes.

Hon TJORN SIBMA: Is there any other similar infrastructure that has been remodelled or opened in the last 10 years that will have to be demolished or reconfigured in a substantial way?

Hon Sue Ellery: As part of these two projects?

Hon TJORN SIBMA: Yes.

Hon SUE ELLERY: We do not have that information here. We think there were probably a range of minor works that occurred since 2010–11. I am happy to take that on notice and, if the minister agrees, we can provide the member with that.

Hon TJORN SIBMA: I appreciate that. My next area of interest, substantially, is the very welcome dimension of this project that involves level crossing removal in the metropolitan area. It might not actually to some degree pass muster with the bean counters at Infrastructure Australia, but from a road transport user perspective it makes a lot of sense. To clarify, are there four or six level crossings that will be removed as part of this? I am trying to get my bearings right.

Hon SUE ELLERY: There are 14 level crossing removals across these two projects and 17 removals in total across Metronet to date.

Hon TJORN SIBMA: That is excellent. How does this compare with the government's other level crossing removal projects that are in train? I picked this up from budgets past, unrelated to Metronet. If it is possible to provide those figures in both the urban and regional context, that would be appreciated.

Hon SUE ELLERY: I am not sure I properly understood the member's question, but there are 17 in total. We have recently closed Caledonian Avenue, Maylands. Denny Avenue, Kelmscott, was closed in 2020–21. There are six Victoria Park–Canning level crossings. The Byford extension includes the removal of eight. There is the crossing at Morrison Road on the Midland line.

Hon TJORN SIBMA: The community statewide obviously takes an interest in level crossing issues. I am trying to ascertain, if possible, the number of existing level crossings, even in the metropolitan area, that will be untouched by these Metronet projects, and how many there are overall that will be remediated in time.

Hon SUE ELLERY: In the metropolitan area, 18 will not be impacted by Metronet. In regional Western Australia, there are hundreds.

Clause put and passed.

Clauses 2 and 3 put and passed.

Clause 4: Long title amended —

Hon TJORN SIBMA: My interest concerns the destination of Mundijong or whether it is, indeed, a destination. I think the current bill provides permission for the Byford rail extension to a location just north of Mundijong. I want to understand whether I have this right; would this bill enable a decision to extend to Mundijong proper, or would that require another piece of enabling legislation?

Hon SUE ELLERY: Section 96 of the act is required to get Parliament to enable a special act authorising construction of each new railway. The legislation prescribes that each act shall state as nearly as may be the line of the railway and the two termini thereof. Over the last 20 years, new acts have been progressed only once a project has been planned to an extent that the general alignment and station locations are known based on an approved project. Although a potential extension of the electrified passenger line to Mundijong has been identified in the future, there is no certainty around the timing or design of that line, including where it might terminate. The Public Transport Authority sought to include only the extent of the current approved works. I am not sure whether I can take it much beyond there.

Clause put and passed.

Clauses 5 and 6 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by **Hon Sue Ellery (Leader of the House)**, and passed.

FAIR TRADING AMENDMENT BILL 2021*Second Reading*

Resumed from 23 June 2021.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [9.14 pm]: We are ploughing through tonight, honourable members. We are flying along! This is the Fair Trading Amendment Bill 2021, which, members who were here might recall, started life in the previous Parliament as the Fair Trading Amendment Bill 2018. It was a much broader bill that did a number of things that were supported by both sides of politics. But there was one clause that the Standing Committee on Uniform Legislation and Statutes Review had concerns with and raised them with the government. The government did the right thing at that point and pulled out those clauses of the bill that related to the automatic incorporation of Australian Consumer Law into the Fair Trading Act of Western Australia. The principal reason that those clauses were pulled out was that the committee raised legitimate concerns about the handing over of sovereignty, effectively, of statutes in Western Australia. There are circumstances in which Western Australian law automatically picks up those parts of the law that are enacted in the commonwealth. In fact, I get into very long constitutional debates in some centres about the priorities and which law supersedes the other. I make the point that although some people will say that federal law predominates automatically, it predominates in terms of legislation that is in direct conflict —

Hon Matthew Swinbourn: To the degree of any inconsistency.

Hon Dr STEVE THOMAS: — to the degree of any inconsistency. Therefore, the absence of a Western Australian law in a certain area does not automatically make it an area that cannot be addressed. It is not the case, for example, that federal law automatically overrides state law in this case, nor should it. In Western Australia, in particular, we are probably as parochial as any, and I think it would be very much against the state's will if that were to be handed over without some sort of review process.

Those clauses of the Fair Trading Amendment Bill, back in 2018, that everybody agreed with passed through the Parliament, and that was a reasonable outcome. The clause in which there was potentially some dispute—that is, the sovereignty of Western Australia—was set aside and put into a separate bill. That separate bill, although introduced and examined, and again sent back to the uniform legislation committee, did not get to the point at which it was debated and ultimately passed. Therefore, a couple of questions still remain.

Effectively, tonight we debate a bill that sets out simply whether the jurisdiction of the legislation in Western Australia can be separate and maintain its own sovereignty. We look like we have come to a compromise that that would appear to be the case, but I will ask the minister—I think the Minister for Regional Development is dealing with this—that we just confirm. I suspect that the current chair of the uniform legislation committee might throw a couple of comments into this debate, which I do not expect to be particularly long, to confirm that the intent of the committee and the concerns that were raised are being adequately addressed. The committee had one set of recommendations, but the government has come back with a slightly different proposal about the sovereignty question. In particular, the government is seeking to change the standing orders of Western Australia to incorporate the capacity to ensure that a disallowance motion, which would be enabled under the bill before the house, would come to a debate and a vote, which was probably the greatest question, as I read it, that was raised by the committee.

It appears to me that the government was always prepared to address the sovereignty issue by placing a disallowable instrument into the legislation. In fact, the current legislation that would come in if we insert, under clause 6, new section 19B would allow for the disallowance. It defines the disallowance period and the notice period in which it would sit under Parliament. I will go through that briefly. There is a notice period, which is a period of 14 sitting days, and a disallowance period. In relation to a disallowance resolution notice, the disallowance period is 30 sitting days of the house after the day on which notice is given. I think that is an adequate period of time. The minister with carriage of the bill is Hon Roger Cook, and he offered a separate briefing to the upper house because there had been some delay with it passing both houses. I appreciate that. In the discussions we had during the briefing, we just wanted to make sure that it was sitting days and not consecutive days, which would appear to give a reasonable level of capacity to examine a piece of legislation under Australian Consumer Law and to move to disallow it if it were not law that was supported by the state of Western Australia, or did not meet the needs of this state.

We want to be fairly supportive of changes to the Australian Consumer Law; there is obviously a process to go through. We do not believe that the commonwealth gets it right all the time, and there may be circumstances in which the state of Western Australia will want to chart its own course. As I understand it, if it charts its own course, a disallowance would have to be passed by one of the houses of Parliament. In that case, in order to meet our obligations

under the intergovernmental agreement on consumer law, the state would probably need to look at introducing its own separate piece of legislation that may or may not differ to that imposed by the Australian Consumer Law that was passed by the federal Parliament. I imagine that that would start a bit of a constitutional bunfight, so we would like to at least hear the minister supporting that process, and we suggest that, in fact, we think we are on good constitutional grounds and that in going through this process we are not ceding the state's right to disagree and to formulate its own law. It would be a slightly unwieldy process, but that is the process that currently exists. At the moment, if an Australian Consumer Law is changed by the federal Parliament in order to meet our intergovernmental agreement requirements, we actually have to go through the process of passing a piece of legislation for each significant amendment.

I note that under the Fair Trading Amendment Bill 2021 we will, as part of that process, accept some three pieces of federal ACL legislation that have been introduced in the interim. So that members are fully aware of them, they are, firstly, the Treasury Laws Amendment (2020 Measures No. 6) Act 2020, which basically amends the Australian Consumer Law to ensure that multiple minor failures can be added together to ultimately constitute a major failure to comply with the provisions of the act. That is effectively saying that multiple small breaches of the act can ultimately be treated as a major failure. That will have a significant impact on the penalties that are available.

The second one is the Competition and Consumer Amendment (Australian Consumer Law—Country of Origin Representations) Act 2020. That is an act that, I guess, tightens up the definition of “country of origin”, particularly in relation to the definition of “substantially transformed”. We are well aware of products that are manufactured in Australia from products that come from overseas. The definition, then, of what is “substantially transformed” becomes important, because if it comes in, is put in a separate bottle and the fruit juices of two different countries are mixed, it is “substantially transformed” versus those that go through a chemical process. That is a reasonable piece of legislation.

The third one is the Financial Sector Reform (Hayne Royal Commission Response) Act 2020. This act made some fairly minor amendments to Australian Consumer Law. I have to say, the legal response to the Haynes royal commission into the financial sector is an immensely problematic area. The entire review of the financial sector and how it impacts on finance brokers is something I think multiple governments will struggle with for a long time. In effect, there were people who lost money, in many cases through getting involved in finance proposals that were obviously too good to be true, offering magnificent rewards. The new finance broking laws that resulted from that, I have to say, make finance broking an incredibly difficult process. In fact, it has probably put a lot of finance brokers out of business. It might be argued that the bad ones went out of business, but I suspect plenty of good ones did too, because the new laws are immensely difficult.

Finance brokers effectively have to guarantee an outcome, and that is a very difficult piece of law to be involved with. A finance broker who is out there proposing slightly more high-risk investments runs the risk of falling foul of this law if those investments do not provide a return within a particular range. That is immensely dangerous. It basically takes the responsibility away from the investor and puts it very much onto the finance broker. I think that is a problematic area to operate in. It is not as though, when you go a surgeon, you say, “I have cancer. My expectation is that the result of the surgery has to be between here and here. If it is not, you are liable.” Almost no other industry operates under those parameters. It is complicated. It is very difficult. It has probably removed some cowboy operators from the system, but it has made it very difficult for everybody who remains in the system.

Those are the three components that will be added in as part of the legislation before the house today. Given the Financial Sector Reform (Hayne Royal Commission Response) Act 2020, these are only very minor amendments to deal with the majority of issues around finance broking, so it is quite reasonable for these amendments to be accepted.

Going forward, any amendments to the Australian Consumer Law that are passed by the federal Parliament will be deemed to be accepted by the state Parliament, unless there is a disallowance motion, as per this bill and the new sections that will be put in place, particularly the new subsections in section 19.

The Standing Committee on Uniform Legislation and Statutes Review did a very good report on this. This is the 2021 version; I think there was a 2009 version as well. The report offered advice about how to improve the bill and made a very small number of recommendations. It found no enormous faults with the bill. Finding 1 found —

Clause 6 of the Fair Trading Amendment Bill 2021 erodes the Western Australian Parliament's sovereignty and law-making powers.

Finding 2 suggested how to fix it —

Standing Order 67 will apply to Commonwealth amending laws that are made subject to disallowance in a Western Australian Act of Parliament if Standing Order 67(1) is amended to remove the word ‘statutory’.

That recommendation effectively removed “statutory” from standing order 67(1). I note, if members want to look up the standing orders, that in fact standing order 67(1) no longer contains “statutory”. I understand that this is partly helping with this bill, but it also helped with the legal bill that we dealt with not that long ago. It would appear that is basically in place.

Recommendation 2 suggested —

The Minister responsible for the Bill does not move the third reading of the Fair Trading Amendment Bill 2021 until Legislative Council Standing Order 67(1) is amended ...

The standing order seems to have been amended.

Finding 3 stated —

Referral to the Joint Standing Committee on Delegated Legislation provides an extra layer of scrutiny of Commonwealth amending laws.

I think that is a fair point as well.

At clause 6 of the bill, proposed section 19A states —

An amending law must be laid before each House of Parliament within 18 sitting days of the House after the day on which the law receives the Royal Assent.

I will be interested to hear in the minister's response how the government's proposed section 19A compares with the recommendation of the Standing Committee on Uniform Legislation and Statutes Review and what the differences are. The opposition is supportive of the government's intention. We appreciate the fact that the government has taken that on board and it intends to ensure the sovereignty of the state of Western Australia's legislation. I think I would like to get some confirmation from the minister that the current proposal meets the requirements that we have in place and the recommendations of the uniform legislation committee. We want to be assured that that will be the case in some way, shape or form. We also want an assurance that there certainly will be a vote on any piece of legislation that comes from the commonwealth, that it will be tabled, that there will be an opportunity to move a disallowance motion and to debate that motion, and, ultimately, that there will be a vote on that motion. Presumably, after a vote on that motion, should the house vote to disallow the motion, there would be a process to progress Western Australian-specific legislation and for the government to perhaps comment on the constitutionality of that, according to the government. I think that if we can roll those things together and get a satisfactory answer, the opposition will be more than happy to support the bill before the house today. I am sure that the chair of the standing committee might like to make a contribution on making sure that we get that right.

HON DONNA FARAGHER (East Metropolitan) [9.31 pm]: I also rise to make a brief contribution to this debate on the Fair Trading Amendment Bill 2021. I think the Leader of the Opposition has essentially canvassed the issues that I was going to raise. I will just say that, from my perspective, I have had the opportunity to look at the proposed amendments. Obviously, we will deal with them in due course.

If I could be given a little latitude, I will raise some general comments. The Leader of the Opposition referenced the changes that were made to standing order 67 some time ago to deal with the issues present in not only this bill, but also the Legal Profession Uniform Law Application Bill 2021 at the time, which has now passed this Parliament. A similar circumstance arose in that legislation. It did not relate, as it does in this instance, to a commonwealth amending act, but, rather, to a Victorian amending act. I will say in a general sense—this is not as the Chair of the Standing Committee on Uniform Legislation and Statutes Review—that although it might be convenient for Parliamentary Counsel and others to insert amending acts that can automatically be updated to allow our legislation to be updated and not necessarily require new legislation to come through on every occasion, I have some concerns about that. I appreciate the reasons behind it, but I do not necessarily agree with it. Given that it appears, certainly from the advice that was provided to the committee—I cannot remember whether it was referenced in this inquiry's report or the one relating to the legal profession uniform law—that this seems to be the new world order, if I can put it that way, and we are going to see more and more of these types of bills coming through this place, it is important that we have a mechanism in place to examine those amending acts.

With that said, there was, of course, a proposal to amend the standing orders, and I thank the government for taking on board the position that was taken by the committee to help address this issue. Although the committee recommended a form of words to deal with that, certainly with respect to the legal profession bill, and to then be able to deal with the tabling of an amending law and publication and those sorts of things, I do not think that the words that were put by the committee exactly replicated the amendment that appeared at the time. This relates to the legal profession. However, on balance, it still achieved the same aim.

From what I can see, the proposed amendments that are on the supplementary notice paper that we will be dealing with in due course directly reflect the same amendments that were put in the legal professions bill. On that basis, from my reading of it, I am happy, because it is consistent with previous amendments made to another bill that dealt with effectively the same issue. I agree, though, it would be helpful for the minister to reconfirm that. But certainly on my reading of it, I am happy that it reflects not only the general position of the committee, but also decisions that have been made previously in this house, albeit with respect to another bill but dealing with ultimately the same type of issue.

Debate adjourned, on motion by **Hon Pierre Yang**.

MINING AMENDMENT BILL 2021*Receipt and First Reading*

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

Second Reading

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [9.37 pm]: I move —

That the bill be now read a second time.

The purpose of the Mining Amendment Bill 2021 is to amend the Mining Act 1978 to increase the efficiency of applications and assessments for mining activities. The amendments will modernise activity approvals under the Mining Act and embed a risk-based, outcomes-focused regulatory framework. In addition to reducing the administrative burden on industry for applications and ongoing approvals, these amendments will assist to target government's efforts to effectively regulate the sector and minimise risk to the environment.

I will now summarise the key features of the bill, which will establish a new part in the Mining Act with clear conditions and procedures for the application, assessment and approval of mining activities. This part includes a new automated authorisation pathway for eligible mining activities, and introduces an approvals statement for mining operations as the ongoing instrument for managing and updating activity approvals and conditions over time.

Currently, the provisions that require tenement holders to submit applications and receive approval for activities are scattered throughout the act. The bill will introduce a new part 4AA called "Conditions and approvals" that will consolidate all activity approvals into one part. Bringing all these provisions into one dedicated part clearly separates processes for granting tenements from the subsequent approvals process for prospecting, exploration or undertaking mining operations. This part will impose clear obligations regarding the types of activities that require approval, the information requirements of applications and the conditions to which those activities will be subject, if approved. The part also sets out clear and transparent assessment and approval procedures that are not provided for in the current act.

A key feature of the new part is the introduction of a new eligible mining activity, or EMA, framework—a new form of automated authorisation to enable a faster approvals process for certain eligible activities. This will remove the current time period for an application to await and undergo assessment while ensuring full information capture and appropriate regulation of those activities without compromising environmental outcomes. Prior to commencing an eligible mining activity, an EMA notice will be able to be lodged through an online system, automated screening will occur, and the activity will be authorised immediately, subject to standard conditions. The specific detail of the activities to be considered an "eligible mining activity" and standard conditions will be prescribed in supporting regulations and will be subject to a separate consultation period following passage of these amendments.

The other key aspect of the EMA framework is acknowledging that there are areas of the state where it is not appropriate or feasible for activities to be authorised via an automated assessment. The Department of Mines, Industry Regulation and Safety acknowledges the need to incorporate the consideration of reserved lands, particularly lands reserved for conservation purposes, in the design of the framework. Following extensive consultation with the Department of Biodiversity, Conservation and Attractions, the notice provisions uphold the procedural requirements of section 23 of the Mining Act, which requires consent of relevant ministers to carry out mining on public reserves or commonwealth land. This consent to access reserved lands is given based on specific activities and may be subject to particular conditions. Therefore, applications in these areas need to be subject to a manual assessment and not via the EMA framework. All reserves, including the conservation estate in its entirety, will be excluded from an EMA notice being lodged to ensure environmental officers will continue to assess all applications in these areas.

In addition, other areas of potential value to the state that are not otherwise formally protected can be gazetted on a case-by-case basis to be excluded from the submission of an EMA notice, and will have to be assessed by an officer via a program of work or mining development and closure proposal. DMIRS will continue to collaborate with stakeholders, including DBCA, in the process of determining the eligibility criteria for an EMA notice to inform the drafting of the supporting regulations for the bill. It is intended that the framework will commence for those activities that are currently assessed and approved via a program of work spatial application, and may be extended to mining operations when the lodgement system is available.

For mining operations, the single approvals statements will streamline the application and approval process. This is a new instrument that will clearly record the approved mining operations and corresponding conditions of approval. Currently, when DMIRS approves a mining proposal, compliance with the commitments and activities proposed is enforced by the imposition of tenement conditions. For sites with multiple tenements, this results in the need to manage compliance with multiple documents and conditions. This creates additional administrative effort for both industry and DMIRS and does not result in an efficient process. Most sites are covered by a number of different mining proposals, all with conditions that need to be met and reported against. Sometimes conditions relating to different approved documents may contradict each other. Also, as the document is approved, tenement holders are obliged to continue to operate in the way that has been approved rather than adopting improved practices.

The introduction of an approvals statement will consolidate all approved activities and relevant environmental conditions across multiple tenements and set clear relevant parameters of the approval. The bill will change the focus of approvals to the specific activities, conditions of those activities and closure outcomes to be achieved through rehabilitation of the operation. This focus is also reflected in the amalgamation of the mining proposal and the mine closure plan into a single mining development and closure proposal that removes duplication up-front and targets the information requirements needed at the approval stage. This will result in clarity of the approved activities and conditions, and efficiencies for both industry and DMIRS in terms of managing compliance with approvals. It will also mean that the focus of the approval is on the specific activities and how they will be managed so that there are no unacceptable impacts on the environment, rather than the approval of multiple documents. This will significantly reduce regulatory burden on tenement holders as they will no longer have to report against myriad conditions set over time. They will report on outcomes-focused conditions set specifically on each activity, which will provide flexibility for proponents to change their environmental management over time to meet best practice standards. This will provide much better outcomes for the environment.

In conclusion, this bill will significantly reduce regulatory burden for industry and government, while at the same time strengthen and improve environmental management of mining activities. This is consistent with the principles of best practice environmental regulation—accountable, transparent, predictable, proportional and targeted. The reforms proposed in this bill will greatly streamline activity approvals and improve regulation under the Mining Act.

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.

I commend the bill to the house and table the explanatory memorandum.

[See paper [1467](#).]

Debate adjourned, pursuant to standing orders.

NORTH WEST CENTRAL ELECTORATE — BY-ELECTION

Statement

HON NEIL THOMSON (Mining and Pastoral) [9.44 pm]: I was in Shark Bay on Sunday and Monday and was fortunate to spend time with locals from Denham, including shire CEO Dale Chapman, some of the councillors and members of the public. We all know that there will be a by-election in this region in the coming weeks. I think that is really important for the region, as it is an opportunity for issues to be highlighted in the community and the media in a way that they might not otherwise be highlighted. I want to commend Hon Alannah MacTiernan for her strong advocacy of democracy and contestability within the process of —

Several members interjected.

The PRESIDENT: Order!

Hon NEIL THOMSON: I would like to commend Hon Alannah MacTiernan for her strong belief in democracy and contestability in relation to that seat. It is disappointing that the Labor Party is not really willing to show its face in that election.

Hon Alannah MacTiernan: Why are you worried about this? I thought this would be a great opportunity for the Liberal Party to rebuild.

Hon NEIL THOMSON: It should be a great opportunity for the Labor Party to go and test the waters.

Several members interjected.

The PRESIDENT: Order!

Hon Alannah MacTiernan interjected.

The PRESIDENT: Order, minister! This is not Thursday morning; it is members' statements.

Hon NEIL THOMSON: Thank you, President.

Hon Kyle McGinn interjected.

The PRESIDENT: Order!

Hon NEIL THOMSON: When talking to people in the community, the comment I have heard is that they feel snubbed by the Labor Party because they do not have the opportunity —

Hon Alannah MacTiernan interjected.

Hon NEIL THOMSON: There is an opportunity to highlight matters in the community.

Several members interjected.

The PRESIDENT: Order! Allow the member on his feet to make his contribution. Perhaps, member, if you addressed your comments through the chair, you might be on firmer ground.

Hon NEIL THOMSON: Thank you for your advice, President.

As I said earlier, this is an opportunity for matters to be raised. We saw in the news today some of the challenges in Carnarvon, for example. I wanted to talk about Denham in particular because it is a lovely, pretty little town. I spent a significant amount of time there with my children as they were growing up because it was always a great place to go for a holiday. I think that rubbed off on some of my family members over time, one of whom made it her home.

The big issues that affect that community obviously start with the health services. There is concern about access to general practitioners and health care. Three Silver Chain nurses are based in the town and one doctor is there one and a half days a week. This is an interesting theme that we see across the regions. The town has 850 permanent residents, but from time to time the population swells—I believe there can be up to 6 000 heads on pillows on particular nights. It might average 2 000 to 3 000 people at times. The feedback I got was that the spread of residency, albeit of visitors or temporary residents in that town, is evening out over time because tourism is spreading out to the shoulder periods, which is very important. A lot of these visitors are elderly people. It is important to see those health services develop. I commend the Shire of Shark Bay for doing some work to get a general practitioner into that town for another three days. If the shire is successful with that, I hope the WA Country Health Service maintains its current position or maybe increases its current commitment to the town.

There are other issues relating to housing. Plenty of residential land is available. It is not that expensive to buy a block of land, which is a good thing. When I was talking to people, I found out that another 30 dwellings could be built. They would be filled. It is difficult to find housing. This is a common theme across the regions. It is no different in the Kimberley, where I live in Broome. There are simply not enough homes available for the workers coming into town. Denham is in a World Heritage-listed area and it is an amazing natural asset. The relationship with the Department of Biodiversity, Conservation and Attractions is very important. There are mixed views about this. When we speak to locals, we find that some of them have negative views about the DBCA and its involvement in the town. They have concerns about being hemmed in and 1080 bait, for example, and how that puts pets at risk. Others say that maybe the DBCA has learnt from some of the challenges it has had during consultations. I hope that is the case going forward.

It is heartening to see some of the renewable energy projects. We know there is a project underway to develop a hydrogen hub. With the local car situation, it will be good to have renewable energy driving the town of Denham. We have waste challenges and issues relating to recycling. There is a massive challenge with fish waste. I believe there is 650 tonnes of fish waste every year. That creates issues. The need for a seawall also came up. Seawalls are a big issue. In my home town, a lot has been invested in that, as we see the need to protect beaches from erosion.

We see opportunities arising from the mineral sands mining operations that are underway to the south of Denham. As with all communities, it is really important that we see the people who are working on those mines actually living in the communities. That will be the challenge. I know that the shire is working very hard with Strandline Resources Ltd, the company that is involved in the development of that mine site, to ensure that we see a large number of people live and work in the area, and drive in and drive out of that mine site. We hope that occurs. One of the scourges of our regional towns is that those resident populations are not as large as they could be because we see such a high number of people flying in and flying out while a large number of people from outside those communities stay for only a short term. I do not think that is good for people's mental health or good for the health of the community.

I have committed to people that I meet everywhere I go around this wonderful state and in the Mining and Pastoral Region to be a voice for people in the regions and to bring their stories into this place in ways that do not often occur. We see challenges. For example, I spoke to a St John WA volunteer. Those regions rely on volunteers. They play an important role. I commend the volunteers, the councillors, those who work in the various industries in the town and the leadership that we see right across the region, particularly in local government. I hope that the voices of North West Central and right across the regions are heard more in this place and that we celebrate the wonderful people who live in the regions.

CANNABIS — RESEARCH

Statement

HON DR BRIAN WALKER (East Metropolitan) [9.55 pm]: Members will be quite pleased to know that I have only a few words—maybe more than a few words—to say in a different tone that will take up not more than a few moments of their time. People who know me will understand that at times I have a very interesting point of view. I look at small things; they interest me. Questions arise. I think all of us here have open minds. We must have open minds because in this place we are looking at how we may help our society. We are looking at small things that may be missed by other people—small things that hit our attention. I was interested to hear a point that was brought up in a committee hearing yesterday. I had not the faintest idea that it was important, but it was a very important question in the committee hearing. All of us here have a tendency to be prepared to be surprised by things and ask questions. Having an open mind and asking questions is very important.

It has been a long winter recess and small things have again attracted my attention. This is a study from the Texas A&M University School of Public Health. Members will not be surprised to find out that it is cannabis related. I have to speak about cannabis because it is such an important thing. This study relates to diabetes and cannabis. As a doctor, I had not the faintest idea that cannabis could be of any interest for treating diabetes. Would I give cannabis to a diabetic patient? Yes, certainly I would for neuropathic pain. This study looks at female patients. I have to say to the men in the chamber that cannabis will not cure their diabetes; nor will smoking cannabis cure diabetes in women. Regular use—this study refers to using it more than four times a month on average—of both cannabidiol and delta-9-tetrahydrocannabinol stimulates specific receptors in the endocannabinoid system. This results in—this really blew my mind away—improved glucose metabolism. Women who regularly use not a great amount of cannabis have less chance of getting diabetes.

Hon Dan Caddy: Type 2?

Hon Dr BRIAN WALKER: Type 2. Type 1 is an autoimmune disease.

This is not a niche issue; this is about five per cent of our population. I see this every day in my clinical practice. The numbers are increasing. Over the last 40 years, there has been a fourfold increase in the incidence of diabetes, with 128 000 people in WA with diabetes. That is probably underestimated by 50 per cent, so there could be 100 000 more people with undiagnosed diabetes. It is major. I am not recommending that everybody should smoke cannabis to reduce the chance of getting diabetes, but if people can sway things in their favour, they will have less chance of blindness, dementia, kidney failure, heart attack, stroke and losing a limb.

We are pointing out that having an open mind and asking questions could lead to further scientific research. What I am asking is that we continue that approach in this chamber by having an open mind, looking at what the facts might be and seeing what surprises may come up. We are not talking about a cure; we are talking about an attitude of mind in our chamber and allowing ourselves to explore with open minds what options there may be for improving the lot of the people who live in this state. That is our duty—how we may serve our people. We are not saying that we can cure diabetes with cannabis. We are saying that this is just a link between the disease and the endocannabinoid system—something that I deal with on a daily basis for other problems, such as Parkinson's disease, dementia and autism in children. Wonderful things can happen if we simply explore the endocannabinoid system further. We are saying that more research needs to be done, and I welcome that WA is leading the way in Australia in doing research into the endocannabinoid system. Wonderful things are happening at the University of Western Australia and other universities here. I am praising the researchers, the professors and the students who are looking into this new system. I knew nothing about the endocannabinoid system as a medical student; it is something that has just come up. Opening our minds to the openings that are coming up here will allow us to be more successful in helping the lot of the people who have elected us.

FAMILY COURT AMENDMENT BILL 2022

Receipt and First Reading

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

Second Reading

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [10.00 pm]: I move —

That the bill be now read a second time.

I am pleased to introduce to the house the Family Court Amendment Bill 2022, which will allow separating de facto couples in Western Australia to split their superannuation. Presently, in family law proceedings between de facto couples the Family Court of Western Australia has no power to distribute superannuation interests to reflect the relative contributions of the partners of the relationship. This is because superannuation is a matter governed by commonwealth legislation.

Currently, the Family Court of Western Australia may take into account the value of a superannuation fund held by a de facto partner and offset that value by providing the other de facto partner with a greater share of other assets. However, that may not be possible because the superannuation fund may be the only asset of significant value. As members will be aware, superannuation was made compulsory under the Keating government by the commonwealth Superannuation Guarantee (Administration) Act in 1992. Since that time, increasingly, superannuation savings have become a valuable financial asset and may be the largest single asset in the property pool of a separating couple. In those circumstances, the absence of jurisdiction to split superannuation means that the distribution of assets is unfair to the non-member of the fund, although the non-member, disproportionately women, may have made a valuable contribution to the accumulation of that fund as homemaker and by caring for children of the relationship.

The quest by Hon Jim McGinty, then Attorney General of Western Australia, to secure super splitting for separating Western Australian de facto couples in family law proceedings began even before the commonwealth amended the Family Law Act 1975 in 2001 to provide this benefit to married couples. As Hon Jim McGinty advised Parliament in his second reading speech on 20 October 2005 on the Western Australian Commonwealth Powers (De Facto

Relationships) Bill 2005, the Standing Committee of Attorneys-General agreed in 2001 that there should be a reference of power by the states to the commonwealth in relation to de facto couples. In the case of Western Australia, the reference of power would be limited to the superannuation interests of de facto couples.

In 2003, the Commonwealth Powers (De Facto Relationships) Bill 2003 was introduced into the Parliament of Western Australia, which effected a compromise—a narrow referral of legislative power in respect of heterosexual de facto couples and same-sex de facto couples. That meant that if the commonwealth changed its attitude, legislation would be in place to facilitate superannuation splitting also for same-sex de facto couples. However, the bill lapsed when Parliament was prorogued and was reintroduced in the next Parliament in 2005. It received royal assent on 26 June 2006 and was enacted as the Commonwealth Powers (De Facto Relationships) Act 2006, by which the Parliament of Western Australia referred state legislative power to the commonwealth Parliament confined to the distribution of superannuation entitlements between separating de facto couples in Western Australia. All other matters would continue to be adjudicated under state law according to the provisions of the Family Court Act 1997.

The commonwealth declined to accept the referral on the basis it was too narrow; evidently, it wanted a complete subject referral of all aspects of a de facto relationship to the commonwealth as the other states had done. However, we have our own state Family Court of Western Australia established pursuant to section 41 of the commonwealth Family Law Act 1975 and our own state legislation, which more than once has proven to be a significant advantage.

It was not until strong advocacy by this government that the commonwealth in 2018 agreed to accept and implement the narrow referral of legislative power from Western Australia. The required federal jurisdiction was vested in the Family Court of Western Australia by the commonwealth Parliament's enactment of the Family Law Amendment (Western Australia De Facto Superannuation Splitting and Bankruptcy) Act 2020, which gives effect to the Parliament of Western Australia's referral of legislative power by the Commonwealth Powers (De Facto Relationships) Act 2006 and also confers jurisdiction in respect of bankruptcy when that is relevant to proceedings.

The narrow nature of the referral in respect of superannuation splitting made the drafting of the bill difficult, for both the commonwealth and for us. The commonwealth implemented the referral of power in respect of superannuation splitting by amending the Family Law Act 1975 to include a new part VIIC, which deals only with superannuation splitting between separating de facto couples in family law proceedings in Western Australia. De facto couples in Western Australia will be able to split superannuation by court order or by agreement. Under new part VIIC of the commonwealth Family Law Act 1975, an agreement on superannuation may form part of a wider agreement made under the provisions of the Family Court Act 1997, the state law. Appeals relating to superannuation will mirror the existing appeal pathways for matters under the property provisions of the Western Australian Family Court Act 1997. Since the referral of legislative power was restricted to superannuation with all other matters remaining under the provisions of the Western Australian Family Court Act 1997, it means that in the same proceedings the Family Court of Western Australia will adjudicate under the federal provisions of the commonwealth Family Law Act 1975 and the state provisions of the Western Australian Family Court Act 1997.

The limited nature of the referral resulting in the concurrent proceedings under both federal and state law has presented complex issues of constitutional law. The commonwealth Family Law Amendment (Western Australia De Facto Superannuation Splitting and Bankruptcy) Act 2020 also amends the commonwealth Bankruptcy Act 1966 to enable bankruptcy matters related to de facto couples to be heard by the Family Court of Western Australia concurrently with family law proceedings. Presently, when one of the de facto partners is bankrupt, the bankruptcy proceedings must be heard in Division 2 of the Federal Circuit and Family Court of Australia separately from the proceedings before the Family Court of Western Australia. The changes brought about by this bill will mean that the parties will not only incur less expense than if they commenced proceedings in two different courts, but also may allow for a more equitable distribution of assets than is available to the Federal Court under the provisions of the commonwealth Bankruptcy Act 1966 alone. For example, the Family Court of Western Australia will have jurisdiction to take into account the contributions of the non-bankrupt de facto partner to the property that may not be evidenced in formal ownership documentation. Before the Federal Court, the claim of the non-bankrupt de facto partner may have less priority than that of the creditors of the bankrupt. This is unfair to both the non-bankrupt de facto partner who has made a valuable contribution to the acquisition and preservation of the property and to any children of the relationship.

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 a bilateral or multilateral intergovernmental 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.

I commend the bill to the house and I table the explanatory memorandum.

[See paper [1468](#).]

Debate adjourned, pursuant to standing orders.

House adjourned at 10.08 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

MENTAL HEALTH — PERINATAL AND POSTNATAL DEPRESSION

737. Hon Donna Faragher to the Leader of the House representing the Minister for Mental Health:

- (1) How many women were diagnosed with perinatal/postnatal depression during a period of care in Western Australian public and private hospitals, in the following financial years:
- (a) 2018–19;
 - (b) 2019–20;
 - (c) 2020–21; and
 - (d) 2021–22 (to date)?
- (2) For each financial year referenced in (1), what was the total number of attendances in both public and private emergency departments from a patient with perinatal/postnatal depression?

Hon Sue Ellery replied:

Women are diagnosed with perinatal/postnatal depression in a range of health care settings, including their General Practitioner's office, mental health clinical settings and public and private hospitals.

- (1) The following data represents women diagnosed with perinatal/postnatal depression in public hospital settings. Data from private hospitals cannot be provided as the Department of Health does not own this data.
- (a) 2018–19; 378
 - (b) 2019–20; 352
 - (c) 2020–21; 341
 - (d) 2021–22 (July to December 2021, noting delays with coding data to identify cases); 202
- (2) The total number of attendances in public emergency departments from a patient with perinatal/postnatal depression recorded, were as follows:
- (a) 2018–19; 54
 - (b) 2019–20; 58
 - (c) 2020–21; 51
 - (d) 2021–22 (July to 12 May 2022); 61

KING EDWARD MEMORIAL HOSPITAL — CHILDBIRTH AND MENTAL ILLNESS SERVICE — STAFF

742. Hon Donna Faragher to the Leader of the House representing the Minister for Health:

I refer to the Childbirth and Mental Illness Service (CAMI), and I ask, will the Minister provide a staffing breakdown, by headcount and FTE, of the number of clinicians currently employed within the Service provided at King Edward Memorial Hospital in the following years:

- (a) 2020;
- (b) 2021; and
- (c) 2022 (current)?

Hon Sue Ellery replied:

	Year	Headcount	FTE
(a)	2020	8	0.4
(b)	2021	8	0.4
(c)	2022 (as at 17 May 2022)	8	0.4

HEALTH — GESTATIONAL TROPHOBLASTIC DISEASE

751. Hon Donna Faragher to the Leader of the House representing the Minister for Health:

I refer to the Department of Health and Gestational Trophoblastic Disease, and I ask, in 2020 and 2021, how many women were diagnosed with this disease?

Hon Sue Ellery replied:

	2020	2021
Diagnoses	73	67

CORONAVIRUS — BUSINESS ASSISTANCE PACKAGE

756. Hon Dr Steve Thomas to the Leader of the House representing the Premier:

I refer to the \$72 million Level 2 COVID-19 business assistance package on 2 March 2022, and I ask:

- (a) as at 30 April 2022, how many applications has the Government received for support under this package;
- (b) how many of these applications have been fully assessed to date;
- (c) of the applications that have been assessed, how many have been deemed eligible for support, and how many have been deemed ineligible; and
- (d) as at 30 April 2022, how much of the \$72 million package has been paid out to Western Australian businesses?

Hon Sue Ellery replied:

Information relating to the Level 1 COVID-19 Business Assistance Package, Level 2 COVID-19 Business Assistance Package and the Safe Transition Industry Support Package has been included in this response, as detailed in responses to Legislative Council Questions on Notice 750 and 752.

The three packages consist of a total of more than 20 separate initiatives, which are delivered by a range of State Government agencies. The initiatives include a range of measures, including both direct and indirect business support initiatives. Some initiatives did not require an application and therefore a total number of businesses receiving support under each package is not available. For example, \$3.6 million of support for licensed venues was delivered through the waiver of liquor licensing fees which was automatically applied to relevant license holders.

Level 1 COVID-19 Business Assistance Package

Over 6,000 applications were received for programs within the \$66.8 million Level 1 COVID-19 Assistance Package.

As at 6 August 2022, a total of 5,430 applications were received for the Tenant Rent Relief Scheme (TRRS), with over 52 per cent of applications received in the final 30 days of the program. Of these, 3,957 applications have been approved and \$11.2 million in assistance has been provided to businesses. All completed applications received prior to 1 June 2022 have been processed.

A large number of applications that have been submitted under the TRRS program are incomplete, which includes missing documentation or evidence. The Small Business Development Corporation (SBDC) is unable to process incomplete applications until the required information has been provided by the applicant.

The package also includes targeted support programs for restaurants and bars, nightclubs and other entertainment venues, which are being administered by the Department of Local Government, Sport and Cultural Industries.

The \$5 million Alfresco Support Program received 556 applications, of which 552 have been approved and only four have been declined.

The \$1.8 million Nightclub Assistance Program received 25 applications, of which 17 have been approved and none have been declined.

The \$1.3 million Performing Arts, Theatres and Cinemas Assistance Program received 29 applications, of which 25 have been approved and two have been declined.

Level 2 COVID-19 Business Assistance Package

On 2 March 2022, the McGowan Government announced the \$71.7 million Level 2 COVID-19 Business Assistance Package.

This package consisted of an estimated \$66.8 million Small Business Hardship Grants (SBHG) Program, which has provided \$84.3 million of direct support to businesses as at 6 August 2022—which is above the Government's initial estimate at the time, helping deliver financial support to a larger range of small businesses that were impacted. This was expected as the State Government enhanced its promotion of the program to ensure all small businesses were aware of the support available.

A total of 26,779 applications have been received under the SBHG program, of which 7,879 have been approved and 532 declined. Over 66 per cent of applications submitted were received within the final month of the program, with 42 per cent of applications—almost 12,000—received in the final 14 days of the program.

A large number of applications that have been submitted under the SBHG program are incomplete, which includes missing documentation or evidence. The SBDC is unable to process incomplete applications until the required information has been provided by the applicant.

An expanded approvals team of more than 52 people is processing applications at the SBDC. Their commitment to processing applications as promptly as possible should be commended.

Completed SBHG applications submitted after 1 May 2022 have a processing timeframe of up to 12 weeks. All completed applications received over 12 weeks ago have been processed.

Four applications were received for the \$2.8 million payroll tax relief program for large hospitality businesses. All four of these applications were approved.

Safe Transition Industry Support Package

The \$77 million Safe Transition Industry Support Package was announced on 10 February 2022. The package included nine support programs for the international education, tourism, aviation and events sectors.

A significant proportion of the package were programs designed to support industries and were not payments or grants made directly to businesses. For example, the package included payments to international students to assist with quarantine-related costs, further funding for the Aviation Recovery Fund and an expansion of the Getting the Show Back on the Road Program.

Under the Tourism Support Program, 215 applications to the value of \$3,910,000 have been approved and 41 declined.

Under the Tourism Deposit Refund Program, 34 applications to the value of \$900,411 have been approved and eight declined.

Under the Travel Agent Support Fund, 192 applications to the value of \$2,715,000 have been approved and eight have been declined.

Under the Event Suppliers Support Program, 69 applications to the value of \$1,987,500 have been approved, and 32 have been declined.

HEALTH — CHILD HEALTH NURSES

757. Hon Donna Faragher to the Leader of the House representing the Minister for Health:

I refer to the Department of Health and child health nurses, and I ask, how many child health nurses, by FTE, are currently employed by the Department in:

- (a) Child and Adolescent Health Service; and
- (b) WA Country Health Service?

Hon Sue Ellery replied:

- (a) 170.69 FTE.
- (b) This response relies on a manual collection of data. 75 FTE is the estimated figure.

HOSPITALS — CODE YELLOW

758. Hon Steve Martin to the Leader of the House representing the Minister for Health:

I refer to the three major hospitals declaring a “code yellow” on the same day last week, and I ask, how many “code yellows” have been called in total at public hospitals across Western Australia from 1 July 2021 to date?

Hon Sue Ellery replied:

As per section 8) (a) of the ‘Answers to Additional Questions’ submitted to the *Standing Estimates Committee on Estimates and Financial Operations*.

Code Yellow is used to classify infrastructure or other internal emergencies. WA Country Health Service does not use Code Yellow to denote bed or staff shortages. A Code Yellow notification does not mean Emergency Departments are not able to accept additional patients.

Hospital system notifications change constantly throughout the day as patients move through the system and demands ebb and flow. They are a snapshot at a moment in time and can change status multiple times throughout the day, for mere minutes at a time. The incidence of code yellows is therefore neither a consistent nor appropriate measure of ‘demand and capacity pressures on the health system’.

- (i) North Metropolitan Health Service;

Answer: 237

NMHS	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
Code yellows	24	34	20	32	12	12	10	9	17	21	29	27

(ii) South Metropolitan Health Service;

Answer: 94

SMHS	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
Code yellows	5	6	8	13	4	5	2	9	5	3	15	15

(iii) East Metropolitan Health Service;

Answer: 97

EMHS	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
Code yellows	8	13	5	3	10	10	9	6	3	5	14	11

(iv) Child and Adolescent Health Service;

Answer: 89

CAHS	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
Code yellows	16	17	4	5	1	7	1	5	2	11	11	9

(v) WA Country Health Service;

Answer: 86

WACHS	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
Code yellows	4	10	3	3	10	9	8	9	3	15	7	5

WESTERN POWER — COMMERCIAL PROJECT APPLICATIONS

759. Hon Colin de Grussa to the parliamentary secretary representing the Minister for Energy:

I refer to commercial applications received by the validation unit within Western Power, and I ask:

- (a) how many commercial projects are currently waiting to be assessed at the validation stage since October 2021; and
- (b) how many commercial applications have exceeded the 20 business day timeframe for technical assessment stage since October 2021?

Hon Matthew Swinbourn replied:

- (a) There are no commercial applications waiting to be assessed, as all new requests are allocated and put under assessment within 10 business days of receipt.
- (b) Of 1386 commercial applications assessed from October 2021 to the end of April 2022, 387 assessments exceeded the 20-business day timeframe, noting that customer wait time is included in the recording of business days to complete the application assessment.

PUBLIC HOUSING — WAITLIST

760. Hon Dr Brad Pettitt to the Leader of the House representing the Minister for Housing:

I refer to the public housing waitlist and priority waitlist, and I ask:

- (a) by region, how many applications were on these waitlists and how many people did these applications represent, as at:
 - (i) 30 June 2017;
 - (ii) 31 December 2017;
 - (iii) 30 June 2018;
 - (iv) 31 December 2018;
 - (v) 30 June 2019;
 - (vi) 31 December 2019;

- (vii) 30 June 2020;
- (viii) 31 December 2020;
- (ix) 30 June 2021;
- (x) 31 December 2021; and
- (xi) 31 May 2022?

Hon Sue Ellery replied:

The Department of Communities provides multiple pathways, including public rental housing, to those unable to obtain adequate and appropriate housing through the private sector. It should be noted that most applicants have a roof over their head while they wait to be housed.

Public Housing Wait List (as at June 30 each year):

Year	Wait-Turn*	Priority
2009–10	24,136	3,577
2010–11	23,411	3,251
2011–12	22,871	3,174
2012–13	21,121	2,961
2013–14	20,013	2,889
2014–15	20,127	2,770
2015–16	18,530	2,283
2016–17	16,516	1,590
2017–18	13,912	1,437
2018–19	13,795	1,575
2019–20	14,409	1,944
2020–21	17,194	3,354

*The number of Wait-Turn applications includes Priority listed applications.

[See tabled paper no [1466](#).]

PUBLIC HOUSING — WAITLIST

761. Hon Dr Brad Pettitt to the Leader of the House representing the Minister for Housing:

I refer to the public housing waitlist and priority waitlist, and I ask:

- (a) how many people on these waitlists received the disability support pension as at:
 - (i) 30 June 2017;
 - (ii) 31 December 2017;
 - (iii) 30 June 2018;
 - (iv) 31 December 2018;
 - (v) 30 June 2019;
 - (vi) 31 December 2019;
 - (vii) 30 June 2020;
 - (viii) 31 December 2020;
 - (ix) 30 June 2021;
 - (x) 31 December 2021; and
 - (xi) 31 May 2022?

Hon Sue Ellery replied:

- (a) Applications containing a disability support payment indicates that at least one person on the application receives this payment. This does not necessarily indicate that all people on the application are in receipt of the payment.
 - (i)–(vi) Information of this nature was not collated centrally in reports prior to 2020. Obtaining this data would require manually reviewing individual files and would thus require significant resources.

- (vii) As at 30 June 2020, there were 2,776 applications on the public housing waitlist identifying at least one household member in receipt of a disability support pension or payment. Of these, a total of 508 applications were priority listed.
- (viii) As at 31 December 2020, there were 3,007 applications on the public housing waitlist identifying at least one household member in receipt of a disability support pension or payment. Of these, a total of 662 applications were priority listed.
- (ix) As at 30 June 2021, there were 3,293 applications on the public housing waitlist identifying at least one household member in receipt of a disability support pension or payment. Of these, a total of 826 applications were priority listed.
- (x) As at 31 December 2021, there were 3,585 applications on the public housing waitlist identifying at least one household member in receipt of a disability support pension or payment. Of these, a total of 913 applications were priority listed.
- (xi) As at 31 May 2022, there were 3,816 applications on the public housing waitlist identifying at least one household member in receipt of a disability support pension or payment. Of these, a total of 1,056 applications were priority listed.

CHILD PROTECTION — FORCED ADOPTIONS

762. Hon Wilson Tucker to the Leader of the House representing the Minister for Child Protection; Women’s Interests; Prevention of Family and Domestic Violence; Community Services:

I refer to the Minister’s correspondence, dated 1 February 2022 (Ref: 74-21932), in which the Minister indicated she had requested that the Department of Communities consider the recommendations from the *2012 Senate Community Affairs References Committee report on the Commonwealth Contribution to Former Forced Adoption Policies and Practices* and the *2021 Inquiry into Responses to Historical Forced Adoptions in Victoria*, and I ask, will the Minister please inform the House of the outcome of this review?

Hon Sue Ellery replied:

The Department of Communities is currently considering the recommendations of the *2012 Senate Community Affairs References Committee report on the Commonwealth Contribution to Former Forced Adoption Policies and Practices* and the *2021 Inquiry into Responses to Historical Forced Adoptions in Victoria*.

It is of utmost importance that people affected by these practices are supported and current and future policies and practices consider what has been learned.

HEALTH — HAND SANITISER UNITS TRIAL

763. Hon Martin Aldridge to the Leader of the House representing the Minister for Transport; Planning; Ports:

- (1) I refer to question on notice 646 asked to the Leader of the House representing the Minister for Health and answered on 10 May 2022. I refer again to a media statement by the former Minister for Health on 7 September 2021 announcing a \$1.5 million investment in ten touchless hand sanitiser units, and I ask for the Minister to please table the following documents relating to the market led proposal:
 - (a) concept submission;
 - (b) business case;
 - (c) business case evaluation; and
 - (d) contract executed?
- (2) Now that the six-month trial has concluded, what is the result of the trial?
- (3) Please table any review of the trial that has been provided to the Minister?
- (4) At what locations and for what periods of time was each of the ten sanitiser units located?
- (5) Of those identified in (4), what quantity of hand sanitiser was consumed by each unit during the trial period?
- (6) Has the State Government agreed to extend the trial or the funding beyond the initial six months?
- (7) If yes to (6), please provide details of any extension?
- (8) What brand of hand sanitiser was utilised during the trial and how was it ensured that the product used was safe and effective?

Hon Sue Ellery replied:

- (1) Information on this proposal can be found on the MLP webpage.
- (2)–(8) These questions should be directed to the Minister for Finance, as the Department of Finance is the lead agency for the trial.

HOSPITALS — ADMISSIONS — TERTIARY AND QUATERNARY SERVICES

765. Hon Wilson Tucker to the Leader of the House representing the Minister for Health:

I refer to the finding of the report of the Health Reform Committee of March 2004, based on data from the Department of Health, that less than one-fifth of hospital admissions in Perth tertiary hospitals were for tertiary or quaternary services, and I ask:

- (a) based on the most recent available data, what percentage of hospital admissions in Perth tertiary hospitals are for tertiary or quaternary services; and
- (b) what is the current average bed-day cost in:
 - (i) tertiary hospitals;
 - (ii) general metropolitan hospitals; and
 - (iii) regional hospitals?

Hon Sue Ellery replied:

- (a) Based on the 2021 calendar year, 16.3 percent of multi-day hospital admissions in Perth tertiary hospitals are for tertiary or quaternary services.
- (b) The average bed-day cost, using latest available information (2020/21), is as follows:

Hospital type	Cost per occupied bed-per day
(i) Tertiary hospitals	\$2 589
(ii) General metropolitan hospitals	\$1 861
(iii) Regional hospitals	\$1 991

PUBLIC HOUSING — WAITLIST — DISABILITY SUPPORT PENSION

767. Hon Dr Brad Pettitt to the Leader of the House representing the Minister for Housing:

- (1) How many people on the public housing waitlist at the end of May 2022 received the disability support pension?
- (2) How many people on the public housing priority waitlist at the end of May 2022 received the disability support pension?

Hon Sue Ellery replied:

- (1)–(2) As at 31 May 2022, there were 3,816 applications on the public housing waitlist identifying at least one household member in receipt of a disability support pension or payment.

Of these, a total of 1,056 applications were priority listed. This does not mean that all these individuals in any given household are in receipt of a disability support pension or payment.

POLICE — BICYCLE AND PEDELEC STANDARDS

768. Hon Dr Brad Pettitt to the minister representing the Minister for Police:

I refer to the Western Australia Police Force bicycle fleet and question without notice 455, asked on Wednesday, 19 May 2022, and I ask:

- (a) is the Minister aware nearly all bicycles used by the Western Australia Police Force exceed a width of 660mm, which is in breach of Regulations 404 and 406 of the *Road Traffic (Vehicles) Regulations 2014*; and
- (b) has the Western Australia Police Force bicycle fleet been declared exempt from these regulations:
 - (i) If yes to (2) on what date was this exemption declared?

Hon Stephen Dawson replied:

- (a) Yes.
- (b) Yes.
- (i) 20 June 2022.

SOUTH WEST INTERCONNECTED SYSTEM — GAS-FIRED POWER PLANTS

769. Hon Dr Brad Pettitt to the parliamentary secretary representing the Minister for Energy:

I refer to the Media Release *State-owned coal power stations to be retired by 2030* on Tuesday, 14 June 2022, and the statement “As part of these changes, the State Government has also committed to not commissioning any new natural gas-fired power stations on the South West Interconnected System (SWIS) after 2030”, and I ask:

- (a) are there any plans for new gas-fired power stations on the SWIS between now and 2030; and

- (b) if yes to (a), will the Minister identify:
- (i) how many new-gas fired power stations are planned in total;
 - (ii) how many new-gas fired power stations will be gas peaking plants; and
 - (iii) how many new-gas fired power stations will be gas turbine power plants?

Hon Matthew Swinbourn replied:

- (a) No.
- (b) Not applicable.

MINING ACT — EXPLORATION LICENCE APPROVALS

770. Hon Dr Brad Pettitt to the parliamentary secretary representing the Minister for Mines and Petroleum:

I refer to Odessa Australia Pty Ltd's application for an exploration licence for tenement 04/2697, and I ask:

- (a) will the Minister explain why Odessa Australia Pty Ltd have not given notice of application for an exploration licence for tenement 04/2697 to Traditional Owners who are occupants of the land where the tenement is located, as required by section 58 of the *Mining Act 1978*; and
- (b) will the Minister explain what steps will be taken to ensure that notice of all applications for licences under the *Mining Act 1978*, will be given to Aboriginal occupants of land, where such service is a mandatory requirement?

Hon Matthew Swinbourn replied:

- (a) Odessa Australia Pty Ltd has met the notification requirements of the *Mining Act 1978* (Act).
Odessa Australia Pty Ltd's application for an exploration licence is currently subject to an objection, and is before the Warden's Court.

Following the Warden's consideration of the objection, the Department of Mines, Industry Regulation and Safety (Department) will complete its *Mining Act 1978* compliance assessment. The Department will then notify any native title parties in accordance with the future act provisions of the *Native Title Act 1993* (Cth).

This notice would be provided to the Registered Native Title Body Corporate.

- (b) The Department undertakes an assessment of all land interests intersecting with tenement applications to determine the notification requirements under both the *Mining Act 1978* and *Native Title Act 1993* (Cth).
The Department requires evidence from the applicant demonstrating that they have met any notification requirements. As above, the Department will also notify any native title parties in accordance with the future act provisions of the *Native Title Act 1993* (Cth).

MINES AND PETROLEUM — MOUNT ROE NATIONAL PARK

771. Hon Dr Brad Pettitt to the parliamentary secretary representing the Minister for Mines and Petroleum:

Has the Minister provided consent to Rocky Gully Exploration Pty Ltd (E70/5037) for any prospecting or exploration activity on Mt Roe National Park Reserve 47890?

Hon Matthew Swinbourn replied:

No.

CORONAVIRUS — STATE DISASTER COUNCIL

772. Hon Martin Aldridge to the Leader of the House representing the Premier:

I refer to the State Disaster Council, and I ask:

- (a) since 1 January 2020, on what dates did a meeting of the State Disaster Council occur;
- (b) for each meeting listed in (1), who was in attendance;
- (c) for each meeting listed in (1), what were the start and finish times, by meeting;
- (d) for each meeting listed in (1), on which occasions did the State Disaster Council meet concurrently with the Security and Emergency Committee of Cabinet; and
- (e) for the occasions identified in (d), where the two bodies have met concurrently, has this been for the entirety of each meeting or in part?

Hon Sue Ellery replied:

- (a)–(e) Refer to Legislative Council Question on Notice 773.

PREMIER AND CABINET — SECURITY AND EMERGENCY COMMITTEE OF CABINET

773. Hon Martin Aldridge to the Leader of the House representing the Premier:

I refer to the Security and Emergency Committee of Cabinet, and I ask:

- (a) since 1 January 2020, on what dates did a meeting of the Security and Emergency Committee of Cabinet occur;
- (b) for each meeting listed in (1), who was in attendance; and
- (c) for each meeting listed in (1), what were the start and finish times, by meeting?

Hon Sue Ellery replied:

- (a) The Security and Emergency Committee of Cabinet met on 4 March 2020 from 9:05am until 10:15am and on 15 March 2020 from 10:30am until 11:50am.

Since the establishment of the State Disaster Council (SDC) on 16 March 2020, all meetings of the SECC and SDC have been held concurrently.

The SECC and SDC met concurrently, for the entirety of each meeting, on:

- 18 March 2020 – 7:30am until 8:40am;
- 20 March 2020 – 11:00am until 12:15pm;
- 23 March 2020 – 7:15am until 8:15am;
- 24 March 2020 – 6:30pm until 8:20pm;
- 25 March 2020 – 6:30pm until 8:15pm;
- 27 March 2020 – 1:23pm until 3:04pm;
- 29 March 2020 – 4:10pm until 5:20pm;
- 30 March 2020 – 5:10pm until 6:05pm;
- 3 April 2020 – 11:18am until 12:31pm;
- 7 April 2020 – 12:05pm until 1:45pm;
- 9 April 2020 – 1:06pm until 2:00pm;
- 17 April 2020 – 8:08am until 9:31am;
- 21 April 2020 – 1:05pm until 2:50pm;
- 24 April 2020 – 1:00pm until 2:36pm;
- 1 May 2020 – 11:38am until 1:23pm;
- 5 May 2020 – 12:10pm until 1:34pm;
- 8 May 2020 – 11:42am until 12:38pm;
- 15 May 2020 – 11:05am until 12:06pm;
- 29 May 2020 – 11:00am until 11:45am;
- 12 June 2020 – 11:10am until 12:18pm;
- 26 June 2020 – 11:25am until 12:20pm;
- 10 July 2020 – 11:10am until 12:05pm;
- 24 July 2020 – 11:09am until 12:01pm;
- 7 August 2020 – 11:05am until 12:16pm;
- 21 August 2020 – 11:08am until 12:34pm;
- 18 September 2020 – 11:35am until 12:31pm;
- 23 October 2020 – 11:48am until 1:14pm;
- 30 October 2020 – 9:40am until 10:57am;
- 13 November 2020 – 10:50am until 11:46am;
- 11 December 2020 – 2:30pm until 3:35pm;
- 22 January 2021 – 9:05am until 9:53am;

31 January 2021 – 2:15pm until 3:07pm;
4 February 2021 – 3:07pm until 4:13pm;
5 March 2021 – 9:37am until 10:40am;
9 April 2021 – 10:34am until 11:26am;
29 April 2021 – 5:40pm until 6:39pm;
7 May 2021 – 10:43am until 12:03pm;
4 June 2021 – 10:30am until 12:15pm;
25 June 2021 – 9:15am until 10:25am;
2 July 2021 – 11:05am until 12:20pm;
6 August 2021 – 10:35am until 11:55am;
3 September 2021 – 9:35am until 10:40am;
1 October 2021 – 9:35am until 11:15am;
18 October 2021 – 12:40pm until 2:05pm;
26 October 2021 – 8:30am until 9:27am;
1 December 2021 – 9:00am until 10:23am;
19 January 2022 – 3:30pm until 5:45pm;
28 January 2022 – 8:39am until 11:10am;
4 February 2022 – 8:45am until 11:20am;
11 February 2022 – 8:45am until 10:20am;
18 February 2022 – 8:50am until 10:08am;
28 February 2022 – 11:35am until 12:20pm;
22 April 2022 – 10:35am until 11:45am; and
31 May 2022 – 11:40am until 1:05pm.

- (b) As at 16 June 2022, the standing membership of the Security and Emergency Committee of Cabinet (SECC) was:

Premier (Chair);
Deputy Premier;
Attorney General;
Minister for Police;
Minister for Emergency Services;
Minister for Health;
Minister for Citizenship and Multicultural Interests;
Minister for Defence Issues;
Minister for Innovation and ICT; and
Any other Ministers invited by the Chair.

As at 16 June 2022, the standing membership of the State Disaster Council (SDC) was:

Premier (Chair);
Deputy Premier;
State Emergency Coordinator;
Minister for Emergency Services;
Minister for Health;
Minister for Education;
Minister for Police;
Minister for Ports;

Attorney General;
Minister for Transport;
Minister for Regional Development;
Director General, Department of the Premier and Cabinet (as Executive Officer); and
Public Sector Commissioner.

The Minister for Multicultural Interests and the Minister for Innovation and ICT were members of the SECC and SDC until 1 April 2021. The Treasurer and Minister for Local Government were members of the SDC until 1 April 2021.

Additional attendees at meetings of the SECC/SDC include, but are not limited to, the Chief Health Officer, Director General of the Department of Health, Fire and Emergency Services Commissioner, Minister for Community Services and the State Welfare Coordinator.

Departmental staff and ministerial advisers attend as observers.

(c) See (a).

MINING ACT — EXPLORATION LICENCE APPROVALS

774. Hon Dr Brad Pettitt to the minister representing the Minister for Environment:

I refer to Odessa Australia Pty Ltd's application for an exploration licence for tenement 04/2697 that encroaches into the Windjana Gorge National Park, and I ask, has the Minister given his concurrence for an exploration licence for tenement 04/2697?

Hon Stephen Dawson replied:

No.
