



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2024

LEGISLATIVE COUNCIL

Thursday, 18 April 2024

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## Legislative Council

Thursday, 18 April 2024

**THE PRESIDENT (Hon Alanna Clohesy)** took the chair at 10.00 am, read prayers and acknowledged country.

### CANNABIS — DRIVER IMPAIRMENT TESTING

*Petition*

**HON SOPHIA MOERMOND (South West)** [10.02 am]: I present an e-petition containing 243 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 ...

call on the Legislative Council for an impairment test to be performed by the Western Australian Police Force: — on those people who test positive to THC in a roadside saliva drug test yet are in possession of a medicinal cannabis script. — and for those who pass an impairment test to not be charged with a drug-driving offence.

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

[See paper 3083.]

### PAPERS TABLED

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

### SELECT COMMITTEE INTO CHILD DEVELOPMENT SERVICES

*Final Report — Child development services in Western Australia: Valuing our children and their needs — Tabling*

**HON DR SALLY TALBOT (South West)** [10.03 am]: I am directed to present the final report of the Select Committee into Child Development Services, *Child development services in Western Australia: Valuing our children and their needs*.

[See paper 3084.]

**Hon Dr SALLY TALBOT:** This report represents the final report of the Select Committee into Child Development Services. It is a compilation report made up of two parts. Part 1 is a republication of the committee's interim report. Part 2 consists of the committee's final report. The interim and final reports are here published together, as this is how, in the committee's view, they should be read.

The committee has focused on the specialised child development services provided by the state's public health system. These services are referred to as "CDS" and are provided by WA Health's metropolitan Child and Adolescent Health Service and the WA Country Health Service.

The interim report identified the need for additional funding and resources for CDS. The final report considers and makes recommendations on strategies to improve the accessibility and sustainability of the CDS system. It is widely perceived that CDS providers work in silos. If the CDS system is to be effective and become more accessible and sustainable, WA Health must collaborate better, both internally and externally.

Regarding internal collaboration, the committee considers the development and implementation of a statewide electronic medical record system, the co-location of health services for children in hubs and the positioning of those hubs in places where children are, and how health services for children can be better coordinated.

Regarding external collaboration, three themes emerge from the inquiry evidence: the need for better communication; the benefits of a single, online referral system; and the need for the provision of child development training for external stakeholders.

The committee also explores how CDS providers can interact more, and more effectively, with the Department of Education, the early childhood education and care sector, Aboriginal-controlled health organisations, other non-government organisations and external stakeholders in the assessment, diagnosis and treatment of children with ADHD.

The committee discusses how the presence of certain risk factors can, in some cases, lead to or compound a child's developmental delay. The committee considers how the CDS system is servicing vulnerable populations and whether more could be done. The needs of three vulnerable populations are examined in detail.

Child health nurses are integral to the child development system. They perform the five universal child health checks for all families, as well as providing additional checks and other services if needed. Changes to the scheduling of

universal child health checks in 2017 are not fully supported. The committee outlines the concerns raised and the response from WA Health. There is very poor attendance at the 12-month and two-year-old checks, particularly in the metropolitan area. This can result in the late identification of developmental issues and delayed intervention. The committee examines how WA Health is working to improve families' engagement with child health nurses and what else can be done.

The committee considers the benefits of a more holistic and integrated child development system that harnesses a range of community services. These services include playgroups, early childhood education and care, and child and parent centres. They support healthy child development outside of the CDS system. Importantly, they can provide a line of sight on children from an early age. CDS providers need to maximise the efficiency of their workforce models. The committee discusses various stakeholder suggestions to achieve this and how CDS providers are already modifying some of their care pathways.

The state government will need to ensure the continued availability of a future CDS workforce by collaborating with the commonwealth government, universities and health professional training providers to increase university places for allied health, nursing and medical courses, and practical training placements for those university students and graduates. The committee examines how some of the barriers to achieving those increases may be overcome. CDS providers have a particularly important role in ensuring there are sufficient practical training placements. The committee also discusses and endorses the concept of interprofessional education, which involves learning from and working with people from other disciplines.

The committee considers the need for a high-level implementation team that is dedicated to leading innovation and organisational reform, clear direction from the state government, and a whole-of-government approach to prioritising the health and wellbeing of WA children and their families.

The committee notes that on 9 April 2024, as the committee was finalising this report, the state government announced \$39 million in funding for CDS as part of the 2024–25 state budget.

In its final report, the committee makes 55 findings and 57 recommendations. Hon Donna Faragher makes 10 minority recommendations. The committee has the strong expectation that when the state government provides the promised comprehensive response to the interim and final reports, it will include consideration of both the “now for now” recommendations in the interim report and the “now for later” recommendations in the final report.

On behalf of the committee, I would like to convey our sincere thanks to and respect for Denise Wong, Amanda Gillingham, Sophia Simpson and Laura Ives Hicks for their outstanding work on this inquiry, and record our gratitude for the assistance of the many other Legislative Council committee staff members who worked with us on this inquiry. I commend the report to the house.

### **JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE**

*Eighth Report — Report Review 2023: Examination of selected reports by the  
Commissioner for Children and Young People — Tabling*

**HON NEIL THOMSON (Mining and Pastoral)** [10.08 am]: I am directed to present the eighth report of the Joint Standing Committee on the Commissioner for Children and Young People, *Report Review 2023: Examination of selected reports by the Commissioner for Children and Young People*.

[See paper 3085.]

**Hon NEIL THOMSON:** This report summarises the work of the Commissioner for Children and Young People over the period June 2022 to December 2023. The committee's key functions include the monitoring of the exercise of the functions of the commissioner, as well as the examination of her annual report and other research reports.

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This report by the committee is, in part, fulfilment of that role.

The commissioner has released a broad range of reports over the relevant period. I draw members' attention to several of these, as they are important contributions to our understanding of the wellbeing of children and young people in WA. The first of these is the *Speaking out about girls' wellbeing* report. This report continues the investigation into girls' wellbeing that the commissioner's office has carried out since the first Speaking Out Survey in 2019. SOS19 revealed a disturbing gender gap, between male and female students, with female students consistently rating their wellbeing considerably lower than male students. The current report provides a set of recommendations designed to improve girls' wellbeing. These recommendations are directed to young people, families, other adults and schools. It emphasises that the wellbeing of children and young people is an issue for the whole community.

Another important research report released by the commissioner during the year was *'I just want to feel equal to others': Hearing from trans and gender diverse children and young people in WA*, which relayed the results of consultations with trans and gender-diverse children and young people. The report focuses on the experiences and perspectives of

trans and gender-diverse children and young people, and identifies ways to improve their wellbeing. The commissioner's office received funding to extend the Speaking Out Survey to several groups of children and young people outside the mainstream schooling system. Two reports resulted from these extensions: *The health and wellbeing of children and young people with disability and complex needs* and *The views of home educated children and young people on their wellbeing*. Both reports provide important insights into the wellbeing of these groups of children, and I commend the commissioner and her office on their efforts to reach them.

Finally, the talking about vaping survey and report gives voice to the 3 303 participants aged from 12 to 18 years who gave their opinions on vaping. This is valuable research that I hope will inform policy as we move forward with managing the impact of vapes and vaping on the health and wellbeing of children and young people in Western Australia.

I commend the report to the house.

### JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

#### *Fifth Report — Annual report 2023 — Tabling*

**HON LORNA HARPER (East Metropolitan)** [10.11 am]: I am directed to present the fifth report of the Joint Standing Committee on Delegated Legislation titled *Annual report 2023*.

[See paper 3086.]

**Hon LORNA HARPER:** The report that I have just tabled advises the house of the key activities of the committee for the period 1 January 2023 to 31 December 2023. The committee scrutinises instruments made under statutory delegation. It determines whether the instruments are within power of the authorising legislation or otherwise in breach of the committee's terms of reference. The committee scrutinised 324 instruments, including 148 regulations and 88 local laws during the reporting period. Motions for the disallowance of delegated legislation usually do not proceed if the committee receives satisfactory undertakings. The committee recommends disallowance only as a last resort. During the reporting period the committee received departmental undertakings covering one instrument and local government undertakings covering 38 local laws. The committee tabled one disallowance report, recommending the City of Gosnells Bush Fire Brigade Local Law 2023 be disallowed because it was not authorised by the Local Government Act 1995, was inconsistent with the Bush Fires Act 1954 and contained an unauthorised sub-delegation of legislative power. The committee worked with the Department of the Premier and Cabinet to update the Premier's circular following the commencement of the Legislation Act 2021. It identified several other amendments to make the circular clearer to agencies.

The committee reported its position on cat local laws that were inconsistent with the Cat Act 2011 in its 2021 and 2022 annual reports. It identified further cat local laws of this type during the reporting period. The local laws working group, hosted by the Department of Local Government, Sport and Cultural Industries, met on 4 May 2023. It provided an opportunity for participants to discuss local law issues of concern and a valuable forum to update participants on new developments and initiatives. The committee trusts the matters noted in this report will assist those making delegated legislation understand the committee's processes and requirements.

I commend the report to the house.

### COOK GOVERNMENT — PERFORMANCE

#### *Motion*

**HON NEIL THOMSON (Mining and Pastoral)** [10.15 am] — without notice: I move —

This house notes the inability of the Labor government to overcome the many and significant issues impacting the Western Australian community and calls upon it to use the forthcoming budget to address these issues.

**Hon NEIL THOMSON:** This is a very important motion because we are leading into the very last opportunity for the Cook Labor government to make amends for its seven years of failure in Western Australia. This will be the last budget before the 2025 election. I think that many Western Australians hope that this will be the last budget of a Labor government for some time. So many issues are coming to the fore and the government has failed to deliver services in the way that Western Australians expect, in the richest jurisdiction in the world. Our hospital system is in a mess. It is on life support. Western Australians cannot understand how this government is unable to deliver the most basic services in the richest jurisdiction, with the highest budget revenues in the history of Western Australia.

This motion calls upon the Treasurer, Hon Rita Saffioti, and the Premier, Hon Roger Cook, to make amends for seven years of failure and to focus on the needs of Western Australians because it is the Cook Labor government's very last opportunity. This is a tired Labor government that has failed to deliver the most basic needs and requirements for housing in Western Australia. As was so aptly and professionally prosecuted and identified by the shadow Minister for Housing, Hon Steve Martin, the public housing waitlist in Western Australia is an increasing challenge. This is a tired Labor government that cannot deliver the most basic requirements or supply housing, with massive rent increases in regional communities and now even in the City of Perth. Last year, rents grew by 15 per cent and we had record low

levels of residential tenancy vacancies. The Real Estate Institute of Western Australia released a minor adjustment of the figures the other day, but at such record low levels, the pressure is on for people who want to put a roof over their head.

This is a tired Labor government with no plan to address the crime epidemic. Last night we heard members opposite trying to say that policing has improved in our state. This government has a soft-touch approach to crime, and it has no ability reassure our frontline officers, and they are leaving in droves. This government cannot keep police in the employ of the Western Australia Police Force in the numbers that we would like to keep our streets safe.

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Under this government youth crime is out of control; we have violent crime at almost double the rate it was when this government came into power. This is the last opportunity for any sense of restoration, for this government to make amends in the budget coming forward. Despite my call on the Premier to adjust the budget and make sure it focuses on the needs of people in Western Australia, I have absolutely no confidence that this government is going to be able to do that. This is a government that squandered the boom; it squandered the revenue boom in Western Australia. As I expressed recently in my second reading contribution on the Treasurer's Advance Authorisation Bill 2024, the government is failing to focus on creating the agility we need in Western Australia's economy. It is failing to enable the much-needed pipeline of development to create the next generation of wealth in Western Australia, such that the Chamber of Commerce and Industry of Western Australia says that there is over \$300 billion of projects currently in the approvals pipeline, and this government is unable to focus on that issue. Many of those projects are being delayed and, in fact, many are going offshore because of the regulatory burden that this government—particularly the Albanese government in Canberra with its radical ideas. Its radical ideas have no bearing on the real circumstances of Western Australia's unique economy and unique environment. It is causing much fear and concern in the investor market in Western Australia.

This is a government that is not building the foundations for the future for our children. This is a government that is not building on the basic services that are needed in Western Australia. It is a tired government that is instead leading ever-increasing debt and projected record levels of debt into the future, despite over \$40 billion of windfall gains, if we compare year on year from the time those projections appeared in the forward estimates to the time they are expressed in the budget papers. There is over \$40 billion in windfall gains and despite the promises this government gave back in 2017 that it would drive efficiency into the Western Australian economy and bureaucracy, this government has failed to deliver and it continues to build into bureaucracy. Its focus is on creating offices in Canberra and on building new offices here in Perth. Instead of dealing with the issues of red tape, we saw this government's response to the Vogel–McFerran review. The review was about those issues that are so important to environmental approvals. Out of those 30 odd recommendations, as far as I can tell, only one recommendation has been delivered or announced, which is the establishment of a new office in Perth. That is all this government can do.

We must not focus on bureaucracy; we must focus on delivery. This government cannot deliver a single thing. In my remaining time, I will focus on the health system. The health system is in crisis. This health system is in the worst situation it has been in many decades.

Several members interjected.

**The PRESIDENT:** Order!

**Hon NEIL THOMSON:** The Australian Medical Association stated —

We have increasingly heard stories of people dying waiting to be seen in public hospitals that are operating at breaking point, patients waiting years for essential surgery, and ambulances ramping outside hospitals because there are not enough beds and staff to cope with demand.

That quote was relayed by the Leader of the Liberal Party, Libby Mettam, yesterday in the other place. This is of great concern to the opposition. Our shadow Minister for Health has been raising these issues over and over again. Despite that, we see that this government has run out of ideas.

The only thing this government can do is another trip overseas by the Minister for Health. Instead of finding a solution to skilled worker shortages and our overworked health workers, she took a 10-day taxpayer-funded trip to India to target Indian doctors and nurses, when so many health workers should have had priority. This is a government that can only do trips overseas and is not focusing on the real issues, right now, in terms of the delivery of our health system.

This is a government that sent four ministers to Canberra to go to an empty office where not a single member of Parliament from the federal government attended from outside Western Australia's Parliament—maybe not even a single member of Parliament. There was a \$6 000 opening ceremony without a single stakeholder. We expect that an embassy-type arrangement would bring people in to try to create an interest or a vibe for Western Australia. No, this government cannot even deliver on a vibe, which it constantly talks about. It cannot deliver on anything in Western Australia because this government has failed to focus on the genuine needs of Western Australians.

Western Australians deserve better. Western Australians currently have out-of-control ramping rates. People are left in corridors on beds, waiting for beds to become available, with significant wait times. This is in the richest state in the world. If Western Australia were a country, it would rank among the very richest per capita in the world. This is a state with record revenue coming into the coffers year after year—\$40 billion windfall gains, and the state cannot deliver. This is a government that focuses on vanity projects and will not even answer the questions of the opposition and answer questions about the true costs and cost blowouts of those projects. This government will not talk honestly to the people of Western Australia about delays on projects, which are costing us more and more. This is a government that cannot plan. We saw the incredible flurry of activity to fit the time line of the Metronet project around an election cycle. We spoke to people in the development sector, who said it was hard to get skills in Western Australia to build important apartments to keep a roof over the heads of Western Australians because the government had soaked up the skills. Instead, this government has thrown caution to the wind and only focused on vanity projects so it has some ribbons to cut in the lead up to the March 2025 election. The people of Western Australia will see through it.

This is a boom that the people of Western Australia are not feeling. This is a boom that people of Western Australia do not see on their tables or when they go to hospital or when they queue for rental accommodation. This is not a boom that the people of Western Australia are feeling; this is a boom that only the Western Australian government and the Western Australian Labor Party are feeling as they travelled to India, as they travelled to Canberra, and as they make sure they call in favours for new events so they can go to corporate boxes and hang out with the elites of the state and enjoy free events with key players who come to Western Australia. This is the sort of boom that the Western Australian government seeks to have and the Western Australian Labor Party is enjoying. It is the boom that the people of Western Australia deserve to feel.

In January of this year, 50 clinicians from St John of God Midland Hospital wrote a letter, which stated —

We as the clinicians are desperate and are exhausted.

Listen to that for a moment —

We as the clinicians are desperate and are exhausted.

That is a plea for help from those important frontline people in our health system. It continues —

We are working in a ticking time bomb, another Aishwarya incident will happen.

Those are the words of health professionals who wrote that letter this year.

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This is our challenge. Last year, ambulances spent more than 52 000 hours stuck outside hospitals. Last night, members opposite expressed outrage over some of the comments I made during my contribution to the Treasurer's Advance Authorisation Bill 2024 and said that I was gilding the lily about the record of the Barnett government in health, which was exemplary. In 2016, the Barnett government focused on service delivery despite the extraordinarily low price of iron ore. This government has never had to face a crisis like that; it has never had to face a spot price for iron ore of under \$US40 a tonne. This government has simply been the beneficiary of the \$400 billion private sector investment that was driven by the amazing approval systems that the Barnett government put in place so that we could deliver a functioning economy as we waited for the recovery of the iron ore price. This Labor government has squandered its \$40 billion windfall surplus on vanity projects, its own endeavours.

**Hon Pierre Yang** interjected.

**The PRESIDENT:** Order, member! Clearly your interjections are not hitting the mark. I suggest you refrain.

**Hon NEIL THOMSON:** Thank you, President.

This government has never had to face the challenges of an iron ore price below \$US40. It has never had to face the difficult challenge of the GST rolling backwards to such a low level that it was down to around 40¢ in the dollar. That, and the considerable advocacy by all Western Australians and members across the chamber, led to the reform by the coalition government. The bipartisan advocacy to the federal coalition government led to the floor price that now underpins the ongoing revenue streams in the Western Australian economy and preserves some level of protection against the profligacy of spending by this highest spending Treasurer in the history of Western Australia.

Surgery waitlists in Western Australia, the richest jurisdiction in the world, continue to grow. There has been a 55 per cent increase in the number of people on elective surgery waitlists. In 2017, the elective surgery waitlist was just under 20 000 cases. We can do the comparison. When will the Western Australian Labor government admit that its criticism of the Barnett government with 10 000 hours of ambulance ramping is a stellar achievement? There were distortions of the truth in the lead-up to the 2017 election. Here we are, with 52 000 hours of ambulance ramping and those poor patients stuck outside hospitals waiting to be seen in an emergency department to receive treatment. The Western Australian health system is groaning under the pressure of neglect and failure by the Minister for Health, Hon Amber-Jade Sanderson.

It is unacceptable—absolutely unacceptable—that 10 000 children are waiting to access a paediatrician in the metropolitan area. This figure was obtained last month. We understand that the wait times for paediatric services can be up to two years. We have seen how this Labor government has operated in the positioning of the women’s and babies’ hospital. Instead of taking advice from clinicians and professionals, the planned build will be located many kilometres from the Perth Children’s Hospital, which will be a suboptimal outcome for the women, babies and children of Western Australia and present a huge challenge going forward.

The waitlist for primary school-aged children has jumped by 2 200 children. The median wait time has gone from 17.8 months to 21.3 months in the year since February 2023, just in 12 months, and at a time when we continue to see the additional surpluses, as projected in the midyear review, rolling through the door. This government is tired, out of ideas and failing. How can it be in almost the richest jurisdiction in the world that our health system is failing so badly? How can it be in the richest jurisdiction in the world that we are seeing record levels of violent crime and police officers leaving the Western Australia Police Force in droves? How can it be in the richest jurisdiction in the world that people are lining up for those rare opportunities in our rental housing market and sit for years on the social housing waitlist? How can it be in the richest jurisdiction in the world that we are seeing an incredible rise in the cost of living, with families struggling to meet the most basic of needs and demands?

**HON PETER COLLIER (North Metropolitan — Leader of the Opposition)** [10.36 am]: I stand to support the motion. Most notably, I stand to support it with regard to my two areas of responsibility; that is, police and corrective services. The government must address these two areas in the forthcoming budget because they are in crisis. The cover of COVID has risen; the shield of COVID with regard to crime has lifted. The government talks about a reduction in crime. Yes, drug use has reduced. Why? Because the borders were closed. What about domestic violence? We have the highest rate on record according to the government’s figures, not ours. In the regions, we have the highest crime rate on record according to the government’s figures, not ours. What about crimes against the person? We have the highest rates on record. Why? Because, quite frankly, you guys have taken your eye off the ball. The government talks about an additional 950 police officers by 30 June this year. The government will not get anywhere near that number. We have heard ad infinitum from the Minister for Police, “We’ll definitely get there, we’ll definitely get there. It’s not a problem.” Every time I have espoused concerns, the minister has accused me of scaremongering, undermining the police et cetera. Rubbish! I was out there listening to police officers. Believe it or not, police officers have talked to me, and they are not happy campers at all. There have been mass resignations from the police force—mass, like nothing seen before. More than 1 000 police officers have left the force in the last two years, which is against the annual average of 150 a year. Think about that, guys. One thousand police officers did not like what they were getting under the Labor government. The government has to do something to address that issue. The minister has constantly said that those resignations are entirely attributable to the economy and other opportunities. He had his speaking notes and that just rolled off his tongue whenever someone put a camera in his face. That really upset the police; they are not happy at all. They said, “No, it’s not that, mate.” There are other issues within the police force and the government that need to be addressed. I will talk about this at length during my budget reply contribution. If the minister thinks that that is the reason that most police officers leave, he is deluded—absolutely deluded. The government will not get there; it is about 500 short of 950 officers. Yet, on 1 February this year, the minister stood in front of a media conference and said, “We are definitely going to achieve that 950.” One month later, he said, “Oops, no we’re not. We’re not going to get the 950. I’m going to do a review.” That is the response I got in the chamber, which, if members were listening, they would have heard. Listen! The police are desperately calling out for assistance. If members opposite do not want to take my word for it, I have an excellent opinion piece from the president of the WA Police Union from just a couple of weeks ago. I will not read the whole lot, but I will read part of it. It reinforces the points I have been making for the last three years.

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It states in part —

In 2020, the State Government promised WA that the police force would be bolstered by 950 extra officers above normal attrition by this year. As of today, WA Police are about 500 officers short of that target.

At the end of June, there were 6845 sworn officers. At the time, WAPU estimated WA Police would need a net gain of 892 sworn officers over the following 12 months if the McGowan/Cook Governments’ promise of 950 additional officers was going to be met by June this year.

The minister recently said he visited every policing district across the State and reported that officers are very “happy in the service”. Unfortunately, officers are all too aware of the backlash if they breach police regulations by speaking out to a Member of Parliament.

I will have more to say about that, at length, in my budget reply speech. It continues —

Police officers are leaving in droves, and if one reason could be stapled to the issue, it would be low morale. Officers are being given the bare minimum, and being asked to achieve the same as if the force were at full strength.



It goes on to say —

We are over 500 officers short of the Government's promised full time strength expected by June 2024, but then you add in the officers who are on career breaks, long-term sick leave, secondment to other sectors and the result is a bleeding force trying to do the best they can.

It finished with —

The low morale of our police officers is a combination of many factors, but lack of compensatory acknowledgement from this Government is the worst one.

It is imperative our officers are genuinely listened to, and immediate action is taken by the State Government and WA Police Force. A failure to do so will lead to a disseminated force; this cannot happen for the sake of the community of WA.

I could not agree more; that is what I have been saying for three years. Apparently, the police union and I do not know anything; the minister knows everything. However, the minister had to eat some humble pie in the last month and acknowledge that he had in fact been wrong for the last four years.

The other area that is absolutely haemorrhaging and has been handled appallingly by the government is corrective services. The government knows that it is low-hanging fruit. Out there, it is not a vote winner, so it does not really matter. Just ask corrective services workers whether they are happy. We had to FOI the census because this open, transparent government would not give us the results of the census from the public sector. The census found that 79.3 per cent would not recommend corrective services as an occupation; 20.7 per cent would. That is damning. More importantly, there are issues right across the board. I have been getting a plethora of concerns about bullying, sexual harassment and a lot of other areas from Bunbury, Broome, Kalgoorlie—a whole raft of areas. I am going to table a petition to that effect in here shortly. The worst issue of all, of course, is with regard to juvenile justice. The Labor government should hang its head in shame. When hundreds upon hundreds of juveniles are attempting suicide every single year, you have a problem. Of course, that is just one part of it. When an officer stands and points a gun at the head of a 16-year-old Aboriginal girl and thinks that that is acceptable, you have a problem. That is a real problem. Unfortunately, I say: rest in peace, Cleveland. Cleveland Dodd took his life last year because you guys would not listen to the issues about unit 18. You would not listen. If you had listened, that young man might be alive. At this stage, hundreds of juveniles in unit 18 and Banksia Hill Detention Centre have attempted suicide. That has happened in the first three months of this year. That place—unit 18—must be closed. It was meant to be temporary. In your own words, it was a temporary facility. At an estimates hearing a couple of months ago, we were told that the new facility is not going to be up and running for another two or three years. How many more lives will be lost under your guidance before you wake up? Go and read what was said in the coroner's hearing last week into Cleveland's death. It was haunting—absolutely haunting. I am going to read an extract from an analysis piece from ABC online news that pretty much captures all the issues with regard to unit 18. All I can say is that it is an excellent, well-written article. It is everything that I have been saying for the last three years. I have been consistent on this issue, as has every juvenile justice advocate in Western Australia. The article reads —

Behind cement walls and metal doors, children are locked away for more than 20 hours a day.

Sometimes they're let out for an hour. Sometimes, for that hour, all they can do is walk up and down prison corridors.

These children live in inhumane and unlawful conditions, and it is all happening in Western Australia.

A coronial inquest into the death of Cleveland Dodd, the state's first recorded death in youth custody, has given the public a first hand account inside the notorious Unit 18.

But they are children.

Children kept in a section of a maximum security adult prison.

...

In July 2022, shortly after Unit 18 was gazetted, then-Corrective Services Commissioner Mike Reynolds described it as a "short-term youth detention centre" ...

The coroner's court has heard otherwise.

The "cohort of high-risk male detainees" put in Unit 18 are virtually all at risk of self-harming or suicide, a nurse told the inquest.

Yet, over and over, the inquest heard from the people working inside that it just wasn't possible to ensure their safety.

It wasn't possible to ensure people like Cleveland didn't hurt themselves.

"It would seem that Unit 18 and what it was designed for, is not what it was used for," Coroner Urquhart said.

**‘A leaky boat’**

Preventable, avoidable and a tragedy.

Those were the words Cleveland’s mother Nadene Dodd continually heard being used to describe her son’s death.

Inhumane, war zone and a leaky boat destined to sink. Those were the words used to describe Unit 18, by the people who worked inside it.

...

In the past, the state government has been at pains to make clear that Unit 18 was a youth detention wing, and not an adult prison.

Now the inquest has heard that distinction meant Unit 18 did not have access to any of the necessary facilities the adult prisoners had.

No mental health team, no intensive supervision units, and no dedicated medical space.

But that’s where the government decided to send our most troubled youth.

It goes on; I do not have time to finish it. Unit 18 is a disgrace. The government needs to close it today.

**HON TJORN SIBMA (North Metropolitan)** [10.46 am]: I stand to support this excellent motion, this timely motion and this balanced motion moved by my colleague Hon Neil Thomson. The facts are incontrovertible. There are always problems for any government to deal with, but, over the course of my adult life, I have not seen this combination or, to quote a word used recently, omnishambles of competing dysfunction that is going unaddressed.

**Hon Sandra Carr:** Oh, come on! That is an inappropriate use of that term. What a disgrace. What a way to use that word. It’s disgraceful. You should be embarrassed. Sit down now.

**Hon TJORN SIBMA:** President, I make the observation that the word “omnishambles” is a combination of Latin and English. It has been popularised in popular culture. Yes, it was a word used by Justice Lee in his excellent judgement the other day. If I could categorise the problems bedevilling Western Australia —

**Hon Sandra Carr** interjected.

**The PRESIDENT:** Order!

**Hon TJORN SIBMA:** Thank you, President. I am at liberty to choose any word I wish.

**Hon Sandra Carr:** Yes, but you are still responsible for the use of it. Disgraceful! Absolutely disgraceful!

**Hon TJORN SIBMA:** Unfortunate as it is, I think the interjections, flailing as they are, are indicative of the core problem here—an inability to grasp the fact that things have gotten worse in Western Australia in health, mental health, education, law and order, youth, justice, child protection, housing and social housing. On every key metric, every key service line, that this government is responsible for, it is failing to deliver. It is failing to meet community expectations and community standards. It is an obligation of not only an opposition or a crossbench, but also members of government of professional and personal integrity, to identify that there are problems in Western Australia, and, frankly, very serious ones. What strikes me about this motion, though, is that we have to continually drag the government kicking and screaming to face up to the responsibilities of government. One can talk to the facts about the increase in the number of assaults, a broadening and growing incarceration rate, public hospital elective surgery waiting lists and the like.

<006> H/2

I have now formed the view that the government is impervious to the fact that it will not look itself in the mirror. The more useful question might be: why is it that in the face of these facts, the command of both houses of Parliament and an enormous budget, the government refuses to face the facts? One reason might be that there are members of the government who refuse to deal with reality and engage in the fundamental disciplines, obligations and duties of being a member of Parliament. For example, the member for Carine. The reason the government is not dealing with issues is because some of its members refuse to engage with their constituents. I quote from page 12 of today’s *The West Australian*. I will not quote the entire article, but there are some phrases that I think would do us all well to reflect upon.

**Hon Darren West:** Be careful.

**Hon TJORN SIBMA:** I am quoting from a published document. I do not know why I would need to be careful.

**Hon Darren West** interjected.

**The PRESIDENT:** Order!

**Hon TJORN SIBMA:** In reference to the member for Carine, the article states —

His electorate office on Beach Road shares a building with nearly a dozen businesses, with one tenant claiming it is locked even during business hours.

Members of the public must request access through an intercom and cannot see into the office.

A staff member who works for a business in the same building said some constituents had gotten angry because Mr Lilburne was never available.

“I’ve seen the local MP attend the offices about four times in the last year, and we’re at the premises all day, every day,” the tenant said.

“They insist and force members of the public to speak through an intercom. They actually don’t have an open office to the community ...

...

The neighbouring tenant said he had heard one resident “shouting and getting quite aggressive ...

“The rest of the building has completely opened tenancies with normal office doors,” ...

The journalist who wrote the story did a compare and contrast and went to visit other offices of members of Parliament that were open. When confronted with this fact and when asked for comment, to contribute to a fair and balanced article, what did the member for Carine do? The article states —

The West contacted Mr Lilburne for comment, but he said he was “not available” and hung up the phone.

His response to an accusation of being unavailable to his community was met with that beautiful quote. That distils the problem. The lack of self-awareness demonstrated by this member absolutely underscores the thesis of my contribution that the reason perhaps nothing useful is being done to remediate —

**Hon Martin Pritchard:** Member, just because it’s in the paper doesn’t mean it’s true.

**Hon TJORN SIBMA:** It has not been challenged. Going by my personal experience and that of my colleague Hon Peter Collier, can the member guess what we deal with? The constituents that that member refuses to deal with. We know it. We have known it for years. Part of the problem is this. The government won an enormous majority, but, frankly speaking—I have grown up in Carine, my parents live in Carine, I know the area well—the people of Carine did not necessarily vote for the member for Carine, Paul Lilburne. They voted for Mark McGowan. The great irony is that for all those members who won their seats on the basis of standing next to a cardboard or corflute life-size cut-out of the ex-Premier, that cardboard cut-out had more energy, capacity and ability to engage with the community than the members that that cardboard cut-out helped to elect. Western Australia deserves better than this. The electorate of Carine deserves better than this. The best thing that those constituents could do, come the election, is to vote for someone of integrity, capacity and energy—my friend Liam Staltari. We need to vote for the Liberal Party. This is the only course of correction because the government refuses to live up to its responsibilities. I tell all Western Australians that if they want a change, if they want a health system that works, a police force that works or anything to work, vote Liberal in March 2025.

Several members interjected.

**The PRESIDENT:** Order! You were very close there.

**HON STEVE MARTIN (Agricultural) [10.55 am]:** I also rise to support this excellent motion from my colleague Hon Neil Thomson. It is a very timely motion with the state budget just around the corner. This motion refers to the various issues confronting this state government, and there are many.

Before I get onto the substantive motion before us, I want to reflect on discussion in this place last night about the Treasurer’s Advance Authorisation Bill. We received a history lesson from various members and it always amuses me how often, after seven years, members opposite still refer to the Barnett government. Those members are in charge, and they have been for seven years, but whenever this matter comes up, they refer to the Barnett government, and they continue to do so. Hon Darren West painted the Barnett government as having the worst financial management record in Australian history. I lived in Victoria in the 1980s. John Cain and Joan Kirner are names that will probably ring a bell for members opposite. In 1992, Victoria’s state debt was \$32 billion, in 1992 dollars. The most recent Victorian government has tried very hard to match that outstanding record. The Victorian debt is currently \$126 billion and heading towards \$250 billion by 2027. I just thought I would give members opposite a brief glimpse of history.

I move on to the issues before us and I will make some remarks about housing, which is my shadow portfolio. More grim news was revealed in the Parliament recently regarding the social housing waitlist. As at 31 March 2024, there are now 20 132 applications on the public housing waitlist representing 35 924 Western Australians. This includes 5 327 priority applications representing 10 392 people. Not everyone on that waitlist is homeless or in desperate need of a home tomorrow, but it is a very good indication of the need for social housing. The government’s priority waitlist now tops 10 000 people. We know that people on that priority waitlist are desperate for a home and will wait for years. Despite being identified by this government as a priority, it is a wait that will last years, very sadly. That is very disappointing for those people.

Interestingly, we have been asking this question in the house now for some time. Hon Dr Brad Pettitt and I regularly ask for an update on the list and it is received, but the answer now comes with a caveat or a rider, and this happened quite recent. The answer I received to my question without notice on Tuesday, 16 April states —

The number of individuals represented on public housing applications should be read with caution —

That is one way of describing it —

given that individuals may be counted on multiple applications. The Department of Communities advises that there is double counting in this figure.

We actually do not know how many it is, but I guess that is the minister's way of saying that it is a big number, but it is probably less than that. We thought we would check how many people have been double counted.

<007> A/4

This is the response we got yesterday —

Double counting is present as part of the waitlist's composition, given that an individual may be listed as a householder on more than one application at any one time; this is why it does not form part of regular verified reporting.

That is possibly fair enough. It continues —

It is not possible to confirm the extent of double counting without a manual review of individual files.

The vast resources of the Department of Communities simply cannot work out how many people it has on two, three, four or five applications. This is the department that is managing that waitlist. That is extraordinary. It might be a task for the housing supply unit to look into—that unit that is apparently well-funded and well-staffed but slightly short on desks. It should have leapt into action by now. It was announced by the Treasurer last October, and I am sure it is about to do some good work. It might know how many are being double counted.

One of the reasons that the state Labor Party finds itself in this position with social housing is its appalling record on delivery. Again, in response to a question I asked in this place recently, we received the number. After seven years of Labor, we have 114 more social homes than we had in 2017. That is 16 a year that it has added. Is it any wonder that the social housing waitlist continues to grow? The minister says it often enough that people are falling for it: "I'm adding thousands of social homes a year." In fact, at a meeting of local governments that Hon Shelley Payne and I attended recently, she quoted a figure of 2 000 new social homes that had been added. The people who were interested said, "Gee, that's a good number." The minister keeps saying it: "We've added 2 000." The actual numbers that I have received indicate that as of 30 June 2017, the total housing stock was 44 087 and as at 31 March 2024, it was 44 201. That is 114 more homes. They are the best efforts of the Western Australian Labor Party. Again, this comes with a rider. It comes with an excuse —

The Cook government has inherited significantly ageing and derelict stock from the former Liberal–National Government, including Brownlie Towers, where there was more than 160 derelict apartments counting to overall housing stock.

I assume that what happened was the Labor Party came to power in 2017, quickly identified all that appalling housing stock, apparently, and immediately leapt into action. In 2017, it found that the place was a mess and leapt into action and sought to fix the problem. Here is what it did. The best work of the Labor Party is on display in its social housing new build completions from 1 July 2017 to 30 November 2023. In 2017–18, it built 52 homes. It identified that the place was a mess and a disaster and it leapt out and built 52. In 2018–19, which was a particularly quiet year, it did 20, or one every couple of weeks. It was still working out the scale of the problem. In 2019–20, it did 47. Things were humming. At peak activity in 2020–21, the Labor Party did 93. It has scaled up a little bit since then and we have finally got past where we were in 2017. After seven long years, we are 114 in advance of that number.

The Minister for Housing has recently identified one of the reasons for what is going on, and this is a direct quote from the minister when he recently unveiled the seven new quite expensive apartments in Hamilton Hill that have been added to the social housing stock —

"I don't think it's clocked with all Western Australians yet that we are the fastest growing state capital, with 220 people coming to Perth and Western Australia each day."

Minister Carey, Western Australians know exactly what is going on in the housing market. It might have just occurred to him that this is happening, but Western Australians absolutely know that the rental vacancy rate continues to be well under one per cent. Two to three per cent is normal. There are almost no places to rent, rents are rising, the social housing waitlist continues to grow month on month, and new starts are not happening. I think there are 3 000 homes for sale in a city of a couple of million people. Western Australians are well aware of what is happening in the housing space and expect more from a Labor Party that makes promises.

Very quickly, on land supply, how do members think the 12 sites that were identified as part of the lazy land housing diversity pipeline and announced on 18 February 2022 as a solution to land supply in Western Australia are going two years later? I believe one of those sites has been developed and has moved forward, but not to completion. Two years later, there are no homes on the ground. They are moving ahead very slowly. The Labor Party has plenty to do and we expect more in the state budget.

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [11.05 am]: Normally, in these debates on a Thursday morning, I can take copious amounts of notes to respond to, but I did not write that much down this morning. I can inform the house of and respond to two things that were raised by the mover of the motion. The first is the assertion that the Cook government, and the McGowan government before it, cannot deliver on anything. That is an invitation for me to tell members the things that we have delivered, so I will. The other matter raised by the mover of the motion was the efforts of the Barnett government in its last budget before the 2017 election, so I am going to have to respond to that as well. Hon Tjorn Sibma also made the point that facts are incontrovertible, and that I agree with, so I am going to give the house some facts about our achievements and some facts about the Barnett government's budgets and, in particular, where it left us with its last budget before the 2017 state election.

To start at the beginning, the Liberal–National government left us with a budget predicated on yearly rises of seven per cent in electricity prices and six per cent in water prices, on top of net debt being on a path to \$44 billion. Power and water prices were expected to rise by \$200 a year in its last budget. The then government was planning to sell assets worth around \$5 billion, including Western Power. The then Treasurer, Mike Nahan, called it a budget for tough times and blamed the state's soaring debt on the plummeting iron ore price and the Barnett government's inability to secure a better share of the GST. The then Premier, Colin Barnett, enjoyed a once-in-a-lifetime opportunity with the mining boom revenue, only to squander it, with a record level of debt that was described at the time as taking a decade to recover from. It projected land tax and payroll tax increases and selling off assets to pay for it. That well-known left-wing think tank—that is irony for the purposes of *Hansard*—the Centre for Independent Studies found that WA had passed just one of the 10 key budget indicators over the previous three years. And, of course, it lost the AAA credit rating from all the major ratings agencies.

The proposition behind this motion is that our government has failed to deliver anything over the past seven years. I am not going to have time in 11 minutes and 55 seconds to list all the things we have delivered, but I can certainly do my best to list some. In terms of jobs, which is at the core of what Western Australians want for themselves and for their kids, we have created more than 250 000 jobs, despite COVID-19 causing one of the biggest global economic shocks since the Great Depression. Historically, we have had low unemployment and the lowest underemployment rate of any state in the nation. We passed the Western Australian Jobs Act to maximise opportunities for Western Australian businesses on government projects. We have restarted railcar manufacturing in WA after the Liberal Party shut it down in the 1990s. We have invested over \$37.8 billion in this term of government in economic infrastructure and diversification so that we continue to be the nation's powerhouse of jobs and the economy. On the cost of living, we have delivered at least \$1 400 in household electricity credits to every Western Australian household since 2020, providing direct cost-of-living relief to WA families. We have made travelling in our suburbs cheaper through the two-zone fare cap on public transport. We have introduced the regional airfare cap, making airfares far more affordable for Western Australians. We have introduced the WA rent relief program to help financially vulnerable tenants at risk of eviction to remain in their own homes.

<008> S/4

Of course, we did not proceed with the Liberal Party's plan to privatise our energy system. Have we not seen how well that has worked out for energy consumers on the east coast? We have prevented skyrocketing increases in our household power bills.

We have invested a record \$2.6 billion in housing and homelessness, already delivering more than 1 650 social homes, with another 1 000 under contract or construction. We have increased housing supply by investing \$150 million in grants for community housing across the state. We are supporting regional housing via the 80 million infrastructure development fund, the remote communities fund, unlocking lazy land and major planning reform to cut red tape. What was the Liberal Party's position on those major planning reforms? It opposed them! To boost housing supply, we are subsidising apprenticeships and supporting businesses to bring in skilled workers to boost our construction workforce and get more homes built.

We have a record health and mental health investment, with an unprecedented \$10 billion in new funding over the last three years. We have the highest level of health funding per person of any state in the nation. We have added 571 new beds to the system in the past two years. That is the equivalent of a whole new tertiary hospital. Despite global health workforce shortages, we have increased our health workforce by almost 25 per cent. That includes almost 3 500 new nurses and nursing support staff, 1 350 new medical FTE and more than 1 500 new allied health worker FTE. We have committed to introducing nurse-to-patient ratios, starting at the Perth Children's Hospital emergency department. We have cut ramping by 21 per cent in 2023 compared with 2022, and there has been a 44 per cent reduction in December 2023 compared with December 2022. We have delivered a record number of elective surgeries and procedures to reduce elective surgery waitlists.

We are recruiting an additional 1 100 police officers across WA, with 300 people in training at the academy right now. I will run out of time to address all the matters that I want to because we have achieved so much.

In terms of the economy, we have stood up to Canberra and got back our fair share of the GST. We regained our AAA credit rating, which was lost under the Liberals. The irony of the party that puts itself up as the conservative managers of the state's finances losing the AAA credit rating. That myth is busted! Labor governments in Western Australia have reinstated our AAA credit rating, consistently delivered strong economic growth, and invested a record \$33.9 billion in infrastructure to deliver jobs and to benefit Western Australians for generations to come.

Most recently in education and training, the school assistance program has been incredibly well supported and taken up, providing real, practical assistance for parents with school-age children, whatever part of the education system they are in. In partnership with the Albanese government, we have boosted funding to public schools by \$1.6 billion, with 130 fee-free TAFE courses across a key range of industries. We delivered the biggest investment in TAFE capital works in WA history after decades of neglect, and after the previous Liberal–National government put training at TAFE beyond the financial capacity of ordinary Western Australian families.

Since 2017, we have delivered 30 new primary schools and nine new secondary schools, with more to come. We are upgrading, refurbishing and redeveloping schools across WA.

On social policy and reform, we have passed historic reforms that have fully decriminalised abortion. We introduced and expanded Target 120, which is an early intervention strategy for at-risk young people aged 10 to 14 years, to turn their lives around and improve family and community safety. We delivered our first 10-year homelessness strategy and removed the statute of limitations for historical child sex abuse. Yesterday in the Legislative Assembly, we introduced significant legislation around the Gender Reassignment Board. I have to note, as a sidebar, the appalling performance in our chamber last night. It is one that I think should make the rest of us embarrassed that we have to share the chamber with the person who made those comments last night.

On Metronet and transport, we have delivered 72 kilometres of new rail, 23 new stations and returned railcar manufacturing to Midland, with the reestablishment of the Bellevue railcar facility, which will build 246 of our Metronet C-series railcars and six new diesel railcars for the Australind. We have delivered major roads around Perth and throughout regional Western Australia, boosted cycling with principal shared pathways around Perth and introduced the one-metre safe passing rule for cyclists.

On the environment, we committed to net zero emissions by 2050 and making it law, and retiring state-owned coal-fired power stations by 2030, which will reduce the state government's carbon emissions by 80 per cent. We are implementing our nation-leading Plan for Plastics to phase out single-use plastics, as well as the Plan for Our Parks, which is our vision to create five million hectares of new national and marine parks to protect the environment for generations to come. We also ended the logging of our magnificent south west native forests.

I will not have time to go through all the significant policy procedures and funding we have put in place throughout regional WA, but we have delivered record investment in regional WA, including \$11.2 billion on infrastructure and \$2.7 billion over the next four years to subsidise power and water bills for regional Western Australians. We will upgrade 8 500 kilometres of regional roads by the middle of this year under our regional road safety program. We delivered upgrades and maintenance at every public regional school as part of our school maintenance blitz. We guaranteed the future of royalties for regions, as promised, with \$4 billion allocated to the program over the next four years.

In the few minutes that I have left, I want to turn to a couple of cost-of-living measures because I think they are incredibly important. I reiterate that the WA school student assistance payment provides \$250 for every secondary student and \$150 for primary and kindergarten students to help families with school expenses. It is a direct payment to families. I note—it is worth the house noting as well—that the Western Australian Council of State School Organisations, the peak body that represents P&Cs at public schools, noted on its Facebook post that the program will assist parents with the cost of school essentials like books, IT equipment, sport and music costs, stationery, shoes, uniforms, excursions, and camps.

**Hon Peter Collier** interjected.

**Hon SUE ELLERY:** Honourable member, parents have costs in every term in the school year.

Let us not forget that when the state government announced its electricity credits to all Western Australian households, Hon Dr Steve Thomas—who I notice is out of the chamber on urgent parliamentary business—labelled them as untargeted cash handouts. From that, I assume he does not support them. Libby Mettam, the Leader of the Liberal Party in the Legislative Assembly, called the school assistance payment lazy, and called on household fees and charges to be frozen. The Liberal Party has pretty much been a policy-free zone, but apparently this is the hint of a policy that it would freeze household fees and charges. We have frozen household fees and charges in the past, and it fails. All a freeze achieves is to push those increases to fees and charges down the road, and the cost of delivering services then increases each year.

<009> Q/4

**Hon Martin Aldridge:** I agree.

**Hon SUE ELLERY:** What was that, honourable member? I didn't hear you.

**Hon Peter Collier:** He was agreeing with you. Why didn't you do it for energy?

**Hon SUE ELLERY:** I just want to check with Hon Martin Aldridge, did I miss an interjection?

**Hon Martin Aldridge:** I said this in my reply to the budget speech a couple of years ago.

**Hon SUE ELLERY:** Good.

That means the funding has to come from elsewhere. I look forward to the Leader of the Liberal Party telling Western Australians where that funding will come from. What will the Liberal Party cut to make up the difference when it freezes fees and charges? This is assuming it sits on the government benches in March 2025—give it your best shot, folks!

The general principle for budgeting across government is that prices generally recover costs. This government has delivered much to the people of Western Australia. There is a lot more to do and we cannot wait to do it.

**HON WILSON TUCKER (Mining and Pastoral)** [11.20 am]: I rise to speak on this motion. It is timely and I thank Hon Neil Thomson for moving it, considering where we are in the year and the election cycle, with a budget and an election coming. As the election approaches, I expect and eagerly await the standard level of pork-barrelling that we have grown accustomed to, perhaps short-term sugar hits in the form of energy credits and a sports centre or two in marginal electorates. I note that the Rockingham by-election produced a \$100 million-plus sports centre. I am willing to overlook, and perhaps forgive in a certain respect, this frivolous expenditure because it is almost expected as part of our political system, and both sides are certainly guilty of it. It is an unfortunate by-product of our political system in Australia and certainly in Western Australia. However, if the government is going to throw money around in the form of short-term benefit for itself and, arguably, for the Western Australian population, I would like to see as part of the budget some long-term thinking about the long-term prosperity of Western Australians outside the four-year election cycle. We get locked into this short-termism loop of government. We really need to think long term about where we want to be as a state, the prosperity indicators that the population cares about and what we should see in the future, beyond the next election. This government is in a perfect position to think about that.

As noted, we are an extremely wealthy jurisdiction. If Hon Dr Steve Thomas were here, I would look in his direction and he would give me a bit of an indication of where the budget surplus is likely to sit. I have heard numbers from \$5 billion to \$6 billion being thrown around, but whatever it is, it will be massive.

**Hon Sue Ellery:** Is it?

**Hon WILSON TUCKER:** An amount of \$5 billion to \$6 billion is pretty significant.

**Hon Sue Ellery:** You know what it is, do you?

**Hon WILSON TUCKER:** Does the Leader of the House know?

**The ACTING PRESIDENT:** Members, this is not a chat!

**Hon WILSON TUCKER:** Okay.

Gazing into my crystal ball, I think it will be in the \$5 billion to \$6 billion range, which is significant and massive. We know that the price of iron ore will not stay above \$US100 forever. There have been some rumblings with commodity prices, with rare earths and minerals, that really should be setting off some alarm bells for members opposite. For a number of years now, governments on both sides of politics have been guilty of being asleep at the wheel and content to dig things out of the ground and put them on ships. We know that will not be the case forever. We cannot rely on, especially, iron ore forever. As the value of our export portfolio shrinks, questions will be raised about those who were sitting on the government side when times were good and what measures they put in place during that period to think long term and set up WA for success in the future.

Recently, I was very fortunate to have a conversation with Sophie Howe, who is a sustainable futures and wellbeing adviser, and the Future Generations Commissioner for Wales. This is a recent appointment by the Welsh government, which is thinking long term. It has legislated this role in an independent advisory body to really cut across different government departments to advise on what the Welsh people want to see as long-term prosperity indicators and goals in the future. It is really breaking out of short-term thinking and the short-term political cycle and thinking long term, making sure that the public sector and departments are accountable for those goals. In our system, ministers have their portfolios and they can be quite siloed—departments themselves are quite siloed. We would think that all parts of government speak to each other but over the last three years I have learnt that that is absolutely not the case. It is extremely siloed and our interoperability and long-term vision is not shared across departments. That is certainly the case when ministers have their own mandates with the political party of the day—those things do not trickle down, and we get stuck in a short-term cycle. The model in Wales seems very good. I will certainly pay some attention to it. There

are certainly some parallels here with what the Voice referendum was trying to achieve by enshrining an advisory body in the Constitution to advise and suggest policy to government for the future, based on its goals. If it is enshrined in the Constitution, it cannot be changed by the government of the day. It is a similar case in Wales, where that body has been enshrined in legislation. It gives a long-term roadmap and has the ability to breathe, move and advise across all levels of government. It is a fantastic model.

Another thing that would be good to see would be some thinking in the budget about measures, other than economic ones, to measure the health and prosperity of the economy and the people who live here. Payroll tax is a massive line item in the budget. If Hon Steve Thomas were here, he would probably give me an indication of where it sits—iron ore royalties and payroll tax are massive. WA has some of the highest rates of payroll tax in this country. It is okay for the resources sector and the tier one companies that can afford to pay it, but it is incredibly difficult for smaller businesses. It is prohibitive for them to expand and grow. If we want to diversify our economy and we want companies headquartered here, we should look at payroll tax. I do not think it is a good long-term measure of the economic growth of WA. It feels like a short-term sugar hit to the government of the day's bottom line.

The situation is similar with iron ore. We know we cannot rely on it forever, so I encourage the government to think about some long-term indicators and metrics. We heard about a wellness budget at a federal level, and something similar in WA would be a good idea—something beyond those short-term measures through which we can set some long-term goals and measure prosperity for the Western Australian people.

As I said, I am willing to forgive and forget the pork-barrelling we expect over the next couple of months. We are gearing up significantly for this election. A lot of Western Australia people are seeing through some of the spin. We will see this government claiming to be a good economic manager by paying back a fair amount of debt, you could say, but just enough for it to claim it is a good economic manager. I do not think paying back debt is a bad thing but there are political motivations around how much the government is paying back and why it is doing it. We will see the same thing with sports centres and tax credits. I would really like to see some longer term thinking about economic indicators and measuring the long-term prosperity of the state while the getting is good, because, as we said, this is a once-a-generation opportunity. I think history will look back and judge this government for the decisions and measures it has put in place to set this state and the people of Western Australia up for future long-term prosperity.

<010> J/2

**HON MARTIN ALDRIDGE (Agricultural)** [11.29 am]: I rise to support the motion moved this morning by the shadow Treasurer. It is a timely one as we head into state and federal budget season. This will be the last state budget of the Cook Labor government before the election. We are expecting a lot from it. There are many things that this government needs to address and must address in its last budget before facing the people of Western Australia in 2025. It was interesting listening to the debate this morning about fees and charges. The Leader of the House took an interjection from me. It is something that I have found quite interesting and I think similar comments have been made by Hon Neil Thomson in previous budget replies around the challenge that Western Australia has in not having the Australian Taxation Office. When targeting relief to households, in many respects we try to do it with one arm twisted behind our backs. I have often talked about the impact of simply freezing household fees and charges as opposed to putting downward pressure on them because, I agree, the government is just pushing the problem down the road. It is the same with cash handouts. Electricity tariffs keep rising year on year, but people would not know because they are getting a rebate, sometimes several rebates, and at some point the cash rebate system will stop. Those households, perhaps some of the most vulnerable in our community, will then get the full force of several years of tariff increases. There are also structural issues that impact agencies, particularly agencies like the Department of Fire and Emergency Services that is primarily funded by the emergency services levy. When the government during COVID froze household fees and charges, it had an impact on agencies like DFES and its ability to fund its operations from the ESL. I am not sure how many state government agencies or businesses can have no cost increases year to year, particularly in the current inflationary environment. We are seeing significant cost increases and so trying to find a mechanism and a balance between meeting those cost increases in an inflationary environment. Managing and placing downward pressure on household fees and charges is not an easy task to do right.

It is interesting; I went to my annual ratepayers' meeting this year. It is usually not a very well attended event, and it is usually over in about five minutes. The annual report of the Shire of Gingin is noted and then we enjoy a cup of tea afterwards. This year we had quite the town hall meeting. I think somewhere in the order of 20 motions were put forward by the community, all asking the Shire of Gingin to do something. I was keeping a bit of a back-of-the-envelope calculation and stopped once I got to about half a billion dollars, and then the last motion of the night was, "In light of the cost-of-living pressures on families, we call on the Shire of Gingin to freeze rates for the next three years." I think the next budget for the Shire of Gingin should post out a calculator with every rates notice and ask some of the ratepayers how they might achieve a balanced budget in the context of increasing demands, wants and expectations. Some of those are reasonable, but at the same time when asking for there to be no increase in revenue it is, in many respects, an impossible task.

At this time of the year as we head into the budget, members of Parliament and the government will receive a number of prebudget submissions that there will be public awareness of. I want to draw attention this year to an excellent



submission. Its timing was excellent as it was delivered to members late last year. Often we get prebudget submissions at this point in time when they have missed their opportunity. All credit to the Western Australian Local Government Association for releasing its prebudget submission in November last year. I think it is probably one of the best prebudget submissions that I have seen in my time here and in particular chapter 5, which speaks to disaster resilient communities. I note an announcement in the last week from the government entitled “Biggest boost for career firefighters in more than 50 years”. Of course, many in the community are welcoming this. In isolation, it is concerning if this is the prebudget announcement for emergency services; one big element missing is our volunteers. We must recognise and remember, members, that the majority of our emergency response capability in Western Australia is delivered by volunteers. The majority of those are a function of local government and local government continues to get drip fed by the emergency services levy in an unsustainable way. I still hold hope for this budget, the last budget of the Cook government before facing the people of Western Australia, that it will start to walk the walk rather than just talk the talk about the risks that our communities face now and into the future.

Motion lapsed, pursuant to standing orders.

### **SMALL BUSINESS — GOVERNMENT SUPPORT**

#### *Motion*

**HON AYOR MAKUR CHUOT (North Metropolitan)** [11.35 am] — without notice: I move —

That this house recognises the positive impact of small business on the Western Australian economy and the wider community, and the significant supports provided by the state government for small business.

Today is a very important day for me because this is a fantastic topic. I rise to speak about the vital role of small businesses in Western Australia on our economy and the significant support provided by the Cook Labor government. Small businesses are the backbone of our economy. There are now 238 850 small businesses in Western Australia making up 96.9 per cent of all businesses in this state; nearly one quarter are in our regions. These businesses are essential for our economy and our community vibrancy, look and feel. Small businesses usually provide our children with their first part-time jobs, we all can agree. My 16-year-old is currently working for a small business. We should always be grateful for the fantastic work that they do for our young people. They also sponsor local sporting groups—our children play at sporting groups most of the time—and also community organisations. They employed almost five million people, 42 per cent of the private sector workforce, in 2020–21. The Cook Labor government is dedicated to supporting all the metropolitan and regional businesses in WA, helping them start, grow and thrive by providing practical support to the people behind the business. I commend the Minister for Small Business Hon Jackie Jarvis and the Cook Labor government for doing what is right for the people of Western Australia.

The state government funds the Small Business Development Corporation, which is dedicated to supporting Western Australian small business owners. It is celebrating its 40-year milestone in 2024. Congratulations. The range of SBDC services includes free advisory services covering general business and specialist commercial tenancy advice; a dispute resolution service; low-cost business workshops on a range of topics delivered by the SBDC and its panel of specialist providers; and self-service items such as free templates and guides, a free business licence finder and access to market-leading research on all industry sectors.

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Business Local, funded by the state government through the Small Business Development Corporation, delivers small business support throughout regional Western Australia. Our network of local business advisers throughout WA answer questions from small businesses and help people get on with what they do best. Our regional business advisers are part of the community. They have the expertise and resources to help create sustainable small businesses.

I highlight three case studies demonstrating the positive impact of proactive support from local governments in fostering a conducive environment for small businesses. The first case is the Shire of Nannup’s involvement in the Small Business Friendly Approvals program. It demonstrates the proactive view of regional local governments towards supporting businesses, particularly during challenging times such as the COVID pandemic. The Shire of Nannup’s successful implementation of reforms is evidenced by its hosting of the UCI Gravel World Championships in 2026—a significant event, which is expected to attract over 25 000 people and provide substantial economic benefits to the region.

The second example is Kerry Ridley and My Little Bookshop. She started My Little Bookshop as a mobile business, then progressed to opening a physical store in Rockingham. Through the SBDC’s free advisory services, she received support and guidance on business planning, marketing and financial management. This assistance enabled her to expand her business and become more competitive.

The third example is from the north metro region in Cottesloe. Dr Vanessa Atienza-Hipolito acquired Women’s and Breast Imaging and expanded it with the help of the Small Business Development Corporation. Her passion for the work drove her to overcome hurdles and gain recognition through awards and media coverage. Women’s and Breast Imaging is a beacon of care and support within the Cottesloe community, delivering essential services with a personal touch. Dr Atienza-Hipolito advises fellow women entrepreneurs to embrace growth opportunities and leverage

resources like SBDC to nurture businesses and contribute positively to the local economy. These cases demonstrate that when local and state governments work together, they can create an environment in which small businesses thrive, ultimately contributing to sustainability and the regional economy.

One of the significant programs introduced by this government is the forestry grants program, which aims to create sustainable jobs in the south west region. The program provides funding for businesses that support the forestry industry, driving economic growth in the region and creating new employment opportunities for locals. Another initiative is the RED grants program, a very popular program, which invests in locally driven projects to build regional business resilience and diversify the economy. This program funds businesses to undertake projects that enhance competitiveness, expand operations and create new jobs. In addition, the cyclone and natural disaster support program supports businesses affected by natural disasters, including small and medium business recovery grants and primary producer recovery grants. This program provides critical support for businesses that have suffered losses due to natural disasters, enabling them to recover and continue operating. The program is a fantastic initiative by our government, because people have lost their homes and businesses because of natural disasters.

Our government delivered a \$650 small business energy bill credit to eligible businesses and charities, plus a \$400 household electricity credit for Western Australian families. This initiative aims to reduce energy costs for small businesses, enabling them to invest in their operations and create new jobs. The state government has introduced several programs to support small businesses in the agrifood and beverage sector. The agrifood and beverage voucher program and value add investment grants provide essential funding for expert advice, fostering growth and sustainability within the sector. The agrifood and beverage voucher program grants have remarkable outcomes. With \$1.4 million invested, the program leveraged an additional \$2 million in matched funding. This program funds businesses to invest in marketing, branding and product development, enabling them to expand their operations and access new markets.

The value add investment grants are another way the Cook Labor government supports small businesses across the state. The latest round of VAIG is broken up into two streams—the feasibility stream and the capital investment stream. The feasibility stream assists with minimising risks and aiding businesses in determining the viability of projects and expanding, growing or diversifying their operations and focusing on ecofriendly initiatives. The capital investment stream helps businesses scale production, relocate value-adding processes or diversify to enhance competitiveness, driving economic development and job creation across WA. The government’s steadfast commitment to reducing food miles and promoting locally made products aligns with the program’s objectives, ensuring a sustainable and resilient food and beverage industry for future generations. The program also serves as a springboard for accessing additional state and federal funding resources, empowering businesses to expand their operations further and invest in regional employment.

It is essential for us to support the role of small businesses in our communities. As I mentioned earlier, they drive economic growth and innovation in Western Australia. The state government’s unwavering support for small businesses, through various programs and initiatives, is a testament to our commitment to promoting the prosperity and wellbeing of metro and regional communities in Western Australia. I give another shout-out to our Minister for Small Business, Hon Jackie Jarvis, for her fantastic work to support our local businesses in WA. As we heard earlier, the impact that small businesses have in the community is powerful and impactful, and it is important that we support them. It takes courage to start a business. I was once a small business owner. I had a South Sudanese restaurant. To set up a business, especially if you come from a migrant background—most of the time we do not have enough assets or capital to start a business.

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It was really difficult for me, because I did not have a dad who could lend me money and support me. I came here with no money. It was really significant and challenging.

I am happy that I have moved this motion to promote what we are doing as a government, because the challenge for some in the migrant community is access to information. Sometimes they do not know what services are available. It is important that, as the members of this chamber, we make sure that we promote the government’s work so that vulnerable community members can access these wonderful initiatives. I am really proud to have moved this motion and very thankful to be in this government, which cares for and supports people who are doing the best they can to boost our economy.

**HON LOUISE KINGSTON (South West)** [11.50 am]: I rise to speak about the difficulties in small business, which Ayor referred to quite beautifully at the end of her contribution.

**Hon Jackie Jarvis** interjected.

**Hon LOUISE KINGSTON**: Was there an interjection?

**The ACTING PRESIDENT(Hon Steve Martin)**: Honourable member, when you refer to members opposite, use their correct title please.

**Hon LOUISE KINGSTON**: Sorry, I did not know who it was.

I ran the small business centre in Warren–Blackwood for nearly six years during what were difficult times for small businesses. I cannot reiterate enough the comments Ayor made about the Small Business Development Corporation.

*Point of Order*

**Hon SANDRA CARR:** I believe that the point was already made about referring to members by their correct title, and perhaps their correct name would also be appropriate—Hon Ayor Makur Chuot.

**The ACTING PRESIDENT (Hon Steve Martin):** Honourable member, I made the reference about referring to members by their correct title. I am almost certain that Hon Louise Kingston thought I was referring to the interjection rather than the original comment. There is no point of order, but it is a point worth remembering. Please refer to members in the chamber with their correct title.

*Debate Resumed*

**Hon LOUISE KINGSTON:** I apologise severely if I have not pronounced the member's name correctly. It is a slightly difficult name to say.

Going back to what I was saying, the difficulties faced by small businesses, particularly in regional areas, was the reason behind the inception of what was originally called the business enterprise centre network, which then went on to be the small business centre network. Without a doubt, Australian small businesses have very weak balance sheets. Part of that, which is what I want to talk about today and members opposite to think about, is the amount of compliance and regulation, and the costs of implementing measures to meet that compliance, that we expect small businesses to deal with year on year on year. When the government considers making any changes that will affect small business, it should focus on reducing the burden and making things simpler and easier to understand. I say this because we talked about giving out grants and assistance. The problem is that those businesses need to earn that money first before we can put it in programs and give it back to other elements of the community. If we are making it difficult for small businesses to comply, increase their profits and employ more people, it is a false economy.

We saw the closure of the timber industry, particularly in my area, in recent times and the effect of that on small business. That is another issue that needs to be considered very carefully. The closure of complete sectors in an area has a cascading effect on all small businesses in the region. We have seen that significantly in my area. The funding offered was flawed because it allowed new businesses to compete with the businesses that were already there, and that is just not fair. It is not fair for those existing business that have never accessed any of funding to then have to compete with somebody who has literally received that business's funding to go into competition with them. I have long held the belief that the way that Hon Ayor Makur Chuot started her business is the best way to start a business. A business owner who is undercapitalised will consider difficult decisions more soundly. I worked solidly with those businesses so that they could understand how to better run their businesses.

Yesterday, I spoke about the closure of tourism attractions across the state and the cascading effect on local businesses. In November last year, the Chamber of Commerce and Industry of Western Australia held a summit to discuss the issues surrounding small business. The one that categorically comes up every single small business summit was compliance and regulation. The Nationals WA recently announced a policy for payroll tax relief to help more than 11 000 small businesses. Payroll tax is one of the biggest costs to business in Western Australia and it prevents small businesses from increasing in size. The payroll tax rate in Western Australia is the highest in the nation.

The employment within Western Australian small businesses is phenomenal, but it could be a lot better, without a doubt. A focus on reducing compliance and regulation will allow businesses to do better, as the honourable member said, and is of absolute importance.

I conclude with that. When the government thinks about measures for small business, it should think about making things simpler and easier so that we can develop more small businesses in Western Australia.

**HON JACKIE JARVIS (South West — Minister for Small Business) [11.56 am]:** I rise to thank Hon Ayor Makur Chuot for moving this motion today. As someone who has owned and operated several small businesses in regional areas over many years, I am incredibly proud to be the Minister for Small Business in Western Australia.

I note Hon Louise Kingston's comments about the burden of regulation, and I am delighted to say that the Small Business Development Corporation also recognises that a number of licences and regulations cover small businesses for various reasons, such as Department of Health, local government or planning approvals. Sometimes they are necessary evils; for example, to ensure that businesses are serving safe food products. I am delighted to confirm that the SBDC can assist in this matter.

Yesterday, I had the opportunity to attend the fortieth birthday celebrations of the Small Business Development Corporation, which started in 1984. As far as we are aware, it is the longest-running authority providing support to small business anywhere in Australia.

**Hon Darren West** interjected.

**Hon JACKIE JARVIS:** It was. I understand that Hon Mal Bryce instigated the Small Business Development Corporation. It is a fantastic service, and yesterday we reflected on his legacy.

The SBDC offers a free business advisory service over the phone, online, in person or by email. Business owners can speak to experienced advisers. They provide specialist advice about regulatory matters. The business licence finder is an online tool so that someone who is, say, opening a food van can see what approvals are needed. These advisers are amazing and have usually run businesses themselves. They help businesses. The government has a regional presence, working through a lot of not-for-profit groups and local chambers of commerce and industry. They provide to services at a regional level.

With regards to the small business friendly approvals program, the SBDC has also worked closely with local governments because local governments have their own set of regulations and, as I said, are responsible for things like food safety, making sure that streets are accessible and that there is no alfresco dining in places where it should not be for all number of reasons.

I have a case study here. Last year, I was fortunate to meet with the Shire of Nannup after it had gone through the small business friendly approvals process.

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It was fantastic. As members can imagine, the Shire of Nannup is a very small local government, but its staff were thrilled with the way the Small Business Development Corporation team had worked with them. The shire has taken a proactive stance to support small businesses through challenging times; it is really forward thinking. What we discovered when we visited the staff at the Shire of Nannup is that even though they are a small team, they were not aware that some people were having to speak, for example, to the health officer at the shire and then the planning officer, and they were having to provide the information more than two or three times to the same local government. Individual staff at the Shire of Nannup told me how great it was to work through this with the SBDC and learn from the big local governments. The City of Stirling was one of the first local governments to go through the small business friendly approvals program. The Shire of Nannup, with the help of the SBDC, was able to take the best practice from those large local governments and work out how to streamline its approvals processes. As I said, I went to an afternoon tea with staff at the Shire of Nannup and they were thrilled to have had that free support from the SBDC.

Hon Louise Kingston spoke about the native forest transition. As we know, the state government has supported an \$80 million transition from the commercial logging of native forests. As we experience a drought at the moment, we know that it was simply untenable to maintain commercial logging at that rate. Of that package, \$30 million was put aside for business redevelopment and \$30 million was put aside to assist industry and community development programs. I am a little surprised by the comment that competition in small business is not fair.

**Hon Louise Kingston** interjected.

**Hon JACKIE JARVIS:** Any small business can apply for government grants. The fact that some apply and some do not surprises me. The majority of that \$30 million went to existing businesses in forest areas. In fact, it may well have been all of it; I will have to double-check. One of the criteria was that the businesses were operating. A small handful of new businesses may be moving into forestry areas, but almost all of that \$30 million went to existing businesses in forestry regions. I know that because I have been on the ground and have spoken to those businesses. I announced \$7 million for small businesses in April 2023; I am referring to my media release, which is available online. We listed all the businesses in that media release. That funding was announced in Manjimup.

**Hon Louise Kingston** interjected.

**Hon JACKIE JARVIS:** Another media release was about the \$10 million in funding for new industry development grants. Again, that went to existing businesses. Bendotti Exporters in Manjimup, which makes chips, was a major beneficiary. A dairy farmer in the Scott River region—a former Liberal candidate, actually—was another beneficiary of a grant to expand his dairy operation. Those south west businesses were already operating. I think a grant went to a restaurant in Nannup—again, another business that was in place and has operated in Nannup for a long time.

We have mentioned that the Gloucester tree is being reassessed for safety, but in terms of new tourism attractions, the new aerial high ropes course right next to the Gloucester tree received a \$100 000 grant.

**Hon Louise Kingston** interjected.

**Hon JACKIE JARVIS:** I can assure members that the place was pumping when I was there, with dozens of families enjoying that high ropes course. Yes, they were disappointed that the Gloucester tree was not open, for safety reasons, but I can tell members that they were pumped to be able to go on the aerial high ropes course.

**Hon Louise Kingston** interjected.

**Hon JACKIE JARVIS:** Acting President, I cannot quite hear the interjections so I cannot respond to them, but they are quite distracting. I will continue.

On 28 February, more grants for community organisations and small business were announced. We are pushing ahead. It is difficult to transition out of an industry, but I assure members that we are absolutely making sure that local businesses, particularly in the Manjimup, Bridgetown, Greenbushes and Nannup region, as well as the broader forestry regions, are getting the support they need.

I am incredibly proud to be the Minister for Small Business. The SBDC is a relatively small agency with fewer than a couple of hundred staff. I cannot remember the figure off the top of my head, but I think there are about 150 staff. They do an amazing job. I am also incredibly proud that we partner with regional organisations and not-for-profit groups to deliver SBDC services on behalf of the state government. That is a win-win for me in regard to regional support. I urge anyone who has not been to the Albany Business Centre to go there if they are ever in Albany. Albany Business Centre is one of those not-for-profit groups that has received funding from the state government, through the SBDC, to deliver SBDC services. It is a phenomenal centre. It has small commercial units that businesses can lease at reduced rates so that they can start their businesses. They allow businesses to go into those units at reduced rates and the rent is then put up a little each year for four years. By the end of the four years, those businesses will be paying full commercial rates and can move into commercial premises. I have visited the Albany Business Centre a couple of times. On my first visit, I met a guy who is a guitar teacher. I was there around four o'clock in the afternoon and there was a stream of parents dropping off kids for guitar lessons in this little unit that he had been able to rent at a reduced rate. He told me that he was about to move into the main street of Albany as he had built up his business enough. There was a commercial dog washing business. There was a business that provides boat repair services. There was a catering business. There is a full commercial kitchen there. The day I was there, they were preparing for a small business workshop, again funded by the WA state government, to teach small businesses how to take amazing photos for their social media. Anyone my age might understand that there is a bit of an art to taking photos for social media and that perhaps not all of us can do it. It was fantastic. That is one example of the great work the SBDC is doing both regionally and in the city.

**HON SHELLEY PAYNE (Agricultural)** [12.06 pm]: It gives me pleasure to rise today. I thank Hon Ayor Makur Chuot for moving this motion today so that we can recognise the positive impact of small businesses in Western Australia and also the significant support provided to them by the state government. What better way would there be to recognise the positive impact of small business than the inaugural WA Regional Business Excellent Awards tonight. Good luck to all the nominees. It is great that the Cook government has supported the WA Regional Business Excellence Awards by providing \$100 000 over three years. The awards will be facilitated by the Regional Chambers of Commerce and Industry. I give a shout-out to the Regional Chambers of Commerce and Industry and Kitty Prodonovich, who does an amazing job and is supportive of all the regional chambers. She spends a lot of her time travelling around the state to support all the different regional chambers. Yesterday, I talked about how the Regional Chambers of Commerce and Industry is partnering with Tourism Western Australia to deliver hospitality and tourism workforce development programs. This is another great initiative of our government that is helping small businesses in Western Australia by making sure that they have the hospitality and tourism staff they need to help deal with our peak tourist seasons. As I said yesterday, these workshops will be running until June and are an extension of the program that we ran last year. Eight local chambers across the state are helping to deliver these tourism and hospitality training workshops. It is another great initiative of our government that is helping small businesses.

Hon Jackie Jarvis talked about the Small Business Development Corporation, which is celebrating its fortieth anniversary this year. This is a fantastic organisation. It is an independent statutory authority that was established under the Small Business Development Corporation Act and provides a lot of free and low-cost business advice and skills development to businesses across Western Australia. It is actually our longest running government agency; it started during the economic recession in the 1980s and has continued. It is a really fantastic organisation.

One program I love and that Hon Jackie Jarvis also mentioned is the Business Local program. A lot of the local chambers fund and roll out that program around the state, so I thank all the local chambers. I know that Jayde Guest does a fantastic job in Esperance through the Esperance Chamber of Commerce and Industry. That is another fantastic program.

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I want to mention Rural West that is funded by both federal and state governments. It does a great job helping to provide financial counselling for small business. To be able to go to Rural West for free financial advice and support has been really important through the COVID-19 pandemic and now with some of the issues that small businesses face with housing and workforce shortages.

When talking about small business today, I really want to focus on manufacturing in the regions. This area has a lot of potential and we can do more to help grow some of the existing manufacturing businesses. I also want to give a shout-out to some of the businesses that are doing a great job in the regions. Some of these regional businesses that I want to talk about have received a regional economic development grant, which is fantastic. We talked about RED grants yesterday and how they have helped with tourism, but today I want to talk about how they have supported manufacturing.

One of the great places I love to visit is Gnowangerup, just north of Albany. It has some great manufacturing businesses there, some of which are RED grant recipients. The great southern is becoming a great place. The businesses love it there because the land is cheap and it gets the sea breeze, so the workers find it cool and comfortable to work there. I give a shout-out to Auspan Agricultural that makes steel-framed sheds and buildings for pretty much all the great southern and employs a huge number of people. Another company based in Gnowangerup is Duraquip that manufactures a lot of transport equipment. I do not know whether any members follow my Facebook page, but the last time I visited that business, it had made a huge, bright pink, road train for a farmer, in support of breast cancer in women. It is a great manufacturing business that is expanding and we were pleased to support it. It received a \$160 000 RED grant. It is fantastic to see other businesses around the state using Duraquip's equipment.

Another business I want to mention is Bruce Rock Engineering, in Hon Darren West's electorate. It creates a lot of road train trailers and dollies and things like that. It is great to see that the Esperance Freight Lines Group—a really successful freight company that has expanded to Geraldton, Albany and Kalgoorlie—has its trucks use the little mudflaps from Bruce Rock Engineering on all their wheels. It is great to see a local manufacturing business support another local business.

I went on a trip to Williams with Hon Don Punch to visit Price's Fabrication and Steel, another business that is building sheds for the agricultural industry. It is a great success story for Williams and it employs a lot of people. It did not receive a RED grant, but it is powering on and doing a great job.

I also want to mention a quite unique RED grant that was given to the Shire of Wandering. I find that many regional towns are really lacking in industrial land for some of its light industry. The Shire of Wandering applied for a RED grant to help with the development of its industrial land. It was successful and received a \$100 000 grant that helped it to install underground power and create six commercial lots in its light industrial area to provide expansion opportunities for businesses. As I mentioned, a lot of local governments struggle a little with unlocking land for industrial development to help their communities grow, which is really important for these regional areas. Our regional development assistance program helps local authorities in regional WA with land projects and their associated development costs. It provides funding to deliver regional projects and has helped so many of our towns around the state to deliver not only residential land, but also light industrial land. That is really great because if we want to encourage manufacturing, we need industrial land, and it is great to have regional places to which businesses can relocate. I know of one successful recipient of a RED grant that used the funding to move its modular house manufacturing business to Denmark, which is really fantastic. The modular housing area is really growing. Another RED grant recipient was Evoke Living Homes, which Hon Darren West would know of, that is based in Northam. It also received a RED grant to make sure that some of its manufacturing could be done undercover in all weather conditions.

I have only a little time left, but I will mention a couple more successful RED grant recipients that deal with manufacturing. The sheep industry is quite big in my electorate around Darkan in the Shire of West Arthur. Australian Wool Innovation has received a RED grant to help with regional manufacturing. It designs modular shearing units. It is great to see that it has partnered with a local regional business in Darkan to produce and manufacture these modular sheep delivery units that are basically designed to increase the wool harvesting productivity and safety by eliminating some of the problems associated with the other systems currently in place.

Thank you, Hon Ayor Makur Chuot, for bringing this important motion to the house today. I give a shout-out to all those people who work in small businesses across Western Australia. Thank you for building our regional communities and for all the work you do to make our communities really vibrant.

**HON SANDRA CARR (Agricultural) [12.16 pm]:** I rise in support of Hon Ayor Makur Chuot's motion on small business. It is an excellent motion to raise in that we have a lot of good news to share about the work that the government has been doing to support, develop and grow small business. We have done that in many ways, but I will focus on a couple that are happening regionally, because that is my turf. I will begin by talking broadly about some of the initiatives delivered to help small businesses across regional Western Australia.

Just after I was elected—I had not yet been sworn in—cyclone Seroja struck my patch of the world and wreaked havoc. It caused a lot of disruption for small business in particular and some of our primary producers. To support people through that period, our government responded by providing cyclone and natural disaster support. Recovery grants of up to \$50 000 for small businesses and \$75 000 for medium-sized businesses were designed to help businesses recover the essential expenses in terms of clean-up and repairs to enable them to operate again.

The primary producers recovery grant program provided grants of up to \$75 000 to help our primary producers recover from some of the impact of the cyclone, or other natural disasters may have occurred since this government was re-elected in 2021. Those grants helped to ensure that farmers and producers could replace or restore fencing and get on with the job of doing what they do so well, which is producing the food that we consume in our state and export so successfully around the world.

The small business energy grant of \$650 was another initiative that was particularly helpful and successful. I know that to be the case because my sister has owned and operated a small business for nearly 15 years now. I am acutely aware

of some of the challenges of owning a small business and I know how grateful those owners are to the state government for its support in providing small businesses with energy credits.

The agrifood and beverage voucher program has invested up to \$1.4 million across the state. In my region, those vouchers have helped businesses like 30 Knots Distillery, which recently opened in Geraldton. I know one of the owners of that distillery when she used to work in a different environment in one of the schools that I worked at.

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I know that grants that help businesses to get established and level up and achieve their goals make a huge difference. This voucher was worth just under \$3 500, but it made a significant difference to the operation and what it can deliver, and I know that the business is thriving.

Another business that received one of the agrifood and beverage vouchers was Burnt Barrel, which is based in the Chapman Valley–Nabawa area. It is a fantastic business that does the most delicious meals and food, but it also does the most incredible herb and spice rubs for meat. A lot of the local supermarkets, as well as supermarkets beyond the midwest region, stock and sell Burnt Barrel herbs and spices. They have a distinctive black and white label, so please look out for those, because they really are delicious. Members can thank me later, because once they go Burnt Barrel, they will never go back!

Other grants that have been particularly helpful in the regions are the regional economic development grants. Everyone says “RED grants”, and I think that is great. We all know what they are, but for all the city folk who do not necessarily know about all the fantastic work that the government is delivering for small businesses in regional WA, our RED grants are hugely successful and incredibly effective at growing and developing businesses, such as Abrolhos Island Oysters in Geraldton. It is a new business initiative that is being developed by a couple of people who own successful businesses, so they have good skin in the game and good evidence of effectively and successfully building businesses. It got over \$200 000 to establish its oyster-growing and processing facility. It is based around Newman Island in the Abrolhos Islands. It is getting some grading machines, alongside the development of a processing machine based on the mainland in Geraldton. The great thing about that is that Abrolhos Island Oysters Pty Ltd, which is developing the processing facility, has indicated that it is open to it being a processing facility for anyone who grows and produces oysters for the food market. It is taking a great collaborative approach to what it is delivering. The funds that have been provided to the business will definitely allow it to value-add to and help other markets, given its willingness and openness to help other industries grow.

Another recipient that has a great innovative approach to food and food waste issues is Illegal Tender Rum Co. It was awarded just over \$140 000 in a regional economic development grant. This is about sustainable harvest transformation. It is using fruit and food waste for fermentation to produce rum. It also does a gin, but it is thinking about ciders and non-alcoholic beverages as well. It is looking at value-adding and ways to utilise waste product. For those who follow food security issues, food waste is a significant contributor to waste and food security problems and climate issues. Finding ways to make use of what would typically be waste is a great initiative by Illegal Tender, and it is a great way for our state government to invest.

Another one that the state government invested in in the previous round is in Perenjori. I visited Perenjori to see the work being done on the short-stay accommodation upgrade. It is almost at the end. We provided \$160 000 in funding to help with that development. A heap of rooms are being added in a horseshoe-shaped building to provide short-term accommodation for people. They have kitchenettes and are built around a central facility. There will be a common community space in the middle. It will be a great option for people who come into the community for work. They will have an opportunity to connect with and be part of the community and share common space. Even if the people who visit the region of Perenjori are there for only a short time, they will get to enjoy that sense of community, particularly if they are there for work. We all know that it can be a little isolating for people who work in a fly-in fly-out or drive-in drive-out environment.

Another one of the grant recipients that is particularly important is Fenix–Newhaul, a trucking company. This was for its world-leading simulator technology for road train drivers. This grant was for \$250 000 and was particularly important because it is about training our drivers. Anyone who has driven along the roads in the midwest will know that there are a lot of quads—those huge trucks with four carriages that look like a train, hence the expression “road train”. We want those drivers to be highly skilled and really well trained to make sure that everyone who uses the road feels safe. Depending on weather conditions or what is happening on the road, the tail of those trucks can start to swing a little bit. We need really well trained, experienced, qualified drivers to ensure that the loads get pulled back into a straight line and that everyone stays safe on the road. This simulator facility allows drivers to train and gain expertise to make sure that we have the best possible drivers on the road delivering for our fantastic WA export market and value-adding to the community. It also allows us to get more drivers on the road, because we are training them and making sure that the voluminous products that we export can be delivered to the right place at the right time, ensuring that our economy continues to thrive.

**HON DAN CADDY (North Metropolitan)** [12.26 pm]: What an outstanding motion that has been brought to the house by my very good friend Hon Ayor Makur Chuot. The second half of the motion refers to the significant supports

provided by the state government for small business, and this has been covered by my colleagues who have already spoken. I will talk more generally about small business and how important small business is to the Western Australian economy. I will just reiterate everything that has been said. The Cook government understands small business and the importance of small business. That is what this state deserves. Western Australia deserves a government with a proven track record in supporting our small businesses. I would like to thank my colleague Hon Ayor Makur Chuot for moving this motion.

The function of a small business owner is something that many people in this Parliament have experienced in the past and still do. I note that on this Thursday morning, my good friend Hon Dr Steve Thomas is away on urgent parliamentary business, and that is a shame. He always gives a unique view of small businesses and I agree with much of what he says. We have spoken about it many times. As a former, or possibly a continuing, small business owner—I am not sure whether he still has his veterinary business; I know he still has his veterinary licence—he is a very good contributor. Other small businesses owners from this place include the minister and Hon Louise Kingston, from the Nationals WA, who also spoke. There are also some small business owners in the other place, including Merome Beard, from the Nationals—sorry, can someone help me out; I think she is on the Liberal side now—is also a small business owner. I have stood in this place many times and talked about specific small businesses in the North Metropolitan Region, the region that I represent, especially in hospitality, because in my region, there are a lot of award-winning businesses and award-winning individuals who have trod the path in deciding to start a small business and then putting their best foot forward and working out exactly how they want to progress. It is a hard task and I will talk about my experience of that in a minute.

I also recognise that Hon Sandra Carr spoke very eloquently about things that are happening in the Agricultural Region.

<016> S/2

I was chatting recently with Mr John Snowball, who is the president of the Royal Agricultural Society Western Australia, about small businesses in the Agricultural Region. I made the point that the farmers are one of the ultimate classes of small business owners in this state. I am sure that Hon Darren West, as a farmer, would agree with me on that.

Owning a small business comes with its challenges, but it can also be extremely rewarding. I have spoken about this before. My journey starting my business—when I got out of my role in politics a long time ago before finding my way back—the reward for me was the building of the business. It was putting the business plan together, working out exactly what I wanted to be and do, and the vision I saw for the business. It was working out what we wanted to do, but just as importantly, what we did not want to do. That is something a small business owner needs to think about as well, because trying to be everything to everyone is often a recipe for disaster. I remember sitting down, putting my business plan together. My business partner, who I have spoken about before in this place, was a woman called Suzanne Badcock. She is one of the most impressive people I have ever met in my life; an absolute force of nature and still one of my dearest friends, in fact. Her husband, Andrew, is also a good friend of mine. He is a former small business operator and owner himself as well. I think Suzanne would agree that we could not have built the business we built without each other; we complemented each other. We had the fortunate coincidence of having been friends prior to deciding to go into business, which a lot of people told us at the time was something we really needed to be aware of. However, we had also worked together, so we knew how the other worked. We knew each other's strengths and weaknesses. I obviously no longer have that business or any part of it. Suzanne not only runs that business, but she has gone on to create two or three others. I think the next one she created, which she did without me, is far more successful than the one we did together. Clearly, I was a handbrake on her and how she good she was at small business. She is absolutely sensational.

The last time I spoke about small business in this place was a couple of years ago. I looked over the figures from back then—this goes back a couple of years, but these are the figures I have got—but the thing about small business is that 97 per cent of all businesses in Western Australia are small businesses. A lot of those businesses employ people other than just the owners. The Cook government certainly understands that the small business sector in Western Australia is a major employer and incredibly important for Western Australia's job market. Indeed, it has gone up since a couple of years ago, but I know the number of people in Western Australia employed by small businesses was over 460 000, which at the time was nearly 40 per cent of Western Australia's entire workforce, and equally distributed as well. Nearly a quarter of those businesses were in regional areas, which coincides with, and is a reflection of, the distribution of the population around the state of Western Australia.

The last time I spoke, I remember reflecting on the fact that the second-largest sector in small business is indeed the professional scientific and tech sector. Technical innovation is critical to Western Australia. Our small businesses are at the forefront of dealing with technical innovation; they are the vanguard. They are at the forefront of everything that is happening in the world with the rapid advances in technology. We have heard Hon Wilson Tucker talk often about how quickly technology is evolving. We see it ourselves every day with, for example, the evolution of artificial intelligence and what it is doing to help us out. The importance of having a thriving sector in Western Australia looking at this is that as new technology becomes available, the research leads to real world outcomes. If we are doing that here, then we hold some of that intellectual property and some of that knowledge. It allows us to train up other Western



Australians and people coming into the sector, and guarding that technology here, which then allows us to expand. If a small business owner, as a jurisdiction, becomes a net exporter of information technology and knowledge—it has always been so, but especially in the modern world—it is then leading and paving the way for Western Australia to have continued success in this area. Success in any area builds to future success and so on and so forth.

I have already run out of time, but I will go back to one of my opening statements. I think it is really important to recognise that the Cook government knows exactly how important the small business sector is to the state as a whole and exactly what it is that the small business sector delivers to this state.

Motion lapsed, pursuant to standing orders.

## TREASURER'S ADVANCE AUTHORISATION BILL 2024

### *Second Reading*

Resumed from 17 April.

**HON DARREN WEST (Agricultural — Parliamentary Secretary)** [12.36 pm]: I would like to finish off my contribution to the debate on the Treasurer's Advance Authorisation Bill 2024, which I must point out I was not intending to make until I heard the opposition.

**Hon Pierre Yang** interjected.

**Hon DARREN WEST:** Yes. I think “deluded” is a better adjective, member. That contribution was something to behold. I remind members that things said in Parliament are written down for everyone to see forevermore. Members might reflect on that sometimes when they make their contributions to Parliament. They have been made and they are recorded. Naturally, sitting here from our side, it is somewhat hypocritical to hear the alternative Treasurer speak in such a way that clearly and conveniently erased the eight and a half long years of Liberal–National government here in Western Australia that, by everybody's account, was the worst fiscal performance by a government.

**Hon Pierre Yang** interjected.

**Hon DARREN WEST:** It is sort of acting like it never happened. Members, I guess there is the saying that, “If you do not remember the 60s, you probably were not there.” I think if someone does not remember the Barnett Liberal–National government, they probably were not there either.

It was a dreadful time for Western Australia. It left the state's finances in such a parlous situation that any incoming government was always going to have to meet the challenge of turning that out-of-control train around before it completely wrecked. Enter the McGowan government, elected in 2017 by the people of Western Australia, who had had enough of what they saw of the previous government. The 2017 election was one of the largest landslide victories ever seen in Western Australia, on a range of issues. The privatisation of Western Power was certainly a big issue in that election. That was the Barnett Liberal–National government's go-to policy to save the day. To the credit of Hon Mike Nahan, the last Treasurer, he did try, in that last term in the dying days of that government, to stop spending. He tried to cut spending. The problem was that the train was that close to wrecking that it was a bit late. He had to cut funding, for instance, on road maintenance. Now this government has to fix that up. Not only was a dire set of books inherited by the new government, but there had been a cut in spending to vital parts of the economy.

<017> Q/5

The incoming government, ably led by Premier Mark McGowan and Treasurer Ben Wyatt, set about the difficult task of not only resurrecting the finances and getting the state out of deficit after deficit and ballooning debt—the millstone around the taxpayers' neck was a debt legacy of that government—but then completely having to reappraise all the spending commitments that had been made. We were criticised for that. Look, it was a difficult time, and all things being equal, they were not decisions that governments would make. We were also criticised for not funding projects that had not been funded under the previous government. I thought that was a bit rich, when an incoming government trying to salvage the state's economy is then criticised for not spending even more money. It is disturbing in that despite everything that happened in that eight and a half years, the coalition, Liberals and Nationals, still did not get it. They still cannot understand that there was a time to appropriately appropriate taxpayers' precious resources. They still do not get it. They absolutely still do not get that strong economic management of the state's finances is the most important thing a government can do on behalf of the people that elect it. They still do not understand that. That is what disturbs me the most. In less than a year's time the people of Western Australia will choose the government for the next four years. We will remind the people of Western Australia that the opposition still does not understand the importance of managing their finances. I think that will be a big point at the next election. I think it will be one of the largest issues to face the alternative government at the next election.

Can I say—I said this yesterday—that there was hope there would be an alternative to the current alternative Treasurer. One of the people who could have best filled that role has been chastened for daring to set up a meeting, and there I refer to Hon Dr Steve Thomas, who I thought made a fair fist of the shadow Treasurer's role. He has an understanding of economics and finance. The other person who was probably even better equipped, as far as I understand the only member of the coalition team with a background in the corporate sector, is Dr David Honey. We all know what

happened to him for being one of the two Liberals to retain their seat in the even greater election landslide when voters turned to the WA McGowan Labor government. He was one of two Liberals to retain their seat—the Liberal team, really, because the Nationals to that point had not contested a metropolitan electorate, but we will see how that goes over the next 12 months. The only metropolitan member of the Liberal–National team to retain their seat in that particularly challenging election for the coalition was rewarded by being shown the door at his preselection. There was someone whose skill set could well be used in the run-up to the next election. David Honey is a particularly nice man. I am sure he is a committed Liberal and that he will offer his expertise to help the opposition at least climb out of the mire it is in at the moment. But it is in this mire for no other reason than that it is out of touch with the community and, most importantly, out of touch with the community’s expectations of it managing its finances. That is why the coalition lost government and why it lost even worse in 2021—because it still does not get it.

**Hon Peter Collier:** Are you going to talk about your own government?

**Hon DARREN WEST:** I will get to that because talking about the government we had then and the government we have now is an absolute juxtaposition. The alternative Treasurer’s remarks were completely oblivious, absolutely, totally, 100 per cent oblivious, to the actions of his side of politics—his government. I understand that Hon Neil Thomson was a senior public servant during the time the coalition occupied the government benches. It will take many, many years for those memories to be erased in the electorate and minds of the Western Australian people—particularly businesspeople and particularly people who understand the importance of strong economic performance. Hon Neil Thomson showed us yesterday that he still does not get it. I know a lot of Liberals, and to a person they were moaning the poor economic performance of the government they voted for, and subsequently many of them have shifted their vote to our much more economically savvy and sensible centrist WA Labor government. I am very proud of that. That is particularly the case in the seat of the Agricultural Region in the Legislative Council, which is of course where I take the most interest because it is the house I am in. An area like the Agricultural Region, which is traditionally as conservative as you can get, and in many ways remains so, turned to Labor because of its management of the pandemic and its credible economic performance. That is why it turned to Labor. A total of 46 per cent of people in the Agricultural Region voted Labor in the Legislative Council—more than the Liberals and Nationals combined. That is what the electorate will do when a government fails to deliver and manage its finances in an appropriate way. So far, so good in the Agricultural Region for the people in that electorate. We will see what they decide in March next year when we all go again for the great job interview that is an election and let the people decide who they think are best to manage their state over the next four years.

We have a much better story to tell, and I think the public at large is relieved that there is a much better story to tell because the state was in recession. We were going backwards and we were burdened by debt. We have since seen rising interest rates make repayments on that debt significantly higher. We saw eight years of strong economic management by Hon Eric Ripper to remedy—again, history repeating or proceeding—the blowouts of the Court Liberal government. Hon Eric Ripper brought the books back into line, kept spending in check and delivered several budget surpluses, only to see all that good work trashed by the Barnett Liberal–National coalition and a conga line of Treasurers. I am quite fascinated by collective nouns, now that the multitude of Treasurers has been brought up. I am often fascinated by collective nouns, and I am not sure what the collective noun for “Treasurer” is, but a conga line of Liberal Treasurers could be one.

**Hon Kate Doust:** An incompetent!

**Hon DARREN WEST:** It could be an incompetent of Liberal Treasurers! There is an old gag that I like and roll out from time to time, and I will again today. How do you get a WA Liberal into a small business? This is topical.

**Hon Dan Caddy** interjected.

**Hon DARREN WEST:** Does the member know the answer?

For the benefit of Hansard, I will just finish that off. I will leave that little pause before the punchline. Hon Ayor Makur Chuot has been talking about small business today, and we have had lots of great contributions from members on this side. But, how do you get WA Liberal into a small business? You give them a big business first and they will do the rest! It would not be so funny if it was not actually the case.

I will finish on the subject of the previous government. I note Hon Peter Collier is a little bit uncomfortable when I talk about the failings of the previous government, and I apologise for that, member, but history is what it is; it is there for everyone to see. Members can go to the WA government webpage and look at previous budgets and look at actuals versus real spending right back through time.

<018> J/2

I suggest that the alternative Treasurer might take up that idea and look back at previous governments. He will see the difference between strong economic management and disastrous economic management, there for everyone to see. I would also offer a suggestion to the alternative Treasurer that he perhaps cast his eyes over *Special inquiry into government programs and projects: The final report*. It was a very thorough precis that absolutely supports all that I have said in the contribution I started yesterday and will finish today. This report was written by someone who could

never be accused of being biased towards the left side of politics. It was written by someone who is impartial and perhaps, many would think, may even lean the other way a little in their views: John Langoulant, a very high profile and esteemed Western Australian. He wrote this very significant work that I suggest the member reads, because he will learn an awful lot about how not to manage the people of Western Australia's finances. I will pick a bit out, because it is a voluminous report and there are two quite large parts, such was the amount of material for the investigation to look into. It is certainly not all in there. Some of the more extreme and bizarre cases of financial mismanagement are in there, but certainly not all of it, because, gee, that would be Britannica-esque in its detail. However, and the Leader of the House will probably be a bit pleased, I will shift the gaze from the Liberal side of the coalition to the Nationals WA side of the coalition and the complete and diabolical mismanagement of what should have been such a great scheme for regional Western Australia. It certainly captivated the imagination of the public and was keenly anticipated. I am going to quote Keating here; it was like one of those cheap penny bangers, for anyone who may remember when fireworks were legal. You would line them up and there would be this big fizz, flash and noise—and then nothing. That was exactly what this royalties for regions scheme became. It offered so much and delivered things that we just did not need and failed to focus —

Several members interjected.

**The ACTING PRESIDENT:** Order! I am struggling to hear the honourable member's contribution.

**Hon DARREN WEST:** Thank you, Acting President. I am certainly not inviting interjections today. There is a time and a place for interjections, but while I am speaking about the incompetence of the Liberal–National government is not one of those.

Royalties for regions promised so much. It was going to solve all the issues that we had and there were admittedly some back through time. When it came, it provided us with many things that we did not need, but not the things that we did. When we ask people around regional Western Australia for their assessment of the royalties for regions program, they will agree with John Langoulant and his precis. They will agree that this was a scheme that could have been wonderful, but failed to be managed correctly and properly. What they are pleased about now is that that is the case. The royalties for regions scheme remains in place, with funding of \$1 billion a year, or 25 per cent of the state's mining royalties, whichever is the lower of those two things, and has now been brought back with a proper financial accounting process through Treasury, because it was outside Treasury in the past. It was a blatant misuse of the state's finances in order to elect certain members. I will leave it at that, but that is certainly what it was. I quote from the report —

The Special Inquiry was asked to examine six specific matters which fell under the Royalties for Regions program over the period 2008 to 2017. This number increased to 10 after the Inquiry ...

**Hon Neil Thomson** interjected.

**Hon DARREN WEST:** Member, you have had your go.

**The ACTING PRESIDENT (Hon Sandra Carr):** Honourable member, Hon Darren West has indicated that he will not be taking interjections, so if you could please allow him to continue his contribution.

**Hon DARREN WEST:** Thank you, Acting President. The report continues —

This number increased to 10 after the Inquiry assessed that the issue of Pilbara Accommodation would be best analysed by reviewing four specific projects.

It is very clear that this program had a profound impact on the operations of the government and the public service. The program was advocated by the National Party in the 2008 election and it formed the centrepiece in the partnership that was negotiated between Colin Barnett and Brendan Grylls immediately following the election. The deal done between the parties would drive most dimensions of the political, economic and regional development policies of the Government as well as many governance and administrative practices. The considerable growth in royalty revenues—before being offset by the Commonwealth Grants Commission—that occurred during this time magnified these impacts.

It goes on, but I do not have a lot of time left. There is a chapter on the governance of the program, cabinet oversight or lack thereof, the regional development priorities, the priorities and how the funds were spent and where.

The report has an interesting map of Western Australia that shows royalties for regions funding spending by regions in 2008–09 to 2015–16. It is broken down on a per capita basis. I can tell members that in Peel, the program spent \$1 256 per person per financial year. The south west did a little better, but not that much better. The good people of the south west received \$3 182 from the royalties for regions program in their area a year. We are still getting a little of a trend, but those areas are not particularly strong areas for everyone in the political landscape. I jump over to the great southern, which received double what the south west received: \$6 057 per person. We can see already that there is a rather large jump in the way that those funds were appropriated. I think that people following along at home might be able to start figuring out what is going on here. I always advocate for more funding in the wheatbelt, and our government is delivering that, which I will speak a little more about in a minute.

The wheatbelt is a classic example of an electorate that was seen for many years to be taken for granted by one side, which I think remains the case, but seen as too hard for the other side, which has changed. We are advocating very strongly in the great southern, the wheatbelt and the midwest through our magnificent members of the Agricultural Region who are doing particularly good work in those areas to show the people of those electorates that we care and it is not too hard for our side of politics to go in there. I can tell members that the people who have taken it for granted for a long time are now starting to get a little concerned. They are starting to worry that some of the seats, heaven forbid, may swing across to a progressive government. All of a sudden, we are now seeing a bit of action and concern from members who have held those seats and taken those seats for granted for a particularly long time. It is not completely the case that that is true, however. The wheatbelt is probably the last one that is definitely still being taken for granted and we can perhaps see that by noting that the new Nationals WA candidate has never worked in the electorate and never had a job outside government. This is the person who the party is putting up because they think that they will just walk in and win that seat. Sorry, everyone; there will be a fight in the seat of Central Wheatbelt this time around, and just putting their person in there who has no real connect or understanding of the electorate is probably not a smart move. Let us see how that plays out. The people will make a decision in March next year about who they want to represent them. I make the point that following the next election, this will make the National Party team, should it be successful, an all-male affair. It had an opportunity to perhaps get some strong wheatbelt women, and there are many, because if anyone saw the Rural Women's Awards recently, they would note that all three finalists were from the wheatbelt. That was a great opportunity to talk to one of those people about perhaps being a representative for the wheatbelt.

*Sitting suspended from 1.00 to 2.00 pm*

<019> O/4

**Hon DARREN WEST:** Before I complete my contribution today, I will give a shout-out to the staff and year 5 students from Duncraig Primary School who are here today in the gallery. I hope they enjoy their time in Parliament. Now you have got a mention in *Hansard*, and that will be written down forever. Welcome and enjoy!

Before we broke for lunch, I was talking about the per capita spending of the royalties for regions fund by the previous government, as outlined in the *Special inquiry into government programs and projects: Final report*. I was looking at the disparity that was found between regions of the state, as defined by the nine regional development commissions. I was up to the wheatbelt, where about \$8 206 per person was spent. The midwest amount was \$7 736 and the goldfields–Esperance amount was \$7 312. That is significantly more than the amount spent in the south west, but these figures pale into insignificance when we look at the per capita spending in the Gascoyne, which was over \$35 000 or five times more than the amount spent in goldfields–Esperance, the midwest and the wheatbelt, approximately six times what was spent in the great southern, 12 times what was spent in the south west, and 18 times what was spent in Peel. Members might start to be joining the dots a little bit about what the royalties for regions program was really targeted at. I do not begrudge people who live in the Gascoyne such a significant spend—not at all. Nobody does. Projects right across the state warranted such spending. Nor do I begrudge the people of the Pilbara, who had about \$26 000 spent per person, and the Kimberley, where about \$25 000 was spent per person, but this report showed the unfairness and inequity in the distribution of these funds, and that was because they were not run through a Treasury process.

I will not bang on about this too much longer, but I was prompted by Hon Neil Thomson's contribution yesterday. It is hypocrisy for a government that was so poor in its financial management to criticise one that has done a much better job and made a much better fist of managing the state's finances. Members will find that that there is support for this government—for example, from the business community—because it is running the state in a way that people think is appropriate.

Just before I finish up, I want to make a few points about the most recent budget and one thing of which I am most proud. As I pointed out earlier, there was a significant discrepancy in spending across the state. Members can work out for themselves that the Nationals WA channelled money were it was concerned about holding or trying to win a seat. That is not what taxpayer money should be used for. It should be used where it is needed the most. Right across regional Western Australia, the government is significantly investing in those communities and in their infrastructure, and it is working. There is a migration; people are moving from the metropolitan area to regional areas under this government, and that is something we are particularly proud of. We started by rebuilding the economy and creating local jobs, awarding tenders to local companies and businesses. That is where we started. As the economy started to strengthen and grow, we put in incentives to build houses because we could see that no houses had been built for several years under the previous government. All that work is now starting to pay off. The economy is booming; there is no doubt about that. We are proud of that because we significantly helped the state's economy and the state's finances with our policy policies during that boom. The Liberal Party would have thrown the borders open at the start of the COVID pandemic and decimated our mining industry. We chose not to do that; we chose to keep Western Australians safe and strong, and they voted for that.

I will point out a couple of things before I sit down. I have made my point about the poor management of the last government, but just to show the contrast, our government continues to support and grow regional communities. I quoted from the state budget, and I am sure that members opposite have read it because it is a beautiful set of numbers.

In addition, a total of \$11.2 billion will be invested for regional infrastructure over 2023–24 to 2026–27, including \$5.3 billion on roads. We are investing \$5.3 billion on roads. Remember how I said earlier that the previous government had to cut road spending because it could not make the books balance? We are spending \$5.3 billion on roads.

Expenditure on the royalties for regions program totals \$4 billion over the next four years and accommodates new royalties for regions spending of \$358 million in regional commitments and other new initiatives, such as and including \$342 million on health and mental health. We have a great story to tell about that. Remember how the coalition promised four times, I think, to build a new hospital in Geraldton? Then, we promised to build a new hospital in Geraldton. That project has been delayed for a range of reasons—notwithstanding a cyclone sucking out a lot of the building capacity—but it is now being built. We deliver the projects that the other side only talks about. That is a good story to tell in health.

We have made a significant investment in regional housing. It is challenging to get houses built, but the money is there to build them, unlike under the previous government. There is \$30 million in industry support and transition, and \$23 million to support survivors of family and domestic violence. This is the first government ever to have a Minister for Prevention of Family and Domestic Violence. We are doing that.

There is so much. Another one that I am particularly proud of, because it came out of an idea while we were in opposition, is the \$20.7 million for the regional airfare zone cap scheme. People all over the state stop me to thank us for that scheme. We all saw the days when it cost \$1 500 to fly back from Karratha. It was hardly an incentive for families to move to Karratha if it would cost them \$1 500 per person or \$6 000 for a family of four just to get to Perth if the occasion demanded that they had to come quickly. Ironically, one of the greatest plaudits of this scheme comes from none other than Brendon Grylls, former National Party leader and member for Pilbara. He constantly reminds me what a great scheme this is and how it has impacted for the better his family, who live in Karratha, and how it has encouraged others to do the same.

Members, I could bat on all day about economic management because it is important to me. It is clearly not as important to members on the other side. They have not learned from the mistakes of the previous government. What I would say to the alternative Treasurer is to have perhaps have a little bit of a look at how the books are being managed now, compared with how they were under the opposition's government. Perhaps he should take a leaf from Treasurers Wyatt, McGowan and now Saffioti about how to manage the state's finances properly, and deliver the infrastructure that people need and want. There will always be challenges for government, but having a strong economy and strongly managed finances is really important. That can create its own issues, as Hon Neil Thomson points out all the time. He is big on pointing out the problem, but we do not hear much about the solution, and that is the coalition that sits opposite us today. It does lots of pointing out the problem but is an absolute policy-free vacuum. We do not hear any solutions from the other side.

We are getting on with the job. There will be a budget next month. I am sure that it will once again prove the McGowan and now Cook Labor governments' capacity to manage the finances responsibly and in a way that will benefit the future and that Western Australians appreciate and will continue to support.

<020> E/4

**HON STEPHEN PRATT (South Metropolitan)** [2.09 pm]: I appreciate being given the opportunity to make a contribution on the Treasurer's Advance Authorisation Bill 2024. The second reading speech is fairly self-explanatory. It mentioned a few items for which funds will be allocated. In essence, this bill will allow the government of the day to get on with the commitments it has made and the work it needs to do to keep Western Australia functioning and provide services to the community. On that front, I endorse what is being proposed.

As we have seen in this house over the past day or so, the debate on this bill has been pretty wide ranging. Some of the contributions made by members of the opposition deserve a bit of a rebuttal. I will give that my best shot now. During his contribution, the shadow Treasurer, Hon Neil Thomson, took the opportunity to pretty much attack all the initiatives that the Cook government is undertaking. At every opportunity, those opposite try to talk down our Metronet projects. I find that staggering but, in some ways, not surprising because it is clear that the opposition does not find investing in public transport infrastructure to be palatable. Metronet is a transformational project for Western Australia. It will deliver 72 kilometres of new rail lines and 23 new train stations. It is a significant project and a significant undertaking for our public transport system, something that those opposite are fundamentally opposed to and could never have delivered. The project includes the delivery of the Forrestfield–Airport Link, the extension of the Yanchep rail line, the Thornlie–Cockburn Link and the Morley–Ellenbrook line, which is underway.

We are investing in our schools. We have proposed upgrades that are being blocked by Liberal members. We are also investing in our health system. I noticed during debate in the other chamber that that investment allows for a boost to our elective surgery capabilities. For those in need of surgery, that will help them in their day-to-day lives sooner rather than later.

The facts are that we have created 300 000 jobs since 2017, despite the impact of the COVID-19 pandemic; we have restarted railcar manufacturing after it was shut down by the Liberal Party in the 1990s; and we are implementing budget measures to help Western Australians with the cost of living. An example of this is the \$1 400 worth of

household electricity credits given to every WA household since 2020. This helps families right across Western Australia. Another great example is the student assistance payment. Applications for this payment opened on 15 April.

I take this opportunity to share a story of an event I attended during the recent school break, during which I realised something. I thought it was worth sharing as it is an important reminder of why we on this side of the house do what we do. The moment came as I sat at a table alongside my wife, Elena, and several of our friends at a fortieth birthday celebration. This year is the year of fortieth birthdays for me and my friends. I look forward to mine. Despite the lingering tiredness from the end of term 1, everyone was enjoying the rare moment of a kid-free catch-up. The conversation started like all do at these events. We recounted tales of wrestling children, juggling jobs with family demands, the latest project around the house and whatever reality TV we had been watching while crashing into the couch. However, as this was the Easter weekend, someone commented on the well-documented increasing cost of the chocolate Easter eggs we buy for hunting in our gardens. The conversation then transitioned to the unexpected cost of food at family functions, filling up the car with petrol after all the extra running around and finding ways to entertain kids over school holidays, which is when a moment of clarity came. Easter had also snuck up on me and my family. More importantly, it snuck up on many families across the community, who were silently carrying an extra burden. That is why I was particularly proud to mention to everyone the student assistance payment, recently announced by the Cook Labor government. Not everyone at that birthday party knew about the payment for Western Australian families with school-age children. Not everyone there knew that they met the eligibility criteria for extra funds for textbooks, excursions, shoes, backpacks and even lunches, but everyone was grateful to find out about it, which is why I find the politics surrounding this announcement so interesting.

It struck me as strange that the current Leader of the Liberal Party, Libby Mettam, responded by describing this timely and much-needed support as a lazy approach. I think that response is poor because it fails to recognise the immediate and timely impact this will have on Western Australian families. Sure, it is no silver bullet, but I am not sure anyone on this side of the house ever claimed that it would be. It will not immediately fix everything for everyone but it sure will help. What are we really doing here if we are not helping to improve the lives of the Western Australians who we are elected to represent?

Right now, parents are dealing with that sinking feeling in the stomach they get as their child tells them of kids bringing home books from book club when they did not, argues with them in the shopping aisle for a snack to take in their lunch box because their friend does or brings home a note seeking permission and payment to go on an excursion that causes an argument between the adults in their house.

I do not want parents like me having to choose between giving their children what they need to fit in or participate fully in their education and delaying the payment of a bill to keep the household running. I want to see people invest more time with their loved ones in their homes and in their communities—being present and knowing their children are getting equal access to the opportunities we are lucky to share in this great state. That is why I got into politics, that is why I joined the Labor Party and that is why I am proud to be a member of the Cook Labor government, working to provide support like the student assistance payment for Western Australian families.

That is why I have also proudly supported other measures and made mention of these in the chamber, such as providing a minimum \$400 household electricity credit to ease the pressure on family bills, doubling the amount of financial assistance available to \$300 a child to participate in sports through KidSport and launching fare-free public transport every Sunday, including over the summer holidays, and for students during school weeks. These policy initiatives are important. They matter. In isolation, it is easy and cheap to throw mud at them but together they are part of an important equation that is making a real and tangible difference in people's lives and that is converting our words into action when we say things like tackling cost of living is our number one priority. If members do not believe me, I encourage them to speak with more families like the ones I spoke with over the Easter break.

Further, we introduced the WA rent relief program to help financially vulnerable tenants with rental assistance of up to \$5 000. We have invested a record \$2.6 billion in housing and homelessness and have made another record spend of \$10 billion in health and mental health in the past three years. The addition of 571 new beds in the health system in the past two years is the equivalent of building a new tertiary hospital in Western Australia. We have made the right decision to deliver the new women's and babies' hospital in Murdoch. The fact is that those opposite cannot be trusted again to deliver health infrastructure. They would not be able to deliver this project at the Queen Elizabeth II Medical Centre precinct. They are the facts. I have previously mentioned that this bill will allow for more elective surgeries to take place, and sooner. This has been a consistent targeted approach by the Cook government. We have delivered a record number of elective surgeries and procedures to reduce the waitlists. We fought for and regained WA's fair share of the GST. We regained the AAA credit rating, which was lost under the previous Liberal government. We will invest a record \$43.9 billion in infrastructure over the next four years to deliver jobs and benefit Western Australians for generations to come, all while reducing debt.

I have spoken on a number of occasions about the Cook government's investment in training, first, by freezing TAFE fees and, then, by making TAFE free for over 130 courses across key target industries. The Cook government is doing what is right for Western Australia.

<021> K/2

**HON PIERRE YANG (North Metropolitan — Parliamentary Secretary)** [2.20 pm]: I appreciate the opportunity to make a contribution on the Treasurer's Advance Authorisation Bill 2024. We have heard from a number of speakers prior to me. It is important that we set the record straight and counter some of the unfounded accusations from the mob opposite with the strongest evidence that is available to all of us. It is quite disingenuous that this mob, which has the worst economic record in the history of Australia, is attempting to gaslight the community of Western Australia in 2024. People should remember that members opposite left Western Australia in a terrible, disastrous state in 2017. When they left government, they left the state in a worse space than they found it in 2008. That was disgraceful.

Before I talk about the detail of that, I feel an obligation to remind all of us here—I do not enjoy doing it—of the track record of those who sit opposite and the terrible situation they left us. I always feel the need to remind members where we were and the hard work this government put in when we were re-elected in 2017 and where we are today. That is irrefutable, I cannot believe that those on the other side are attempting to rewrite history. Before I do that, I will delve into the details of why we have a Treasurer's Advance Authorisation Bill in the first place and the legislative requirement for such a bill. Section 27(1) of the Financial Management Act 2006 states —

The Governor may, on the recommendation of the Treasurer, authorise expenditure in a financial year that is not provided for by an appropriation by an Appropriation Act for that year.

**Hon Neil Thomson:** Can I interject?

**Hon PIERRE YANG:** I am time limited, so maybe not.

Several members interjected.

**The DEPUTY PRESIDENT:** Order! I remind members that all interjections are disorderly and that it is not up to members whether they decide to take or not take interjections. Hon Pierre Yang has the call.

**Hon PIERRE YANG:** Thank you, Deputy President, for your protection from unruly interjections from that mob!

Section 28(1) of the Financial Management Act states —

The Treasurer may authorise advances to be made —

- (a) on the terms and conditions determined by the Treasurer —
  - (i) for the temporary financing of works and services of the State ...

**Hon Louise Kingston** interjected.

**Hon PIERRE YANG:** This is important. Members opposite may laugh here and there but this is an act that the great Gallop Labor government put in to ensure that financial management is done properly. What did members opposite do in 2008? They still put in the disorganised royalties for regions program—I will come to that a bit later—and wrecked the state's finances, after eight years.

**Hon Louise Kingston:** What—royalties for regions?

**Hon PIERRE YANG:** Yes, with singing toilets and plastic cows. That was the track record of the Liberal–National government.

Several members interjected.

**The DEPUTY PRESIDENT:** Order, members. Hon Pierre Yang.

**Hon PIERRE YANG:** Thank you, Deputy President. I shall continue, and I will not take too much time to finish my contribution on the Financial Management Act 2006. Subsection (1) continues —

- (ii) to a public authority; or
- (iii) to the credit of a special purpose account; or
- (iv) for the purchase of stores;

I now move to section 29(1) of the Financial Management Act, which reads —

Subject to subsections (2) and (3), the total expenditure that may be authorised under sections 27(1) and (2) and 28(1) in a financial year cannot exceed an amount equal to 3% of the total amount appropriated for the previous financial year by the Appropriation Acts.

Section 29(3) states —

Expenditure that exceeds the limit specified in subsection (1) may be authorised by a Treasurer's Advance Authorisation Act to make payments under section 27(1) or (2) or to make advances for the purposes referred to in section 28(1).

Here we go. That is the reason we are debating this bill. It is important that we have a basic understanding as to why such a bill is needed. I listened to the shadow Treasurer intensely over the past few days and I cannot recall the shadow Treasurer talking about the reasons we need to have the bill, but we heard a lot of politicking from members on the opposition bench. I will have more to say about that.

As I was saying, it is important that we look at the record in 2017. We heard my good friends Hon Dan Caddy and Hon Darren West talk about the state debt in 2017 and the projected state debt had the other mob stayed in government. I wish to put my thoughts on the record. I think it was atrocious that a government inherited a fantastic set of books in 2008 and totally squandered a once-in-a-lifetime mining boom and caused the state to be in such a terrible situation. I recall reading *WA Labor plan for jobs* that was released in 2016. Almost 100 000 Western Australians were unemployed and that was entirely the responsibility and fault of the Liberal–National government during that period. Members opposite cannot escape that. They may have a laugh but people’s lives were at stake. Can they imagine the pain, suffering and stress of a parent who was asked to leave their job, who was sacked because of the financial mismanagement of the government of the day? They go home and look at their partner and children and at the bills piling up.

**Hon Louise Kingston:** Seriously? That is a long bow to draw.

**Hon PIERRE YANG:** Members opposite cannot say that they had nothing to do with it. It was the Liberal–National government’s fault. It was the state debt. The total non-financial public sector —

Several members interjected.

<022> P/2

**The DEPUTY PRESIDENT:** One point I will make is that it is even more disorderly than interjections when one interjects from a place that is not their own. The other point that I will make is that everybody gets to make a contribution to this bill, even though it is time-limited to 45 minutes for most. This is Hon Pierre Yang’s chance to make his contribution and he has 35 minutes remaining.

**Hon PIERRE YANG:** The total non-financial public sector gross debt liabilities for 2016–17 were \$47 billion. We heard the other side try to refute that number and claim that it was not true. This is in the opposition’s budget and track record. In 2014–15, the gross final demand, which is used to measure domestic economic activity, contracted by 3.6 per cent. The estimated actual for 2015–16 was 4.25 per cent. In the 2016–17 budget estimates, it was 3.75 per cent. The state was in a cycle of recession over a number of years, and that was just atrocious.

It is important that we look at the words of an independent inquiry about the mismanagement of the Barnett Liberal government. I want to report some words from the special inquiry’s report back in 2017. It states —

When the Liberal National government was formed in 2008, the economy was strong. The State’s finances were in a good state despite Treasury warnings of potential future decline.

...

Overall, Treasury lacked the clout—partly due to the position of Treasurer becoming a revolving door—to impose a more disciplined stance within the government. Consequently, the budget deficit and State Debt started to blow out. The coveted AAA credit rating was lost.

I can go on and on about the record of the other mob. That is entirely because the other side has no self-awareness of their track record and history. They like to privatise anything and everything they come across. Their plan was to sell their assets. I was a young person a long time ago. I want to use an analogy from my younger days to the plans of the Liberal–National government in its final budget. Its final budget was to sell Synergy and Western Power to recover \$11 billion to pay down debt. It is analogous to a young person racking up a lot of credit card debts and then deciding to sell his or her laptop and his or her car to pay down the debt. It is unsustainable. Members opposite need to grow up and look at their track record before they start lecturing us and the community.

With this, I will start my concluding remarks. It is in the DNA of the Liberal Party that it likes to privatise. We saw the privatisation over east of powerlines and state infrastructure and their people suffering from skyrocketing power prices. We avoided that because the Western Australian Labor government fought tooth and nail to stop the irresponsible intentions of the Liberal Party back in 2017. If the Liberal Party is allowed the opportunity, it will run a big business down to a small business. If allowed, it will privatise anything it has to try to pay down its reckless debt; it will prioritise itself into oblivion. That is the modern Liberal Party for you. It is quite a sorry set of affairs for Australian democracy.

I also want to just add one more point. We heard members of the opposition address this bill this morning. There were some remarks that were blatantly politically campaigning by talking about a particular preselected Liberal candidate. I want to add a word of caution. Will it be picked up and taken onboard by members opposite? I do not know. It is up to them. However, I think such comments promoting a preselected Liberal Party candidate is borderline on the inappropriate use of parliamentary time. With those words, I add my wholehearted support to this bill.



**HON DR SALLY TALBOT (South West)** [2.36 pm]: I am very happy to support this bill. It is an example of good, sound economic management. It continues the tradition we started in 2017 that I hope the state will see for at least the next two decades of being led responsibly, calmly and evenly by a Labor government. When someone comes into these positions in public life, it is well that they have a bit of perspective on where they stand on history. It seems to me that we have arrived at a very interesting point in 2024 in which we have a very challenging set of not just economic factors, but also a very unstable global situation and all that implies for the cost of energy and supply chains and all those things we became super familiar with during the COVID pandemic.

All of a sudden, we could not put hand sanitiser on the shelves of the supermarkets. This may be shown to be an urban myth in time, but I was reliably informed that the reason we could not put hand sanitiser on the shelves was because we could not source the little plastic caps that click down on top of the bottle. We had plenty of hand sanitiser and containers, but we did not have anybody actually manufacturing the little clips on top. We are very familiar with all the intricacies of a global interrelated economy. We have seen other economies around the world completely smashed by what happened in COVID. There were all the disruptions not just to supply chains but to streams of employment, immigration and emigration. Everything that our western economies depend on to provide stability for our market-based system was completely stood on its head during the years of the COVID pandemic.

At the time in the state, we had a very solid and reliable pair of hands that the Labor government offered to the economy of the state during that time. I think we are very skilfully, thoughtfully and effectively navigating our way through what many economies are finding to be extremely stormy waters.

<023> F/2

I can tell members that as I move around the south west, there is one consistent refrain I hear from people, after they have talked about the things that have actually broken the surface of their awareness of the political realm. As we all know, that does not happen for many seconds per day, but I can say that everybody in the south west knows about the energy rebates we gave people last year—not once, but twice. Everybody in the south west now knows about the student assistance payment that has just become available. They also talk about all the infrastructure development that is going on at the two ends of my electorate. In Bunbury there is the Bunbury Outer Ring Road, which is the most fantastic construction; it is quite mind-blowing watching what is going on there. At the other end of my electorate there is the most recent element of the Albany bypass, which I see a couple of times a week when I head east from Denmark: the Menang Drive–Chester Pass Road duplication. They even take tourists there when cruise ships come to Albany. Members may not know that Albany is regarded as Australia’s best cruise destination; sorry, Broome—it is Albany! Tourist buses take people around the Menang Drive intersection because it is such a stupendous piece of infrastructure that the locals want to show it off, so they take tourists around it. I know that, because my husband drives some of those buses and has a great time talking about what the Labor government is doing.

However, the next thing people say is: “Please, please, please assure us that Hon Neil Thomson is not going to be the next Treasurer.” I say, “I will do everything in my power to stop that happening, because he can only become the next Treasurer if the Liberal and National Parties win the next election, and I will do everything I can to make sure that doesn’t happen.” I know everybody on this side of the chamber joins me in that. We do not want to see Hon Neil Thomson in charge of the budget; nor do we want to see the people sitting behind him today in a conservative cabinet in this state, and I say that because I have been listening to some of their interjections. I started off talking about learning from history; just look back on those years of the last Liberal–National government. I imagine a horror scenario that I create for myself in a tiny, dark corner of my mind where I hear the words of the former Premier ringing down the decades. We are all familiar with that moment when the last Liberal Premier, Colin Barnett said to, I think, his minister for sport when that minister came to him to ask for some more money to build something. He said, “We’re running out of money, mate.” That was how that government ran its budget between 2008 and 2017: “We’re running out of money, mate.” “Fully funded, fully costed”? What a joke that was. What a con on the Western Australian public that was.

**Hon Kate Doust:** FM promises, not real promises.

**Hon Dr SALLY TALBOT:** FM promises, yes. Not real promises. What an absolute disgrace that was. I mean, Hon Neil Thomson might be quite pleased that people actually know his name, even though they are using it to say, “Please don’t give us him.” He might be quite pleased with that and think that it increases his recognition.

Members on that side have learnt nothing. Next year I will have been here 20 years. When I look across at the other side of the chamber, there are some rays of hope there. When you have spent your life in politics, you know how to war game what the other side is doing —

**Hon Samantha Rowe** interjected.

**Hon Dr SALLY TALBOT:** I thank Hon Samantha Rowe—she stole my line! They are all leaving! If I were war gaming the next decade for the Liberal and National Parties, I would not want to see people like Hon Peter Collier leave. I would not want to see people like Hon Donna Faragher retire early.

**Hon Donna Faragher:** I never thought I’d hear you say that!

**Hon Dr SALLY TALBOT:** I got there in the end! It only took me 19 years, but I have said something nice about Hon Donna Faragher! But there is more. I have to say, I also would not want to say goodbye to you, Mr Deputy President. You have an eye for detail that is extremely irritating, which is more than the rest of your colleagues have! They are still sitting there, trying to reintroduce whaling!

**Hon Louise Kingston:** Oh, here we go!

**Hon Dr SALLY TALBOT:** Well, I have to say, Hon Louise Kingston started it! No-one was talking about that before she arrived in this place. If the loss of Hon Martin Aldridge is a genuine loss to this place, Hon Louise Kingston is a gift! She arrived in this place and put right back on the table the reintroduction of whaling to Albany. Honestly, if I had been engaged in one of my opposition war gaming exercises and I floated that idea, people would say, “Oh, she’s a bit past it, now—don’t take any notice of what she’s saying,” because that will never happen! But Hon Louise Kingston walked in here and put it on the table. Does she blame us for having noticed that she did that? Did she really think she would be able to come in here and talk about such an outrageous proposition and have members on this side just say, “Oh, well.” I do not know what she is doing, and I do not know whether she knows what she is doing. But anyway, I have to say to her: you started it. We are going to talk about it, but you started it.

I really fear for the other side of the chamber over the next 10 years. I do not know why the opposition would want to lose some of the expertise and, quite frankly, some of the hard work that those people have shown themselves to be capable of putting in. That is something that some of the members who are not retiring have yet to demonstrate, to put it politely.

History is what shapes the present and guides the future, and all I can say is that if we look at the platform that the Liberal and National Parties ran on in both 2017 and 2021, we can see that it has not changed. What would Collie’s future be now if we had let the Liberal and National Parties do what they proposed to do to the coal industry? I think it would have been closed by now, or just on the edge of closing, in 2025, but with no money. Instead of that, we have in place a world’s best practice transition. It has been noted all around the world that if you want to effect a just transition into the new green economy, you need only look at Collie as your case study. That is worth noting, because other places in Australia have tried to do that and they have not done it as successfully as Collie has. It may be that we were able to use those other Australian cities as examples, and as we know, sometimes examples can tell us what not to do. We certainly learnt lessons from looking at some of those attempts to make transitions fair and equitable, but did not entirely hit the mark. Collie has done that. People in Collie now know that there is a plan and they are happy to work with that. We would not have had any of that.

I remember Geoff Gallop talking about the lead-up to the 2001 election when, as Leader of the Opposition, he took his shadow ministry on a tour of regional Western Australia.

<024> M/2

There were literally—what do you call those balls of spinifex blowing down the main street?

Several members interjected.

**Hon Dr SALLY TALBOT:** Thank you. Yes, there was tumbleweed blowing down the streets. The main streets were deserted, shops were closed, tenants had gone. He made a commitment there and then that part of what he wanted to do if Labor won in 2001 was to re-energise regional Western Australia, and he did that. That is the mantle we have inherited, and we wear that mantle very proudly and will continue to do so, because regional Western Australia now is in a pretty healthy state.

Of course, the other big thing is that if the Liberal Party had won, we would no longer have Western Power in public hands. It is not rocket science! I am not an economist, but I can tell members what happens to our power prices when we privatise our power industry, because we have to look only at the other side of the country. It would be exactly like that. Their power bills are astronomical compared with ours. Ours have been kept under control by the fact that the utility is in public ownership.

All this will be rolled out again. Within the next six months we will see it all come out again, because members on the other side do not have a new idea to rub between them. All they have is the old, tired, weary thought bubbles. They are just kind of plopping along, chucking out the odd thought here. Whose idea was it to talk about the student assistance payment being lazy? Was that Hon Neil Thomson’s idea? All I can say is—great! If that is what they think, they should go out there and tell people. This now seems to be the party that believes in means testing. Honestly, I do not know what version of political history these people have been reading! When I was growing up in the Labour Party in Britain, it was a common assumption that one needed Labor governments to do progressive reform but conservative governments to run the economy. Of course, being in the Labor Party, I will never believe that. It was based on one of those mistruths that people to the right in politics have told forever. But now, we have the conservative parties in this state even walking away from that. They have given up. They have gone home. They have taken their bat and ball, pulled up the shutters and stopped. They come out with all this garbage. No-one is happy with members of the opposition. They are not contributing to the debate; they are not engendering any sort of energy in the community to engage with these things. They are just flattening people with their misery and negativity.

Several members interjected.

**The ACTING PRESIDENT (Hon Sandra Carr):** Order! The honourable member is patiently waiting to resume her comments.

**Hon Dr SALLY TALBOT:** It is all very well to come in here and look a bit energetic, but they need to go out there and do it, because no-one is watching them in here.

I do not think I am going to spend much more time on this bill.

Several members interjected.

**Hon Dr SALLY TALBOT:** I know that everybody is keen to hear the minister's second reading reply, as am I, so at that point, I draw my remarks to a close.

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [2.53 pm]** — in reply: I acknowledge all those honourable members who have made a contribution to the debate this afternoon, including Hon Neil Thomson, Hon Dan Caddy, Hon Darren West, Hon Stephen Pratt, Hon Pierre Yang, and, of course, Hon Dr Sally Talbot. I will not thank everybody for their contributions, but I acknowledge them all. I appreciate members making them this afternoon.

As members know, section 29 of the Financial Management Act 2006 provides an automatic limit on the Treasurer's advance, and that is calculated at three per cent of the amount appropriated in the previous financial year. For 2023–24, this equates to a Treasurer's advance limit of just over \$900 million. It is \$909.9 million, to be exact. The Treasurer's Advance Authorisation Bill 2024 seeks to increase this limit by \$2.3 billion to \$3.2 billion.

Managing the budget is a year-round process and further pressures will require attention by 30 June, which again put further pressure on the Treasurer's advance this year. This increase in the Treasurer's advance limit reflected in the bill includes funding for a range of things. There is \$962 million, which, together with the automatic allowance of the \$909.9 million, covers the estimated funding requirements detailed in the midyear review, and \$1.338 billion as an allowance or buffer for funding needs that may emerge after the midyear review and up to 30 June 2024. Of course, it is important to acknowledge that although the bill, if passed, will authorise this spending if it needs to be made, it does not commit the state to any other spending, so any money that is not used—any unspent capacity that exists under the Treasurer's advance—will lapse on 30 June 2024.

In general terms, higher than forecast spending charged to the Treasurer's advance is driven by a number of unavoidable increases that emerged after the budget bills were finalised. Some of the key examples of increases that were detailed in the 2023–24 midyear review include a significant spend on dealing with the flooding in Fitzroy Crossing. An amount of about \$458 million will go to the Department of Fire and Emergency Services. That is largely to pay for a range of initiatives that are associated with recovery from the impacts of ex-tropical cyclone Ellie. There is a further amount for the Public Transport Authority. Some of that is for the Bayswater train station project. There is an increase for WA Health, and that includes money to address workforce pressures in the WA Country Health Service. There is also a significant lift in funding for the Department of Communities. That is mainly to address higher costs related to out-of-home care, family and domestic violence, homelessness and rough sleeping, and also spending supported by the social housing accelerated payment agreement with the commonwealth. There is also an amount in that for funding for longer term temporary accommodation for those who were affected by the floods in Fitzroy Crossing, again, in relation to ex-tropical cyclone Ellie.

It is important to note that all the spending identified in December's midyear review as a change to the Treasurer's advance this financial year is already included in the state's forward estimates of net debt and the operating surplus. The midyear review also included additional allowances reflected in various provisions for costs expected to require funding from the \$1.3 billion buffer by 30 June. That was for things such as the settlement of industrial agreement negotiations.

This is an important bill that helps us to continue to deliver for the state. Some of the funding pressures that will be funded from the buffer include additional costs associated with hospital activity; again, the increasing cost of the demand and need for family and domestic violence initiatives; and the Western Australian student assistance payment for families of school age children, which of course I think has been mentioned. That is \$150 for families who have a primary school student and \$250 for those who have a secondary student. That has an estimated Treasurer's advance impact of just over \$100 million. It is \$102.5 million, to be exact.

As I said, this is an important bill. I am very grateful to those in the house who have indicated their support for the bill. It helps the government continue to deliver services for ordinary Western Australians, which is very important. Again, I thank members for their contributions, and I commend the bill to the house.

Question put and passed.

Bill read a second time.

[Leave granted to proceed forthwith to third reading.]

*Third Reading*

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

<025> B/3

**THERAPEUTIC GOODS LAW APPLICATION BILL 2023***Second Reading*

Resumed from 29 November 2023.

**HON MARTIN ALDRIDGE (Agricultural)** [2.59 pm]: I was starting to wonder whether we would get to the Therapeutic Goods Law Application Bill 2023, such was the interest in the previous bill. Nevertheless, the time has arrived. We are dealing with a bill that will apply the Therapeutic Goods Act 1989, a commonwealth law, as a law of Western Australia. At face value, it appears as simple as that, certainly from reading the second reading speech. However, it is quite a complex matter in its detail. The Therapeutic Goods Act has been in operation since 1989. For approximately 35 years it has regulated the import, export, manufacture and supply of therapeutic goods in Australia. The catch, though, is that the current application of this commonwealth law is that it applies to corporations and sole traders operating within Australia across state and territory boundaries. That is the constitutional limitation of the commonwealth. The adoption of the commonwealth act as a Western Australian law will remedy this. As I understand it, the bill is motivated, in part, by national reforms, perhaps among other things, that are currently underway with respect to the commonwealth's intention to ban all single-use disposable vapes. That bill is currently before the House of Representatives and is being considered by the Senate's Community Affairs Legislation Committee. As I understand it, from examining the committee's website earlier this week, submissions closed on 12 April, which was only recently, and that the committee's report is due on 8 May this year. It is unclear how quickly the Australian Parliament will move on that bill, but it has been introduced into the House of Representatives and is currently before a Senate committee that is examining it.

I understand from the briefing I received earlier this week, for which I thank those involved, that the preference is for the Western Australian bill to progress ahead of the commonwealth law because risks could arise with respect to the ban, the prohibition or the importation of single-use disposable vapes. It could be argued that if their local manufacture within states and territories was permitted, it could give rise to claims by our trading partners with whom we hold trade agreements and cause a dispute that although we are prohibiting the use of a product—in this case single-use disposable vapes—laws within Australia still allow for their local manufacture. I think that is probably a long bow to draw and it would be extremely unlikely to play out, particularly when we consider the length and complexity of the challenges, and particularly the length of time it takes for a challenge to be made, heard and determined on trading disputes between countries. The risk of that occurring, in my view, is quite low, regardless of whether Western Australia or the commonwealth legislates first. At this point, given that the Legislative Council is now progressing this bill, we are probably likely to stay ahead of the commonwealth, which may not get to consider this bill again until the May sitting if it is prioritised.

Beyond vapes, the bill will address a broader issue. I will characterise that into two issues. The first is the inequity that exists in the regulation of therapeutic goods in Australia based upon the legal structure; that is, a corporation or a sole trader trading interstate is captured by the commonwealth law and the Therapeutic Goods Administration under the Therapeutic Goods Act and all its powers. However, a business that is not a corporation or sole trader that trades interstate is not captured. That is an issue of equity. It could even be argued that it may suit someone's cause to structure a company in such a way to avoid regulation by the TGA if they are interested in supplying a therapeutic good to a market. As I understand it, Western Australia is the last jurisdiction in Australia to address this issue. I would not want Western Australia to become a haven or a safe place for either individuals or entities that are seeking to take advantage of the lack of regulatory provisions and application in our jurisdiction. The second issue, of course, is the inconsistency in regulating the quality and safety of therapeutic goods that flow from the application.

I thought the second reading speech summarised the policy intent of the bill quite well where it states —

It is important that all commercially manufactured therapeutic goods manufactured in WA are subject to the same regulatory requirements. Anything less risks potential safety issues for those purchasing therapeutic goods, such as herbal medicines and vitamin supplements, from sole traders not currently regulated in Western Australia. Adoption of the commonwealth act will ensure that Western Australian consumers will have protection from substandard therapeutic goods the same as consumers anywhere else in Australia.

I use the example that I gave at the briefing, which is someone who manufactures a product, a significant ingredient of which is emu oil, and the person makes a number of claims about what the product might do to improve people's health. If that manufacturer was a corporation, the product and the business would be significantly regulated via the Therapeutic Goods Act and the TGA, but if the business was a sole trader simply trading from a little market stall on a Saturday, it probably would not be. That is just one example, but there are probably many, many others. The minister might be able to offer examples of cases when the commonwealth law has not been able to be applied in Western Australia to particular circumstances.

I recognise that this bill has been subject to examination by the Standing Committee on Uniform Legislation and Statutes Review. As always, it has produced a very good report.

<026> T/2

I thank the members of the committee who, notwithstanding their often constrained reporting time frames, have actually provided a very good summary of the bill. As I said, it has taken me some time to get my head around the mechanisms by which it is not uncommon for us to adopt a national scheme. Western Australia has schemes in its statutes that often adopt commonwealth schemes, but that is not always the case. We actually have some schemes—I will probably struggle to recall one now—where the host is actually a state. A state law is applied in other jurisdictions. It is not uncommon that we try, and there may be a national agreement, and there may be some benefit in legislating in a uniform way and applying it across the commonwealth at a federal, state and territory level for some perceived benefit in terms of uniform lawmaking. This bill will effectively authorise, or inherit, the law of the commonwealth as a law of the state. This is different from the way in which we often deal with other uniform schemes. When we do this, being Western Australians, we often treat this with a high degree of caution. We take quite seriously the question of the erosion of parliamentary sovereignty and lawmaking powers. I was told at the briefing, as I have said, that other jurisdictions have already acted; we are the last one. Some of the other jurisdictions actually automatically inherit amendments to the commonwealth law as their state law without any mechanism for scrutiny or disallowance and without any requirement to table or to provide amending acts to trigger those scrutiny mechanisms. There are other jurisdictions that have taken a lesser approach than what is anticipated in this bill around scrutiny and the potential for disallowance. Good on them; that may suit them. But I am glad that as a Western Australian legislature we continue to take a cautious approach and still retain some control over whether or not a law of the commonwealth, keeping in mind a majority of those lawmakers are not Western Australians and do not have the interests of Western Australia at heart because they represent their electorates and their states and territories. As I understand it, we have taken a different approach to other jurisdictions.

When members go through the committee report, and I will not do it in detail, they will see that there are a number of findings and recommendations that have also flowed through to the supplementary notice paper. It will be interesting when we have the reply from the minister and we work through the committee's recommendations on the supplementary notice paper whether anything further can be provided where the committee has sought further explanation or justification, particularly with Henry VIII provisions. One thing that drew my attention, which I hope people have not missed, is the very final part of the report with the subheading of "*National law*". The committee makes some important remarks here —

6.62

These provisions can expand or limit the operation of the National Law in a significant, and open-ended, manner.

6.63

Provisions of the National Law itself were not detailed within the EM. The Committee sought further explanation from the Minister regarding these provisions. Unfortunately, no response was received from the Minister regarding this matter.

6.64

The Committee is unable to fully consider the clauses within the National Law without further information from the Minister.

6.65

The Committee brings this matter to the attention of the Legislative Council.

The committee is signalling a particular restriction, or restraint, that it had around the national law, or some aspects of the national law, that will be applied as a law of Western Australia from the passage of this bill. One of the other areas of contention was the notification, or the tabling, provisions and how that should occur and the issue of websites—one of my favourite topics about how legislative instruments should be tabled. It was interesting reading the exchange between the committee and the minister about this. Members will also note that this has flowed through to the supplementary notice paper in which there is a competing amendment between the committee and an amendment standing in the name of the Leader of the House. It is a very minor difference. Some might argue that it is semantics, but we will get to consider that in due course because the recommendations of the committee must be considered prior to any other competing recommendations.

With those few words I think the more complex matters of the bill are probably best addressed when we get to the committee stage and when we deal with matters that are listed on the supplementary notice paper. I indicate that the opposition will be supporting the bill.

**HON DR BRIAN WALKER (East Metropolitan)** [3.16 pm]: I was somewhat surprised to come so quickly into this, but I am very glad to speak to this bill. I thank Hon Martin Aldridge for his words.

Members will hear from someone who is actually personally affected by this bill coming in. It is not a theoretical discussion I will be giving today. The Therapeutic Goods Law Application Bill's design is an admirable design. It is there to keep people safe. I think nothing bad can be said about that. The question arises, however, of how precisely do we keep people safe? For example, I could say that there is a terrible death toll due to cars, so let us ban cars. That would certainly reduce deaths by about 3 000 a year in Australia. A very good idea. Certainly, walking is better for one's health. Blood pressure would come down, weight would come down and there would be a very good medical result. People would also live closer to home and would then not have so much travel to do to, so the local economy would improve. The unintended consequences of banning cars would actually be a quite a good improvement in people's quality of life although we would not be able to visit the mother-in-law quite so often, which may not be a bad thing itself, but it would restrict our choices.

The same is true about all aspects of government regulation. We have to find a fine balance between protecting people and allowing some freedom of choice. A simple example can be given of the young boy who fell 10 metres and was rescued very adequately. He could have been killed falling from a cliff doing a hobby and activity that he enjoyed. There are risks involved in things. We should not be tolerating risks due to aberrant behaviour or faulty actions of poor manufacturing. The idea of lithium batteries exploding in electric scooters needs to be addressed to keep people and houses safe. We need some kind of regulatory supervision to ensure that what we are purchasing is actually valid and safe for general consumption. That indeed is what this bill does. In this particular case, the intent of the law is to add to the current regulations of the current legislation the severe restriction of all vaping goods. The reason for that has been given as protecting the public from the evils of e-cigarettes.

<027> O/2

Let us leave for one moment the concept of the different vape apparatus that might be purchased and look here at what is facing us. We absolutely know that smoking tobacco is a very dangerous although slow-acting poison. I have had the misfortune of seeing patients dying a very unpleasant death. In fact, the death of my own parents—one at an early age and one at an advanced stage—was due to smoking. The quality of life and length of life have definitely been very negatively impacted. As a rabid antismoker, I would be one of the first to say that we ought to ban smoking altogether. Probably the majority of our population would agree that smoking should not be allowed. On the other hand, there are those for whom smoking is a very important part of their lives. The question could be then raised: is it right to restrict someone's choices, even though the choices may be stupid or obnoxious to other people, because we are restricting the freedom to make a bad choice?

I recall very vividly a time in my life when I made a bad choice when I was Nepal. A group of children was unwell at 4 500 metres and they went back down. I followed the healthy children and, unfortunately, I lost my way in a boulder field. I saw the summit in front of me—actually, above me—so I did a snow-face climb or a rock climb and traversed waist-deep in snow to the summit. I vividly recall having a rest, with my leg dangling free at 5 000 metres, as the guide below was frantically calling me to come down. I might add that coming down would have been more dangerous, but the guide did not at all like me hanging up there unaccompanied and not roped on. I suppose it could be said that hypoxaemia had resulted in my making a poor decision, but it was a lot of fun. At the top of the mountain, I did recover two children who had come the easy way but were facing death due to dehydration and exhaustion, and I had to kick them off the mountain. We can see the benefits and the risks of having a choice.

When it comes to vaping, I tabled a paper last year or the year before that showed indubitably that if we allowed vaping to progress sensibly and with healthy ingredients, we would save about 200 Western Australian lives a year. That seems to be fairly important because if we do not do that, we are basically saying that 200 people will have their lives shortened or their quality of life reduced because the ease of access to tobacco is very evident. The question then arises: why would we want to ban vaping? I am told that the reason is the horrible and noxious chemicals that can cause horrible lung disease and death. We see pictures of people in intensive care who are dying horrible deaths due to lung disease. I quite agree with that opinion. Then, however, we look closer at the science and realise what is happening, which is that people are accessing toxic ingredients in imported vapes from China, in which the five milligrams of nicotine now become a highly addictive 50 or 60 milligrams. Additives to these vaping fluids are toxic and should in no way come in contact with young lungs or, indeed, old lungs. We think that this must be banned, and rightly so because it is toxic. It addicts young children and is entirely bad and, therefore, we can see why we would want to severely restrict that as an import.

It does not quite make sense why the regulated and provably safer vapes, which are allegedly 95 per cent safer than tobacco, should be so difficult to access. I have yet to find the answer to that. International evidence shows that vaping should be permitted. I recall speaking with Burkhard Blienert, the EU and UN head of the German office for drug and alcohol control who then stated very unequivocally that the reason for this was to keep children safe. Let me say that again: vaping in Germany is permitted to keep children safe. That is provided, of course, they use safe vapes, which are regulated, controlled by the government and contain liquids that are safe for health, or at least a lot safer than tobacco.

I agree with the concept that exposing children to this and allowing a 12-year-old to puff out streams of smoke is not a clever thing to do at all. When I visited them, the vape shops assured me that they have very strict protocols in place so access for children is banned, children are kept safe because only adults can attend, and the liquids they use are safe

and regulated, and contain low levels of nicotine that allow people to come off the noxious habit of smoking, which is the intent.

If we look at the research, the success rates of using e-vapes to come off tobacco are much higher than what I normally prescribe in my clinic. In my time as a doctor in the clinic, I have prescribed quite a lot of medications for helping people to come off smoking. I have always told people that the most successful rates, by far, come from people who just choose not to smoke because what I am prescribing them does not actually work. When it comes to the vapes, however, I can absolutely and categorically assure my patients that their chances of coming off tobacco are much higher. They are a proven help for smokers and anything that makes that option more difficult is not in the best interests of the patient. That is an evident fact, which is probably why the government has allowed doctors to prescribe vape fluids and certain apparatus.

However, there is also the law of unintended consequences. If there is a ban or a prohibition, there is always a black market. If there is a black market, there is always a demand for police to monitor the black market. At the moment, I am not aware of any huge increase in police reinforcements, but I understand that the policing levels in WA are not as high as they might be. We will therefore see shops that will no longer be able to supply the healthier vape options and the exposure of youngsters who can get someone to walk into a shop and buy tobacco, starting them down the path of tobacco addiction.

New Zealand has taken the opposite view to Australia and has permitted vapes. We very clearly see that the statistics show that smoking rates have fallen while vaping rates have increased, and the health of the population, by definition, must therefore be improving. New Zealand also has a sensible law to restrict tobacco sales based on a person's date of birth and increasing it so that children now will never be exposed to the right to have tobacco. A rabid antismoker and supporter of wellness, I heartily welcome that. The question arises: why have we taken steps to make it more difficult to access vapes? By definition that must mean that it is relatively easier to access tobacco and easier to get people hooked on tobacco, an old-fashioned product and something that is antithetical to everything I hold dear.

People might say that we can price them out with a tax. What does the law of unintended consequences state? There will be a black market, supplying tobacco to people who are addicted to smoking. What are we seeing? We are seeing a black market for tobacco. By pricing it so that it is unaffordable for people, they will seek alternatives to achieve their aim—an unhealthy aim, but an aim that they nonetheless have. I regret it, and I oppose it, but it is there, and it must be recognised.

My argument would be that our government ought to be helping patients to get healthier and make better choices. This machine here is a vape, which is not Therapeutic Goods Administration approved and not illegal. It is unopened, so I am being quite safe with that, I am sure. This would help someone come off tobacco, with good support from specialists in the vape shops. It would not be accessible to someone under 18 years. I might argue that it should be under 23 or 25 years because by then the brain finally seems to mature, but 18 years seems to be the current age we take. My aim would be for 23 or 25 years. That has been banned, and we will not have access to that, except for what the TGA approves.

I am probably the only person here who has prescribed nicotine vapes, and I can tell members that it is not easy to do. It is not easy, firstly, to find a doctor willing to prescribe a nicotine vape and, secondly, to get the vape supplied. It is very easy to walk into a shop and buy tobacco. Anyone can do it in Woolworths or Coles.

<028> E/G

We have reduced the availability of vapes from specialist shops; we have made it more difficult to prescribe vapes and we have encouraged people to walk into shops and satisfy their urges by buying something that is definitely toxic. I put it to this Parliament that we have enabled a worsening of the wellness of our people. Surely that is not something we can be proud of.

Then we have something like the vape I have in front of me. It is a dried herb vape, which is used for a number of things, including cannabis. I can assure members that it is not TGA approved. The Mighty Medic is approved, as is the Volcano. A third one is called Medihale, a pod inhaler. When I prescribe cannabis to someone, they are not actually able to purchase a vape to use the cannabis, at least not easily. That results in them taking action. What action would a sensible person take if they have a dried herb and no conceivable way of buying a vape? Of course, they are going to smoke it. That is the worst way of consuming cannabis. I would bitterly oppose that. I suggest very strongly to people in my clinic on a regular basis that they do not do that. But we have a government that sees fit to make it more difficult to access vapes that allow people to use products sensibly and safely. I put it to the Parliament that this is not the best use of the Parliament's time, nor indeed of the TGA.

The vape I have before me costs \$350. The Mighty Medic, made by Storz & Bickel, a nice German company, and available in America, is a very good, highly recommended vape. It goes down to 120 degrees and up to 220 degrees, which means the cannabis comes through at certain temperatures. It can go through that range before it combusts. At the combustion level, half of the product is lost and the terpenes are destroyed as well, so we get a lesser quality and use more of it, which costs more money. The vape itself will allow people to go through a range of temperatures and

absorb the actual oils. Members might think that that is a terrible thing to do in the first place. I will give an example of vaping. The next time we make a curry, hopefully we use real herbs and spices, not powders. Unless we make the powders ourselves, they are not good. Once the spices are ready, put them in a pan, hopefully with onions and a bit of salt and pepper, and wait a little while. As it heats up, the smell is released. At a certain temperature, the oils within those spices are released. We are vaping the spices. We have now technically vaped a spice. If we combust that spice in the curry, we get a very bitter curry that is not worth eating. It has to be done at the right temperature. The same is true when inhaling cannabis.

I mentioned that the vape before me costs \$350. It is a very good vape. The Mighty Medic costs \$500. It goes down to 120 degrees; the one before me goes down to 50 degrees, so there is a larger range of temperature. It is actually better than the Mighty Medic but it is not approved. Who judges these things? In every respect, this is a better and safer vape to use but it is not approved. First, we have a restriction; and, second, we have a restriction to tools that are not as good as those that are available elsewhere. We justify that by saying, “It has been approved by a governmental body. Therefore, take it or leave it.” The choice that people have has been limited. The choice to make use of healthy or healthier approaches to coming off tobacco has been greatly curtailed. The choice we have to prescribe cannabis for medical use has been curtailed. The evidence is—I know this from personal experience from my patients—that the wellness patients can expect is less than before. We are about to pass a uniform law so that WA can join the commonwealth in offering less wellness to our patients. I am sad that we are in a position of passing such a law, with the best of intent. I do not doubt the good intent; I doubt the outcome. By passing laws that reduce access to wellness, we are harming our population. That is not why we are here. That is not why this law should be passed. I know my comments are futile. I know the bill will be passed. But I need to make the point very clearly that the legislation that is about to be passed will not serve the people.

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [3.35 pm] — in reply: I thank everybody for their contribution to the debate. Although one of the motivations for the Therapeutic Goods Law Application Bill 2023 is so that we can take joint action on vaping, the bill before us is not about vaping; it is about the technical mechanism of putting in place decisions made at a national level around the Therapeutic Goods Administration. In a policy sense, we will have to agree to disagree with Hon Dr Brian Walker’s contribution. The bill before us is about the mechanism, not the issue of vaping, although I make the point that we desperately need to do something. As a former Minister for Education and Training, I know the impact that vapes are having in schools. When something is brightly coloured, looks like a highlighter and is flavoured with strawberry, raspberry or bubblegum, that is a deliberate marketing decision to get children to use something that is not good for them. We need to do something to address that.

I will try to put this in perspective. Hon Martin Aldridge talked about the mechanism itself. The bill provides us with the mechanism to adopt the commonwealth’s Therapeutic Goods Act 1989 as a law of the state. He made the point that we are perhaps doing that in a complex and convoluted way. We are using the applied laws mechanism as opposed to automatically—he referred to some jurisdictions—assuming commonwealth laws without giving them any powers as a distinct jurisdiction to do anything like exercise their rights to disallow certain provisions, for example. That is not the position that Western Australia has taken.

I also note that the Standing Committee on Uniform Legislation and Statutes Review produced a report. I thank the chair and the members of that committee for that report. The supplementary notice paper before us includes six amendments. It is worth explaining to the chamber that there are actually four amendments, one of which relates to a change in another bill that has happened since this bill was introduced into Parliament. I hope that members will appreciate that parliamentary counsel has a point of view about how things ought to be drafted. There are two: in one, there is no difference; in the second one, the difference relates to the word “the”. We have to do what we have to do. I thank the committee for its work. In essence, the government supports the recommendations to amend the bill. We will be giving effect to those.

I will turn to some of the issues. Hon Martin Aldridge referred to sole traders. It is important that all commercially manufactured therapeutic goods manufactured in WA are subject to the same regulatory requirements. In my briefing, I was advised that to the best of the department’s knowledge, there are possibly two sole traders in Western Australia, but we can confirm that in committee if that is of interest to members. The mechanism in part 2 to apply the commonwealth act is based on the model developed and used by this Parliament in previous acts to introduce national uniform legislative approaches.

<029> K/5

As I said, it is using the applied laws and mechanisms that are already in place in a number of other Western Australian statutes such as the Legal Profession Uniform Law Application Act 2022 that was also the subject of a detailed review by the Standing Committee on Uniform Legislation and Statutes Review. Recommendations by the committee have been accepted in refining the applied laws model that we see reflected in this bill. Notice of a disallowance resolution is to be given in the house within 14 sitting days of tabling and either withdrawn or agreed to within 30 sitting days after notice is given. In relation to further scrutiny, the WA Parliament will also have the opportunity through referral to the Joint Standing Committee on Delegated Legislation to undertake a detailed review of any amendments to the commonwealth act before applying those amendments, and the WA Parliament can then disallow and further modify



the commonwealth act to suit the needs of the WA therapeutic goods sector and community. A similar process is in place for any subsidiary legislation created under the commonwealth act.

As reflected in the supplementary notice paper, minor technical consequential amendments are required to two WA acts—the Human Tissue and Transplant Amendment Act 2022 and the Medicines and Poisons Act 2014. These amendments are to ensure that any references to the commonwealth act also include the WA applied therapeutic goods law to ensure there is no legislative gap and that there is no impact on the functions or operations of these acts. Amendments to be moved in committee have been introduced as a result of the recommendations of the standing committee. I thank the committee for its diligence and oversight. There is an administrative amendment to remove clause 2(b)(i)(ii), which provide unique commencement provisions for the Human Tissue and Transplant Amendment Act 2022 to which I referred previously.

I think I have covered everything. I thank members again for their contribution and I thank the committee. I commend the bill to the house.

Question put and passed.

Bill read a second time.

#### *Committee*

The Deputy Chair of Committees (Hon Sandra Carr) in the chair; Hon Sue Ellery (Leader of the House) in charge of the bill.

#### **Clause 1: Short title —**

**The DEPUTY CHAIR:** I draw to the attention of members supplementary notice paper 144, issue 2.

**Hon MARTIN ALDRIDGE:** I listened to Hon Dr Brian Walker talk about enforcement and his concerns with police resourcing. My understanding is that under the Therapeutic Goods Act 1989 as it will be applied in Western Australia, enforcement will be the responsibility of the Therapeutic Goods Administration with the Australian Federal Police. Is that correct or will state police have jurisdiction?

**Hon SUE ELLERY:** The short answer is, yes; enforcement is a commonwealth responsibility. What is on the table and being discussed now is to what extent the state will play a role in enforcement. The commonwealth act currently has a general power that allows the commonwealth public officer, the secretary of the Department of Health and Aged Care, to authorise state department officers to exercise specified powers under the act. It has not been used for Western Australian officers previously. The proposed amendments will expand and clarify this existing power, but it is a live discussion. I guess that is the most accurate thing to say to the member.

**Hon MARTIN ALDRIDGE:** I asked the question in my briefing about the two-year transitional period. The advice I received was that it was not certain to the department how many individuals or entities might fall within the remit of the Therapeutic Goods Act once it is applied as a law of Western Australia. The Leader of the House mentioned that there were two. I assume that is probably a specific reference to vaping retailers. Can she clarify that?

**Hon SUE ELLERY:** It is not a reference to vaping specifically. The Department of Health consulted broadly with the sector, including local therapeutic goods sole traders prior to the development of the bill. The department was already aware of two existing sole traders providing therapeutic goods and did not identify any more through the consultation process.

**Hon MARTIN ALDRIDGE:** This will be a wide net. Somebody could be making a home recipe balm and selling it at their local markets with the claim that it will kill flesh-eating bacteria, for example. Two years is quite a reasonable transition period. How will the government communicate generally to the public around the application of this commonwealth law to those who may not have been captured previously.

**Hon SUE ELLERY:** I am advised that the normal procedures would apply—so through various websites and public notices. We are not talking about a widespread campaign, if that is what the member is asking.

#### **Clause put and passed.**

#### **Clause 2: Commencement —**

**Hon SUE ELLERY:** This is the beginning of the process. I move —

Page 2, lines 8 to 17 — To delete the lines.

As I referenced in my reply to the second reading debate, the bill contains separate commencement provisions for minor consequential amendments to the Human Tissue and Transplant Amendment Act 2022. That is because part of that act being affected by the consequential amendments had yet to be proclaimed and come into effect. However, the affected section of the Human Tissue and Transplant Amendment Act has now commenced. Separate commencement provisions for this consequential amendment are no longer needed and should be removed.

**Hon MARTIN ALDRIDGE:** Clause 2(b)(i) and (ii) both refer to section 31. I think I might have just answered my own question: is section 31 a reference to that section of the Human Tissue and Transplant Amendment Act 2022 or to clause 31 in this bill?

<030> P/4

**Hon SUE ELLERY:** It is a reference to the Human Tissue and Transplant Amendment Act, honourable member.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 3 to 11 put and passed.**

**Clause 12: Publication of therapeutic legislative instruments —**

**Hon SUE ELLERY:** I move —

Page 9, lines 23 and 24 — To delete the lines.

Eagle-eyed observers will note that there is no difference with this amendment. On the next amendment, there is a difference of one word. I am happy to support the committee's recommendation.

**Amendment put and passed.**

**Hon SUE ELLERY:** The amendment at 2/12 is again where eagle-eyed observers will note that there is a difference of one word. There are two amendments that go to deleting the word "state" and inserting reference to the commonwealth. If it is helpful to the house, the second amendment at 5/12 on the supplementary notice paper is in my name. It includes the word "the", and that is a drafting requirement from the Parliamentary Counsel's Office. Although the committee's recommendation may need to be moved first, I will be voting against that.

**The DEPUTY CHAIR (Hon Dr Sally Talbot):** Can I suggest a way forward? You might like to seek leave to move your amendment at 5/12 first.

**Hon SUE ELLERY:** — by leave: I move —

Page 9, line 26 — To delete "State." and insert —

State or the Commonwealth.

**Hon DONNA FARAGHER:** I am going to speak briefly to the amendment. I do not have anything further to say, but I think it is helpful as chair of the committee to say a few words for the benefit of the house about why we are dealing with this proposed amendment. It essentially deals with the publication of therapeutic legislative instruments.

The publication stage is a crucial step in the disallowance mechanism that is contemplated in the bill. Clause 12(2)(c) expands the flexibility by permitting publication by a notice of publication. The notice is published in the *Government Gazette*, stating a website on which the instrument has been published. That is determined in clause 12(2)(d), which refers to a state website.

It is noted in the report that the committee did not have a particular view on that and understands the reasons behind the government's position, but we did actually have to go to the government on a couple of occasions. A particular concern was raised that it will actually just broaden the flexibility somewhat and that a similar clause to 12(2)(d) had not actually been used in previous bills as part of this type of mechanism. We had some concerns about its inclusion and the possibility that it could be included in future bills regarding the republication of commonwealth instruments.

The problem is that the clause as it stands would allow the government to publish therapeutic legislative instruments in ways that are not specified in the act. The committee's view was that it should be set out in the act because it is obviously a central feature of that disallowance mechanism and there are no criteria around governing it. The committee did have to go back to the government on a couple of occasions. That has been outlined in the report so I am not saying anything that I cannot say. This is not necessarily reflective of the other members, so I say this in my capacity as a member of this house. I think it would have been helpful for the government to have made it very clear in the first place why it felt that clause 12(2)(d) was actually required.

We were first told, and this was outlined in the committee report, that there were no plans to make regulations, nor were there any other publication methods anticipated. However, further explanation was sought because of the information that was provided. Consequently, the committee was actually advised that it was to deal with the republication of commonwealth instruments. The concern is that that obviously takes time.

I know that the Leader of the House takes these issues seriously, so this is probably something to take back to some other ministers. It is always helpful when questions are asked that information be clearly provided straight up, rather than having to go back on a couple of occasions.

We are obviously dealing with the government's amendment ahead of the committee's proposed recommendations. The committee identified and accepted the fact that the government does not want to republish copious commonwealth

instruments. We did not have a problem with that. In fact, we provided the solution. I am pleased that the government has supported the amendment. I will say that I feel it was unnecessary to have an amendment to put “the” in front of commonwealth. I did hear the Leader of the House reflect on the fact that PCO wanted it that way and therefore we have to do what we have to do. I think that might have been the words that she used. Well, I will just say this. The last time I checked, it is the members of Parliament in this house who actually make those decisions.

**Hon Sue Ellery:** Cast your mind back.

**Hon DONNA FARAGHER:** Yes. I am just saying.

We do not always have to follow PCO recommendations. It is a moot point. It is the word “the”. At the end of the day, I am pleased that the government has actually accepted the position of the committee. I have no doubt that this type of situation will occur with future bills. I think that sometimes when the committee puts forward a sensible suggestion and it is agreed to by government, that it will be reflected in subsequent bills, as we have seen with the disallowance mechanism. On that, I think the committee has done its job and I am pleased the government has taken that advice.

**Hon MARTIN ALDRIDGE:** Have we dealt with the amendment yet?

**Hon Sue Ellery:** No.

**Hon MARTIN ALDRIDGE:** I am glad that the government has taken the approach of supporting the committee’s recommendations on the deletion of clause 12(2)(d) and the amendment to clause 12(3). I was just listening to Hon Donna Faragher, and she said that the committee was not aware whether the government had used this in respect of other laws. I suspect she was referring to laws in which the committee has examined the application of laws in other jurisdictions.

**Hon Donna Faragher:** No. It was with respect of the use of this particular disallowance mechanism within this bill.

**Hon MARTIN ALDRIDGE:** Okay. What worries me is that the approach in clause 12(2)(d) is creeping into general lawmaking.

<031> F/G

I remember recently taking exception, in a bill the name of which escapes me, and making the point that the scope could allow someone to effectively say, by local regulations, that the publishing requirement is to stick it on the pin-up board in the tea room at the Department of Health. Would that necessarily be sufficient with regard to the gravity of the document or the information being tabled? One might say that that is extremely unlikely, but it is important. This scheme will apply the law of the commonwealth—a law that none of us, as members of this place, will have a say on whether something should be supported, opposed, amended or progressed. We are accepting that, subject to disallowance, as a law that will apply to Western Australians as a law of Western Australia. The amendment we are dealing with right now is the third limb. There are actually several options here, and there is another thing that should probably be considered. During the briefing I was told that legislative instruments are not only regulations—I was given some examples—but they can come in the form of regulations, directions, orders, determinations and standards, just to name some. I was also told that there are currently 80 legislative instruments in force, 15 of which have been published since November 2023. There has been a significant number of instruments over a short period of time. It is important that these amendments, proposed by the committee, are supported by the government. The question I put to the minister is: is there a preference? I note that under clause 12(2) there are now three options available in respect of publication. Is there a preference? What will happen if there ends up being a mix of publishing? Some could be published in the *Government Gazette* and some on the WA legislation website; or, under paragraph (c), a notice could be published in the *Gazette* stating that the therapeutic legislative instrument is published on a website and stating the website on which the instrument is published. That is what flows into clause 12(3), which is what we are amending now by inserting “State or the Commonwealth”. I am just a little nervous. There are 80 legislative instruments, 15 of which have been published since November. If we take a diverse approach to publication, I am concerned about the level of confusion we might cause in the community.

**Hon SUE ELLERY:** I guess the general answer is that it is to give greater flexibility. I am advised that the preference is under clause 12(2)(c)(ii)—the website. Before us now in this amendment is to add the words “or the Commonwealth”. Much of what the honourable member just said goes to what we have already deleted at lines 23 and 24. The amendment before us now addresses the issue raised by Hon Donna Faragher about being specific about how this is published. The recommended amendment was to recognise commonwealth websites as a valid publication method. We are happy to accept that amendment, and that is why the amendment is in my name.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

<032> M

**Clause 13: Tabling and disallowance of therapeutic legislative instruments —**

**Hon SUE ELLERY:** I move —

Page 10, line 7 — To delete the line and insert —  
published under section 12(2)(a) or (b).

This is an administrative amendment in response to the clause 12 changes and clarifies that publication of therapeutic legislative instruments will be as directed through the methods in clause 12(2)(a) and (b).

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clause 14: Application of interpretation legislation to applied therapeutic goods law —**

**Hon MARTIN ALDRIDGE:** Clause 14 was canvassed in the Standing Committee on Uniform Legislation and Statutes Review report, in which the committee found —

The application of Commonwealth interpretation laws in Western Australia by clause 14 of the Therapeutic Goods Law Application Bill 2023 erodes the Western Australian Parliament's sovereignty and law-making powers.

However, the committee stated in finding 6 —

Applying laws of another jurisdiction in Western Australia enables a nationally consistent application of these laws as part of a national uniform scheme.

My question is: given that amendments to the commonwealth Therapeutic Goods Act as applied to Western Australia are disallowable, are amendments to the commonwealth Interpretation Act disallowable by that same mechanism?

**Hon SUE ELLERY:** I do not have advisers here who can assist me with reference to the Interpretation Act.

**Clause put and passed.**

**Clause 15: Local regulations may modify applied therapeutic goods law —**

**Hon MARTIN ALDRIDGE:** Clause 15 provides that local regulations may modify the applied therapeutic goods law. This was also an area canvassed in the committee's report, and I think the minister offered that although it was not anticipated that any local regulations would be required, one suggestion the minister made was that it could address procedural errors. That reference was to, for example, if an amending act to the Therapeutic Goods Act were not laid before each house of Parliament within 18 sitting days, they may be able to address a procedural error by way of local regulations. Otherwise, it would require the commonwealth to effectively legislate again and for the 18 days to commence again. I think that is the argument that was being made. Looking at the report, I do not think that the committee found strength in that point of view, but what else is anticipated? Although there is not an immediate requirement to provide for local regulations, I think procedural errors was one example, but what are other examples of situations in which local regulations may be useful?

<033> J/2

**Hon SUE ELLERY:** There are not any other examples. I note the point that the honourable member makes. What was put before the committee was that if even an amending act in the future was not tabled within the specified time frame, it would not apply and a local regulation could be used to introduce the content of the amending act instead. It is highly unlikely that it would be needed in any other circumstances; however, its use to introduce a missed act amendment will provide a useful administrative tool to avoid complications of a different version of a commonwealth act applying in WA. The Minister for Health wanted to confirm that the primary reason for these local regulation clauses is to ensure that there is the ability to adapt the application of the commonwealth act if it was necessary for local purposes.

**Hon MARTIN ALDRIDGE:** If local regulations are made pursuant to clause 15 of the bill, would they be subject to the ordinary disallowance provisions of every other subsidiary legislation?

**Hon Sue Ellery:** Yes, honourable member.

**Clause put and passed.**

**Clauses 16 to 38 put and passed.**

**Title put and passed.**

**Bill reported, with amendments.**

**ROAD TRAFFIC LEGISLATION AMENDMENT  
(INFRINGEMENT MANAGEMENT REFORM) BILL 2024**

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Sue Ellery (Leader of the House)**, read a first time.

*Second Reading*

**Uncorrected Proof — Not to be Quoted**

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [4.13 pm]: I move —

That the bill be now read a second time.

The Road Traffic Legislation Amendment (Infringement Management Reform) Bill 2024 will implement necessary measures to modernise the management of infringement notices, including enabling digital services, enabling modern infringement payment options and providing a necessary adjustment to enable the transition of infringement management functions from the Western Australia Police Force to the Department of Transport. It will address calls from the community to assist with the financial burden associated with paying infringement penalties. Currently, the only option to access more time to pay an infringement or apply for a part-payment arrangement is through defaulting to pay the notice by the due date and becoming subject to the debt recovery realm of the Fines Enforcement Registry. This process carries an element of humiliation and a risk of licence suspension, and it increases the financial burden on the person with the addition of late fees and other charges.

<034> S/G

The bill will introduce the ability for an individual to apply to the chief executive officer of the Department of Transport for an extension of time or an ability to enter not an instalment arrangement to pay the penalty off over time. These options will not add costs to the infringement amount or be subject to an eligibility assessment. This will enable members of the community to manage their cost-of-living pressures, particularly those with low or fixed incomes, to pay any traffic infringement without being subjected to additional costs.

The bill provides legislative changes to support actions in the *Driving change: Road safety strategy for Western Australia 2020–2030*. The strategy sets out our pathway to the aspirational goal of between a 50 per cent and 70 per cent reduction in serious road trauma. Although 2023 was an improved year for road trauma statistics in Western Australia, with 158 deaths on WA roads compared with 175 deaths in 2022 and the five-year average of 164 deaths, any loss of life or serious injury on our roads is tragic and unacceptable. The government therefore remains committed to taking all reasonable steps to reduce road trauma in this state.

Humans are not perfect. We make mistakes, so crashes will always happen for as long as humans are in control of vehicles. Monitoring and enforcement are the most powerful and quickest acting options available for us to address and change the dangerous driver behaviours that are the key contributors to road trauma. Speeding, distracted drivers using mobile phones, and individuals not wearing seat belts are the big-ticket items through which we can be effective in changing driver behaviour to reduce road trauma. Illegal driver behaviour detected by police officers on the road is one means. The use of safety camera technology allows 24/7 traffic monitoring.

The bill will introduce provisions to enable road safety camera operations to expand into enforcing other road safety offences, including mobile phone use while driving and seatbelt non-compliance. The bill will adapt the existing legal framework to enable the Minister for Police to approve devices that will be referred to as visual detection equipment. Visual detection safety cameras were trialled at 94 metropolitan and regional locations during 2022. During the trial, the safety cameras detected more than 265 000 drivers speeding, 66 000 drivers distracted by their mobile phones, and a further 11 400 drivers or front seat passengers not wearing a seatbelt. As a comparison, during a similar period, just 3 071 mobile phone and 1 433 seatbelt infringements were issued statewide by the Western Australia Police Force, highlighting the effectiveness of safety camera technology in detecting driving offences on our roads.

The deterrent effect of speed enforcement cameras and other technologies has long been credited with changing driver behaviour and lowering the rate of road trauma on our roads. Research has estimated that the increased use of mobile speed cameras in metropolitan and rural areas across WA has led to a 5.6 per cent overall reduction in serious casualty crashes. Researchers believe that this figure can be increased to between 20 per cent and 50 per cent through greater enforcement.

As with all matters dealt with by infringement notices, an authorised person—issuing officer—must form a reasonable belief that an offence has been committed. The visual detection equipment will use software to automatically review images and detect potential mobile phone and seatbelt offences. However, an infringement will not be issued based on technology alone and will not be issued if there is doubt about the alleged offence.

<035> D/G

The bill will make a consequential amendment to the Road Traffic (Authorisation to Drive) Act 2008 to provide for demerit point allocation upon making the first payment in an infringement payment instalment arrangement. The bill will also make a consequential amendment to the Road Safety Council Act 2002 to clarify that all safety camera-detected infringement notice moneys are credited to the road trauma trust account.

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 table a copy of the explanatory memorandum.

[See paper 3087.]

Debate adjourned, pursuant to standing orders.

## CRIMINAL CODE AMENDMENT BILL 2024

### *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)** [4.20 pm]: I move —

That the bill be now read a second time.

The Criminal Code Amendment Bill 2024 will amend the Criminal Code and make consequential amendments to other acts to introduce a new offence of assaulting a retail worker and to amend the available penalties for certain stealing offences. I turn firstly to the amendments in respect of retail workers. The purpose of this aspect of the bill is to protect retail workers whose duties involve a public-facing role in a shop from assault through providing higher offence penalties. Retail workers are essential to the functioning of our economy and society and, like all Western Australians, should not be subject to violence in the course of their work. The COVID-19 pandemic saw increased instances of assaults on retail workers, and there is growing evidence that violence against retail workers continues at unacceptable levels. Higher penalties for assaults on retail workers would not only provide a stronger deterrent against deliberate acts of violence, but also better meet community standards. A 2023 national survey by the Shop, Distributive and Allied Employees' Association of WA of its members showed that 87 per cent of the 4 600 responses said that they had experienced abuse from customers in the last year. Reports of physical violence increased by 56 per cent when compared with the results of the 2021 survey. This is clearly unacceptable. Currently, the assault of a retail worker is prosecuted under the common assault provisions in the Criminal Code. The penalty for common assault is 18 months' imprisonment and a fine of \$18 000 or, if it is committed in circumstances of aggravation, the penalty is three years' imprisonment and a fine of \$36 000. The Criminal Code already contains provisions in section 318 that aim to protect persons in certain occupations from assault while performing their duties through higher penalties than for common assault. Serious assault currently includes assaults on public officers, passenger transport service drivers, ambulance officers, firefighters, medical staff, court security staff and prison officers. The offence has a maximum penalty of seven years' imprisonment, or three years' imprisonment and a fine of \$36 000 if dealt with summarily, or 10 years' imprisonment if the person was in the company of another at the time of the assault or armed with a weapon. The bill will amend the Criminal Code by inserting a new offence so that assaults against retail workers will attract the same penalty as for a serious assault. An amendment made in the other place changed the definition of "worker" and added the definition of "contractor" to ensure that the new offence covers all types of retail workers, including sole traders, business owners, employees, volunteers, contractors and employees of contractors, provided they perform duties for the business and are not a contractor who is not subject to the control and direction of the business. The intent is to ensure that workers who perform essential retail duties for a shop are not treated differently based on the way they were engaged by the business and to ensure that all retail workers are protected by the reform. What constitutes a shop is similarly broad and captures any place or part of a place where goods are sold or offered for sale by retail. There are two key ways that the offence of assaulting a retail worker may apply. Firstly, a person will commit a crime if they assault a retail worker who is performing their duties as a retail worker in an area of a shop that is open to the public. Secondly, a person will commit a crime if they assault a retail worker in consequence of, or in response to, anything done by the worker while performing the worker's duties in an area of a shop open to the public. This will capture assaults that occur in a location other than a public area of a shop, or when the worker is off duty, provided the assault was incited by something the worker did while performing duties in a public area of the shop.

<036> B/1

The Criminal Code sets out what constitutes an assault. In essence, this broad term captures directly or indirectly applying force of any kind to another person. It includes attempting or threatening to apply force in circumstances in which the person making the attempt or threat appears to have the ability to apply that force. Assault, therefore, captures a wide range of acts, including throwing or attempting to throw an object at another person. The proposed maximum penalty mirrors the penalty for a serious assault—that being seven years' imprisonment; or, if convicted summarily, three years' imprisonment and a fine of \$36 000; or, if the offender is armed or in company of another person at the time, 10 years' imprisonment.

Both New South Wales and South Australia have recently introduced tougher penalties for assaults on retail workers in response to community concerns. The approaches taken in each jurisdiction to effect this are different; however, each sends a clear message that violence against retail workers is unacceptable. The approach taken in this bill aims to ensure consistency with the approach that Western Australia has already taken to protect other categories of workers in section 318 of the act.

I will now take members through the provisions regarding changes to the penalty for stealing offences. The purpose of this aspect of the bill is to provide greater deterrence for repeat offenders who engage in shoplifting and petty theft and

to ensure that an adequate range of sentencing options is available to courts when dealing with these offenders. Under section 426(4) of the Criminal Code, when a person is charged with stealing an item valued at \$1 000 or less and it is dealt with summarily, a fine-only penalty of \$6 000 is applied. This means that the only sentencing options available to the court under the Sentencing Act are a fine, suspended fine, conditional release order or community-based order. A term of imprisonment cannot be imposed, regardless of the circumstances of the offence or the person, including their prior offending. This is well known in the community and does not provide a strong enough deterrent for some offenders.

The bill will remove the fine-only penalty limit when a person is convicted of a stealing offence, including an attempt, and has two or more prior convictions for a stealing offence in the past 12 months. Those repeat offenders will instead be subject to the higher maximum penalty of two years' imprisonment and a \$24 000 fine when dealt with summarily, providing a more effective deterrent and opening up the full range of possible sentencing options to the court, including a potential term of imprisonment. When repeat offending is related to an underlying problem such as drug or alcohol addiction, this will ensure that the court can order the offender to engage in treatment programs, with an improved likelihood of compliance. If offenders do not engage, the court will have the ability to re-sentence them with a higher sentencing option such as suspended or immediate imprisonment.

The amended stealing penalty for repeat offenders, combined with the increased penalty for assaults on retail workers, will make retail environments a safer place for employees and, importantly, for our community.

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 3088.]

Debate adjourned, pursuant to standing orders.

## STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

### *Estimates Hearings — Statement by President*

**THE PRESIDENT (Hon Alanna Clohesy)** [4.28 pm]: I have a statement. It is correspondence from Hon Peter Collier, Chair of the Standing Committee on Estimates and Financial Operations, which states, in part —

... I ask that you advise the Council of the following arrangements for the Committee's consideration of the 2024–25 Budget estimates:

- (1) The Committee will hold hearings in the week commencing 24 June 2024.
- (2) Members are encouraged to participate in the evidence gathering process by asking questions prior to, during, and after hearings, and by nominating agencies to appear for a hearing.
- (3) The Electronic Lodgement System will open for questions prior to hearings at 2pm on Thursday 9 May 2024 with the release of the Budget and will close at 5pm on Tuesday 21 May 2024 at 5pm.
- (4) Members may nominate agencies to appear, for the Committee to consider, by 5pm on Tuesday 14 May 2024.
- (5) The Committee will email Members the Procedure Policy. It sets out the key processes, deadlines, and timetable for hearings once finalised.

Although this process is intended to focus on the budget estimates, Members may, within reason, ask general questions about the operations and finances of an agency that are outside the years in question or the budget papers.

<037> 4/5

## QUESTIONS WITHOUT NOTICE

### FREDERIK SUHREN — MEETING

#### **330. Hon PETER COLLIER to the Leader of the House representing the Premier:**

I refer the Premier to his response to question without notice 299 asked on Wednesday, 17 April.

- (1) Did the Premier in his former capacity as Deputy Premier; Minister for State Development, Jobs and Trade; Hydrogen Industry; Tourism; Science meet either formally or informally with Mr Frederik Suhren between 1 January and 8 June 2023?
- (2) If yes to (1), when did these formal and informal meetings take place?
- (3) If yes to (1), was the chair of Tourism Western Australia in attendance at any of these meetings?

**Hon SUE ELLERY replied:**

**Uncorrected Proof — Not to be Quoted**

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

- (1)–(3) The Premier and/or his office, in his previous capacity as Deputy Premier; Minister for State Development, Jobs and Trade; Hydrogen Industry; Tourism; Science may have had incidental or irregular social contact with Mr Frederik Suhren, noting that this individual is not listed on the Register of Lobbyists.

#### CHILD PROTECTION — CASEWORKERS

**331. Hon PETER COLLIER to the minister representing the Minister for Child Protection:**

- (1) What is the total allocated FTE of child protection caseworkers in metropolitan Western Australia?
- (2) How many child protection caseworkers are currently employed in metropolitan Western Australia?
- (3) What is the total allocated FTE of child protection caseworkers in regional Western Australia?
- (4) How many child protection caseworkers are currently employed in regional Western Australia?

**Hon JACKIE JARVIS replied:**

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Child Protection.

The Department of Communities advises as at 31 March 2024 —

- (1) There were 619.4 position FTE.
- (2) There were 565.1 position FTE.
- (3) There were 349.3 position FTE.
- (4) There were 304.3 position FTE.

The FTE reflect caseworkers and do not represent the entire child protection workforce, which includes non-caseworker positions.

#### RAILCARS — ALSTROM — LOCAL CONTENT

**332. Hon TJORN SIBMA to the minister represent the Minister for Transport:**

I refer to the minister's answer yesterday that revealed Alstom has submitted eight six-monthly participation plan reports regarding the Metronet C-series rail car program.

- (1) Can the minister please table each report?
- (2) Can the minister explain precisely what action or actions the Public Transport Authority and the Department of Jobs, Tourism, Science and Innovation undertook upon the receipt of each report.

**Hon STEPHEN DAWSON replied:**

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

- (1)–(2) The Public Transport Authority and Department of Jobs, Tourism, Science and Innovation validate the methodology and accuracy of Alstom's local content calculations. This includes selecting a range of local suppliers and ensuring Alstom can provide sufficient evidence to support the percentage included in its participation plan report.

#### SCHOOLS — TEACHER FLYING SQUAD

**333. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Education:**

I refer to the Department of Education teacher flying squad that is utilised by government schools to fill urgent teaching vacancies.

Will the minister provide a breakdown, by headcount and FTE, of the total number of teaching staff included in this flying squad in 2023 and 2024 to date?

**Hon SUE ELLERY replied:**

I thank the honourable member for some notice of the question. She will be pleased to know that I have the following information to provide to her.

There are two flying squad categories. Category 1 is teachers who are employed on contracts of up to two years. Appointment leads to permanency for those who are not already permanent. These teachers are directed to appointments and cannot refuse placement. Category 2 is teachers who have expressed an interest in short-term regional contracts. They have no ongoing employment and can decline offers.



The information that was requested on category 1 and category 2 is in tabular form. I ask that that component of the answer be incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

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**Category 1**

Year	Total
2023 (as at December)	12
2024 (to date)	9

\*FTE is equal to headcount.

**Category 2**

Flying Squad Pool Categories	Total
2023 (as at December)	233
2024 (to date)	293

\*FTE is equal to headcount.

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<038> C/G

OFFICE OF ENVIRONMENTAL PROTECTION — ESTABLISHMENT

**334. Hon NEIL THOMSON to the parliamentary secretary representing the Minister for Environment:**

I refer to the announcement by the minister of the establishment of an office in Perth in response to recommendations from the Vogel–McFerran review.

- (1) Has the office been opened yet?
- (2) If yes to (1), was there an official opening?
- (3) If yes to (2), were members of industry invited?
- (4) If yes to (2), what was the full cost of the opening event, including but not limited to publicity, food and beverages and a welcome to country?
- (5) Approximately how many people attended?
- (6) If no to (1), when will it be opened?

**Hon DARREN WEST replied:**

I thank the honourable member for some notice of the question. On behalf of the Minister for Environment, I provide the following answer.

- (1) Yes, on 2 April 2024.
- (2) Yes.
- (3) No.
- (4) The cost was \$597.57.
- (5) Approximately 20.
- (6) Not applicable.

HOUSING AND HOMELESSNESS — DATA

**335. Hon BEN DAWKINS to the minister representing the Minister for Housing:**

I refer to recently released Australian Bureau of Statistics data that shows that more than 100 000 people are migrating to Australia each month and to the housing crisis that we face in Western Australia.

- (1) Can the minister advise how many families are currently couch surfing or living in cars?
- (2) If no to (1), why does the Minister for Housing not know how many Western Australian families are unable to provide appropriate, stable accommodation for their children?

- (3) What immediate options is the minister able to provide for families with children who are living in tents or other inappropriate accommodation?
- (4) Can the minister confirm that there have been reports of families living in cars for the past three years?

**Hon JACKIE JARVIS replied:**

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Housing.

- (1)–(2) Data on homelessness is collected via census data from the census of population and housing, gathered by the Australian Bureau of Statistics.
- (3)–(4) The state government funds 130 homelessness services statewide. People who are experiencing or at risk of homelessness should contact their local Department of Communities office or Entrypoint Perth to be referred to local support services.

HOUSING — 10–12 SMITH STREET, NORTHBRIDGE

**336. Hon Dr BRAD PETTITT to the minister representing the Minister for Housing:**

I refer to properties at 10–12 Smith Street, Northbridge.

- (1) When was the building completed?
- (2) When did the first tenant move in?
- (3) How many apartments are there in total?
- (4) How many apartments are currently occupied?
- (5) What are the reasons for the delay in filling all apartments and when will they be resolved?
- (6) What has been the total cost of the project to date?

**Hon JACKIE JARVIS replied:**

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Housing.

- (1)–(2) The building is being occupied in stages as apartments are completed and commissioned. The first apartments were completed in February 2024 and offers were subsequently made to applicants on the waitlist. The first tenant's lease commenced in early March 2024. The Department of Communities tenants properties as soon as possible after ensuring they are clean, safe and in working order once construction is finalised.
- (3)–(5) Nine apartments are currently occupied and a further 14 apartments will be let as they are completed. The member may not be aware that a number of processes are required to commission apartments. These processes occur during the building handover and include rectification of any defects and essential fire, safety and compliance inspections, which are required before a further property can be allocated.
- (6) As at 31 March 2024, a total of \$8 771 096.58.

NATIONAL RENTAL AFFORDABILITY SCHEME

**337. Hon WILSON TUCKER to the minister representing the Minister for Housing:**

I refer to the national rental affordability scheme, which is coming to an end with the last remaining leases due to end by mid-2026. Has the government considered offering to acquire the remaining NRAS properties from private owners or establishing a state government scheme equivalent to the NRAS?

**Hon JACKIE JARVIS replied:**

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Housing.

The national rental affordability scheme is a commonwealth initiative. NRAS properties are privately owned and, when sold on the private market, the seller will not always disclose that the property was formally under the NRAS. The Department of Communities considers all potential opportunities regarding NRAS properties on a case-by-case basis.

<039> H/2

METROPOLITAN CEMETERIES BOARD — WAR GRAVES

**338. Hon Dr BRIAN WALKER to the minister representing the Minister for Local Government:**

I thank the minister for her response to my question without notice 227 of 20 March 2024 regarding the retention of war graves as part of the Karrakatta Cemetery renewal policy. In that response, she made reference to a memorandum of understanding between the Metropolitan Cemeteries Board and the Office of Australian War Graves.

- (1) Is that memorandum of understanding legally binding upon either or both parties?
- (2) Which body has the final say under the memorandum when it comes to deciding whether a war grave is retained or not?

**Hon JACKIE JARVIS replied:**

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Local Government.

- (1) Please refer to Legislative Council standing order 105(1)(b).
- (2) The Metropolitan Cemeteries Board advises that it works closely with the Office of Australian War Graves, guided by the provisions of the memorandum of understanding. Since the MOU was signed, official war grave monuments are retained in their original position and are not affected by renewal programs.

## INFRASTRUCTURE DEVELOPMENT FUND

**339. Hon MARTIN ALDRIDGE to the minister representing the Minister for Lands:**

I refer to the \$80 million infrastructure development fund announced in February 2023.

- (1) Can the minister please advise the funds allocated and approved to date for the three categories of targeted apartment rebate, unlocking infill precincts, and unlocking regional accommodation opportunities?
- (2) With reference to (1), can the minister please advise the split for each category for regional and metropolitan projects approved to date?

**Hon JACKIE JARVIS replied:**

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Lands. The response is in tabular form and I seek leave to have the response incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

(1)–(2)

Stream	Applications approved to date and funding allocated (As at 18 April 2024)
Stream 1 – Targeted Apartment Rebate *	49 applications approved, \$33.46 million allocated
Stream 2 – Unlocking Infill Precincts *	1 application approved, \$243,000 allocated
3 – Unlocking Regional Accommodation Opportunities	5 applications approved, \$17.51 million allocated

\* Funding for Streams 1 and 2 is available for projects within:

1. The central sub-region of the Perth metropolitan area;
2. 1km of all train stations including METRONET Station Precincts;
3. 1km of strategic, secondary and district activity centres as defined by State Planning Policy 4.2 – Activity Centres;
4. 1km of the Bunbury CBD; and
5. Housing Diversity Pipeline sites

## FERAL PIGS — SOUTH WEST

**340. Hon LOUISE KINGSTON to the parliamentary secretary representing the Minister for Environment:**

I thank the minister for the answer to my question without notice 308 referring to the destruction of feral pigs in the south west.

- (1) Has the Department of Biodiversity, Conservation and Attractions considered a trial of HOGGONE, as used in other states and territories to manage the feral pig population?
- (2) If yes, how is this trial being conducted?

**Hon DARREN WEST replied:**

I thank the honourable member for some notice of the question. On behalf of the Minister for Environment, I provide the following answer.

- (1) The Department of Biodiversity, Conservation and Attractions has trialled HOGGONE at some selected sites in the south west.

- (2) Trials have been conducted with recognised biosecurity groups, licensed pest management technicians and DBCA staff. The trials have used the recommended process for using HOGGONE, which is a three-step process using the dispensing boxes and the HOGGONE placebo trays before using the toxic trays.

#### FIREARMS — BUYBACK PROGRAM

**341. Hon NICK GOIRAN to the minister representing the Minister for Police:**

I refer to the Western Australian Firearms Act reform and the voluntary buyback scheme.

- (1) What will happen to the firearms that are surrendered?
- (2) Will dealers be able to purchase them?
- (3) If yes to (2), with which dealers is an arrangement in place?
- (4) If no arrangement is in place, have any discussions been had with dealers regarding the purchase, re-use, disposal or destruction of such firearms?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The Western Australia Police Force advises the following.

- (1) In most circumstances, the firearms surrendered will be destroyed.
- (2) No.
- (3) Not applicable.
- (4) No.

#### FOREST PRODUCTS COMMISSION — MINE SITE CLEARING TIMBER

**342. Hon STEVE MARTIN to the Minister for Forestry:**

I refer to the minister's statement yesterday about supporting sawmills.

- (1) Has the Forest Products Commission asked for proposals for supply of mine site clearing timber?
- (2) How much mine site clearing timber is being forecast as able to be supplied for the year?
- (3) How many mills could the quantity in (2) support?
- (4) What price is the FPC asking for for each specification of timber available?
- (5) If yes to (1), how many proposals have been received this year from how many mills?
- (6) If yes to (1), can the minister please table the request for proposals?

**Hon JACKIE JARVIS replied:**

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

- (1)–(6) The Forest Products Commission released a request for proposals to sawmills for high-value recovery logs on 7 March 2024, which closed on 5 April 2024. The request for proposals are currently under evaluation.

#### CHILD PROTECTION — CASEWORKERS — WORKLOAD

**343. Hon PETER COLLIER to the minister representing the Minister for Child Protection:**

- (1) What is the average number of cases allocated to each child protection caseworker in metropolitan Western Australia?
- (2) What is the average number of cases allocated to each child protection caseworker in regional Western Australia?

**Hon JACKIE JARVIS replied:**

I thank the honourable member for some notice of the question. The following response has been provided by the Minister for Child Protection.

The Department of Communities advises the following as of 1 March 2024.

- (1) An average of 8.96 cases.
- (2) An average of 10.55 cases.

<040> E/1

#### METRONET PROJECTS

**344. Hon TJORN SIBMA to the minister representing the Minister for Transport:  
Uncorrected Proof — Not to be Quoted**

I refer to the planning and delivery of various Metronet projects.

- (1) Has the Office of Major Transport Infrastructure Delivery undertaken any reviews, assessments, evaluations, or similar, of any Metronet projects?
- (2) If yes to (1), who receives copies of these sorts of reports and how are they typically used?
- (3) Has the OMTID ever reviewed, assessed, evaluated, or similar, the Bayswater train station project?
- (4) If yes to (3), will the minister table this report or reports?

**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 Transport.

- (1)–(4) As is usual practice in contemporary project management, reviews, assessments and evaluations at various levels of detail continuously occur throughout project delivery, resulting in adjustments as required.

#### POOL ENTRY PROGRAM

**345. Hon DONNA FARAGHER to the parliamentary secretary representing the Minister for Sport and Recreation:**

I refer to the pool entry pilot program operating across the Gascoyne, midwest, wheatbelt and great southern regions.

- (1) What is the total cost of the pilot program?
- (2) What is the total duration of the pilot program?

**Hon SAMANTHA ROWE replied:**

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

- (1) Based on an estimated 300 children participating in the program, the total cost was estimated at \$50 000. This takes into account the varying pool entry costs in each local government authority. To date, 240 children have accessed a regional pool season pass.
- (2) The pilot program commenced on 15 February 2024. The majority of local government authorities are ending the program in April 2024, with a further five concluding in mid-May 2024. This is aligned to specific pool opening periods.

#### ENVIRONMENTAL PROTECTION AUTHORITY — PERTH OFFICE

**346. Hon NEIL THOMSON to the parliamentary secretary representing the Minister for Environment:**

I refer to the announcement by the minister announcing the establishment of an office in Perth in response to recommendations from the Vogel-McFerran review.

- (1) How long is the lease on the office?
- (2) What is the annual cost of the lease?
- (3) What is the fit-out cost expected to be?
- (4) Will it be permanently staffed?
- (5) If yes to (4), how many FTE will be employed?
- (6) If yes to (4), from where will those FTE positions be transferred?

**Hon DARREN WEST replied:**

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

On behalf of the Minister for Environment, I provide the following answer.

- (1) The lease will run for five years, with two options of two years.
- (2) The annual cost will be \$173 394, exclusive of GST.
- (3) The fit-out will be provided by the landlord.

(4) Staff from Environmental Protection Authority services will work from the CBD office on an “as needs” basis, which will be dependent on the engagement requirements of proponents and stakeholders. The EPA board will conduct a majority of its board meetings and proponent engagement at the new CBD office.

(5)–(6) Not applicable.

#### DOLPHIN DISCOVERY CENTRE — FUNDING

**347. Hon BEN DAWKINS to the parliamentary secretary representing the Minister for Regional Development:**

I ask this question for James in Bunbury.

I refer to the ABC news article on 12 April, which announced the WA Labor government’s decision to spend \$1.5 million to bail out the Bunbury Dolphin Discovery Centre, which has recently gone into voluntary administration. After spending WA taxpayer funds of \$13 million in 2019 for a major upgrade of the centre and further COVID-19-related grants from the government since 2020, which were referred to by the minister in the ABC article, can the minister please advise what provisions have been put in place to ensure that these huge sums of taxpayers’ money are used effectively and productively?

**Hon KYLE McGINN replied:**

I do not have a question from James; I have a question from Hon Ben Dawkins.

**The PRESIDENT:** Please continue, honourable member.

**Hon KYLE McGINN:** I will just check. Is the number 389?

**Hon Ben Dawkins:** Yes, it is 389. I guess people learn at different rates. I know that.

Several members interjected.

**The PRESIDENT:** Order! Please provide the answer, parliamentary secretary.

<041> O/5

**Hon KYLE McGINN:** The following answer has been provided to me by the Minister for Regional Development.

The state government, following an in-depth financial analysis by administrators RSM Australia, will assist Bunbury Dolphin Discovery Incorporated to achieve financial sustainability with funding support managed through a financial assistance agreement between the state and Bunbury Dolphin Discovery Incorporated. Through the South West Development Commission, an external dolphin discovery centre advisory group will be established to explore and recommend new tourism and hospitality activities at the facility to ensure long-term sustainability.

#### TRANSPORT — FARE-FREE — FINES

**348. Hon Dr BRAD PETTITT to the minister representing the Minister for Transport:**

(1) Please provide a breakdown of offence by type for the 764 children issued with fines during the summer of free public transport.

(2) How many children and young people under the age of 18 years have been fined for having no valid ticket during weekdays since the ride to school for free program was introduced?

**Hon STEPHEN DAWSON replied:**

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

(1)–(2) The information requested cannot be provided in the required time frame. I ask that the honourable member please place the question on notice.

#### CYBERSECURITY — GOVERNMENT AGENCIES

**349. Hon WILSON TUCKER to the Minister for Innovation and the Digital Economy:**

I refer to my previous question on notice 1962 answered on Tuesday, 16 April in which I was advised the government could not tell me how many agencies have achieved each level of cybersecurity maturity because the information remains cabinet-in-confidence and is sensitive.

(1) Is the minister aware that the Auditor General regularly reports on agencies’ cybersecurity maturity, including in the annual information systems audit report?

(2) Is the information published in the Office of the Auditor General’s report on cybersecurity maturity also sensitive?

- (3) Is the minister absolutely sure that agency cybersecurity self-assessments provided to the Office of Digital Government for the purpose of compliance with the cybersecurity policy are indeed the subject of cabinet-in-confidence?

**Hon STEPHEN DAWSON replied:**

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

- (1) Yes.  
 (2) No.  
 (3) Yes.

#### HEMP INDUSTRY — RESEARCH

**350. Hon Dr BRIAN WALKER to the Minister for Agriculture and Food:**

I refer the minister to the announcement that a bid by the hemp sector to secure funding from the federal government's cooperative research centres grants program has failed.

- (1) What is the Western Australian government doing to assist the hemp industry with research projects locally?  
 (2) Will she lobby her federal colleagues to do more to assist an industry that promises returns of up to \$200 million over the next 10 years?

**Hon JACKIE JARVIS replied:**

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

- (1) The Department of Primary Industries and Regional Development continues to work with the Australian government by delivering the final year of trials for the four-year national industrial hemp variety trials program. DPIRD recently executed a new contract for the new Australian industrial hemp program and is leading the national industrial hemp variety trials on the optimal sowing and nitrogen applications for industrial hemp.  
 (2) I meet regularly with the federal Minister for Agriculture, Fisheries and Forestry to advocate on behalf of all Western Australian agriculture.

#### ROYALTIES FOR REGIONS — COUNTRY LOCAL GOVERNMENT FUND

**351. Hon MARTIN ALDRIDGE to the parliamentary secretary representing the Minister for Regional Development:**

I refer to the country local government fund, a subsidiary account of the royalties for regions fund.

- (1) For each of the following years, what was the allocation to the fund —  
 (a) 2016–17;  
 (b) 2017–18;  
 (c) 2018–19;  
 (d) 2019–20;  
 (e) 2020–21;  
 (f) 2021–22; and  
 (g) 2022–23?  
 (2) For what purpose is the fund currently tasked?  
 (3) How can country local governments access the fund?

**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 Regional Development.

- (1) (a) In 2016–17, it was \$7.551 million.  
 (b) In 2017–18, it was \$2.914 million.  
 (c) In 2018–19, it was \$0.004 million.  
 (d) In 2019–20, it was nil.  
 (e) In 2020–21, it was nil.

- (f) In 2021–22, it was nil.
- (g) In 2022–23, it was nil.
- (2)–(3) The country local government fund was originally established for five years between 2008 and 2013 under the former Liberal–National government. No additional funds were appropriated to the CLGF following the 2012–13 state budget.

FORESTRY — ECOLOGICAL THINNING —  
ENVIRONMENTAL PROTECTION AUTHORITY RECOMMENDATIONS

**352. Hon LOUISE KINGSTON to the parliamentary secretary representing the Minister for Environment:**

I refer to the Department of Biodiversity, Conservation and Attractions' recently published *2024 indicative ecological thinning plan*.

- (1) Can the minister advise why the department has failed to implement the conditions of approval recommended by the Environmental Protection Authority, when it reported in its *Forest Management Plan 2024–2033: Report 1745* in only September last year?
- (2) Will this failure be rectified in the near future?
- (3) If not, does this indicate that the government has no regard for the recommendations of the EPA?

<042> A/Gc

**Hon DARREN WEST replied:**

I thank the honourable member for some notice of the question. On behalf of the Minister for Environment, I provide the following answer.

- (1)–(3) The Environmental Protection Authority made recommendations in report 1745 in response to its assessment of the draft *Forest management plan 2024–2033*. Those recommendations were appealed, and an appeals committee was appointed to consider the grounds of appeal and make recommendations to the Minister for Environment. The minister determined the appeals by allowing some grounds of appeal and dismissing others. The conditions of approval applicable to the forest management plan are contained in ministerial statement 1214, published on 30 November 2023. The Department of Biodiversity, Conservation and Attractions is implementing the conditions of ministerial statement 1214. The indicative ecological thinning plan 2024 is indicative and subject to modifications based on consultation and ongoing assessment of forest enhancement areas.

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS —  
EIGHTY-FIFTH REPORT — RECOMMENDATION 2

**353. Hon NICK GOIRAN to the minister representing the Treasurer:**

I refer to the Financial Management Act 2006 and recommendation 2 in the eighty-fifth report of the Standing Committee on Estimates and Financial Operations.

- (1) Has the Auditor General received any notices pursuant to that recommendation?
- (2) If yes to (1), on what date were those notices received?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. I know this question was asked on 19 March, so the answer is current as at that date.

- (1)–(2) I draw the honourable member's attention to finding 2 of the aforementioned report, which states —
- The Committee's consideration of the 2021–22 estimates of expenditure was not adversely affected by Ministers' decisions not to provide certain information.

FLAT ROCKS WIND FARM — STAGE 2

**354. Hon STEVE MARTIN to the parliamentary secretary representing the Minister for Water:**

I refer to stage 2 of the Flat Rocks wind farm development near Kojonup.

- (1) Does the minister agree with Infrastructure WA's renewable wind energy summary assessment report on stage 2 that there is limited information in the business case on quantifiable environmental benefits or impacts of the development of the wind farm at the approved location?
- (2) Is the minister aware of the very serious concerns regarding the impacts of the development held by local farmers?
- (3) Has the minister met with the local farmers to discuss those concerns?



**Hon MATTHEW SWINBOURN replied:**

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

- (1)–(3) The Water Corporation takes on board the IWA feedback as part of its ongoing planning for the project. The minister met with representatives from the Flat Rocks wind farm stakeholder group, which comprises landowners and farmers, in August 2023 to understand concerns held by some stakeholders.

## FREDERIK SUHREN — MEETING

**355. Hon PETER COLLIER to the parliamentary secretary representing the Minister for Sport and Recreation:**

- (1) Has the minister or any members of his ministerial staff had a meeting with Mr Frederik Suhren since 1 January 2023?
- (2) If yes to (1), when was the meeting or meetings and what was the purpose?

**Hon SAMANTHA ROWE replied:**

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

- (1) No.
- (2) Not applicable.

## EVIDENCE ACT 1906 — MODERNISATION

**356. Hon TJORN SIBMA to the parliamentary secretary representing the Attorney General:**

I refer to the Evidence Act 1906.

- (1) Does the Attorney General propose to amend the act and for what purpose?
- (2) Is the Attorney General currently drafting a bill to amend the abovementioned act?

**Hon MATTHEW SWINBOURN replied:**

I thank the honourable member for some notice of the question. The following answer has been provided to me by the Attorney General.

- (1)–(2) A new evidence bill is currently being drafted to, amongst other things, modernise and introduce uniform provisions into the Western Australian jurisdiction and to give effect to the Law Reform Commission of Western Australia's recommendations in project 112. It is intended to replace the Evidence Act 1906.

## COMMUNITY KINDERGARTENS — ENROLMENTS

**357. Hon DONNA FARAGHER to the minister representing the Minister for Early Childhood Education:**

I refer to community kindergartens operating in Western Australia. Will the minister provide the current enrolment for each community kindergarten in the 2024 school year?

<043> P/4

**Hon JACKIE JARVIS replied:** I thank the honourable member for some notice of the question. The following response was provided by the Minister for Early Childhood Education.

The information has been provided by the Department of Education in tabular form. I seek leave to have the response incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

It is the community kindergarten enrolments as at Semester 1 Census 2024.

School Name	Education Region	Students
Albany Community Kindergarten	Southwest	19
Bullsbrook Community Kindergarten	North Metropolitan	39
Byford Community Kindergarten	South Metropolitan	19
Eastern Hills Community Kindergarten And Playgroup	North Metropolitan	0
Glen Forrest Community Kindergarten	North Metropolitan	22
Hazel Orme Community Kindergarten	South Metropolitan	39
Hillarys Community Kindergarten	North Metropolitan	8

Kindaimanna Community Kindergarten	South Metropolitan	16
Lockyer Community Kindergarten	Southwest	75
Lower King Community Kindergarten	Southwest	17
McDougall Park Community Kindergarten Inc	South Metropolitan	31
Mullaloo Community Kindergarten	North Metropolitan	37
Padbury Community Kindergarten	North Metropolitan	33
Pineview Community Kindergarten	South Metropolitan	8
Rossmoyne Community Kindergarten	South Metropolitan	40
Seaview Community Kindergarten	North Metropolitan	28
Spring Road Community Kindergarten (Inc)	South Metropolitan	18
Tuart Hill Community Kindergarten	North Metropolitan	19

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GOVERNMENT AGENCIES, TRADING ENTITIES AND BOARDS — FORMER MINISTERIAL STAFF

**358. Hon NEIL THOMSON to the Leader of the House representing the Premier:**

How many term-of-government employees in the McGowan and Cook governments resigned or had their contracts ended and subsequently took on executive positions in the public sector since 2017?

**Hon SUE ELLERY replied:**

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

The government is unaware of this scenario occurring, noting that section 73 of the Public Sector Management Act 1994 prohibits term-of-government ministerial officers from applying for or to be appointed to any office, post or position in any department or organisation.

CLIMATE ACTION — BURRUP HUB FACILITIES — NORTH WEST SHELF EXTENSION PROPOSAL

**359. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Minister for Climate Action:**

I refer the responses to questions on notice 1831 and 1857 regarding carbon offset data, and note we are happy to receive responses in unconsolidated form.

- (1) How many carbon credits have been surrendered in the most recent financial year to comply with WA Environmental Protection Authority requirements?
- (2) How many and what percentage of the credits surrendered were generated in Western Australia?

**Hon DARREN WEST replied:**

I thank the honourable member for some notice of the question. I provide the following answer on behalf of the Minister for Climate Action.

- (1) Unconsolidated data is not readily available from the department's information management systems and would require several months to compile, requiring extensive manual review of individual statements.
- (2) It is unknown without data consolidation and review.

**OFFICE OF MULTICULTURAL INTERESTS — FEAST WITH FRIENDS — PROMOTION**

*Question without Notice 281 — Answer*

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [5.02 pm]: I would like to provide an answer to Hon Tjorn Sibma's question without notice 281, asked on Tuesday, 16 April. I seek leave to have the response incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

1. On 29 February 2024, the "Feast with Friends" material was sent to OMI's public email 'harmony@omi.wa.gov.au' as part of a bulk email from Fatima Payman's email. The Harmony email is a generic inbox that is also used to collect information about upcoming CaLD community events. The email received did not contain a request for OMI to add the event to its events calendar.
  - 2-5. On 8 April the Minister for Citizenship and Multicultural Interests was informed by the Office of Multicultural Interests that an event was placed on its events calendar in error and has since been removed. The event was placed on OMI events calendar in error by a staff member. The Department is reviewing its processes to ensure no events that promote fundraising for any political party are included on the events calendar in future.
-

**HORSE RACING — REGIONAL CLUBS  
FIREARMS — BUYBACK PROGRAM**

*Questions without Notice 296 and 319 — Answers*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services)** [5.02 pm]: I would like to provide an answer to question without notice 296, asked by Hon Steve Martin on Tuesday 16 April, and question without notice 319, asked by Hon Louise Kingston yesterday. I seek leave to have both responses incorporated into *Hansard*.

[Leave granted for the following material to be incorporated.]

**Question without notice 323 —**

1-2

No.

**Question without notice 366 —**

The Western Australia Police Force advise:

1. As at 17 April 2024 - 9,027 firearms surrendered.
2. As at 17 April 2024 - \$2,934,407.
3. Under the Firearms Act Reform Voluntary Buyback Scheme each firearm surrendered must be licensed to and owned by the person surrendering it at the time of surrender.

**SCHOOL EDUCATION AMENDMENT BILL 2023**

*Returned*

Bill returned from the Assembly without amendment.

**CRIMINAL INVESTIGATION AMENDMENT  
(PROTECTION OF LAW ENFORCEMENT ANIMALS) BILL 2023**

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Stephen Dawson (Minister for Emergency Services)**, and read a first time.

<044> Q/2

*Second Reading*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services)** [5.03 pm]: I move —

That the bill be now read a second time.

The Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023 will introduce into the Criminal Investigation Act 2006—the CIA—new offence, penalty and court-ordered restitution provisions for assaulting, injuring or killing a law enforcement animal. The bill fulfils a government commitment to address a recommendation in the *WA Police Union: 2017 pre-election submission* to introduce harsher penalties for offenders found guilty of assaulting a police animal. Recommendations made in the June 2018 report of the statutory review of the CIA also proposed legislative reform in this area.

Pursuant to section 17 of the CIA, a police officer or other public officer exercising powers under the CIA may use an animal to assist, provided that the animal has been trained for the purposes for which it is used and use of the animal is reasonably necessary in the circumstances. The power to use animals under the CIA is wideranging, as the CIA includes preventive and investigative powers as well as providing for other matters, including the use of force and maintaining public order. The use of animals by police officers is also expressly contemplated in the Misuse of Drugs Act 1981 and the Terrorism (Extraordinary Powers) Act 2005.

The Western Australia Police Force train and use dogs and horses for a number of purposes. Dogs are primarily used for tracking and locating suspects and detecting drugs in places and on persons. Horses are used for targeted high-visibility patrols in areas with big crowds and entertainment precincts such as Northbridge and Fremantle, and for occasions such as New Year's Eve. Police horses are also used for responding to land search-and-rescue incidents, out-of-control gatherings and other public order incidents, including protests and demonstrations.

People may use violence against law enforcement animals in an attempt to avoid arrest or to prevent police from carrying out their lawful duties. For example, in September 2019, a violent offender punched a police dog in the head in an attempt to avoid arrest. In Queensland, in February 2020, a police dog assisting in the arrest of two offenders was stabbed in the chest. In Victoria, in June 2022, an offender was sentenced for using a flagpole to hit a police horse at an October 2020 protest against COVID-19 lockdowns.

Separately, information obtained by the WA Police Force indicates that members of outlaw motorcycle gangs in other jurisdictions are looking to specifically target police dogs. According to WA Police Force statistics, there have been 34 recorded assault incidents involving law enforcement animals since January 2015. Although not reflected in the number of recorded incidents, police dogs are often assaulted in the course of assisting officers to apprehend offenders.

There is currently no specific sanction for a person who assaults, injures or generally uses violence against an animal used by a police officer in the lawful exercise of their duties. In the past, police have charged offenders under the Criminal Code for obstruction of a public officer or disorderly behaviour in public. Fines in those cases have tended to range from \$200 to \$1 500. The only other available recourse would be for an offender to be charged with cruelty to animals pursuant to section 19 of the Animal Welfare Act 2002, which carries a maximum penalty of a fine of \$50 000 and imprisonment for five years. The Prisons Act 1981 and the Young Offenders Regulations 1995 provide that if a person assaults a prison dog carrying out its duties, that person is deemed to have assaulted the officer handling the animal. However, these provisions do not extend to police and other law enforcement animals.

Other jurisdictions—namely, New South Wales, the Northern Territory, Queensland, Tasmania and South Australia—have legislated for specific offences relating to killing or seriously injuring animals used in law enforcement. Most of these jurisdictions also provide for the ability of a court to order an offender to pay compensation for the injury or killing of a law enforcement animal.

The Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023 will introduce new offences in Western Australia for assaulting, injuring or killing a law enforcement animal. The offences will cover animals used by police officers in the execution of their powers, duties or responsibilities, whether they arise from the CIA, other statutes or the common law. The offences will also cover animals used by other public officers who have powers under the CIA in the execution of their powers, duties or responsibilities.

There are two limbs to the new offences. The first limb concerns assaulting, injuring or killing an animal that is being used by an officer. The second limb concerns assaulting, injuring or killing an animal on account of it being an animal that is used, or trained or maintained for use by officers. The second limb would, for example, apply when there is a targeted attack on an animal simply because it is a law enforcement animal, regardless of whether the animal is being used by an officer at the time. The second limb will cover targeted attacks on animals that are trained or maintained for use by officers, including animals that have not yet been deployed because they have not yet completed their training. Assaulting a law enforcement animal will be an offence against authority akin to assaulting a public officer. The penalties for the new offences will therefore be in line with the penalties in section 318 of the Criminal Code for assaulting a public officer, without the application of the mandatory sentencing provisions in that section.

Under each limb of the new offence provisions, killing an animal will be punishable by 10 years' imprisonment. Assaulting or injuring an animal in "circumstances of aggravation" will also be punishable by 10 years' imprisonment. The circumstances of aggravation will be consistent with the Criminal Code provisions for assaulting a public officer and include being armed with a weapon and being in company with another person during the commission of the offence. Assaulting or injuring an animal, other than in circumstances of aggravation, will carry a maximum penalty of seven years' imprisonment, with a summary conviction penalty of three years' imprisonment and a fine of \$36 000.

<045> F/G

The offences will not apply if a person has a "reasonable excuse" for assaulting, injuring or killing a law enforcement animal. Examples of reasonable excuses, such as actions by veterinarians and animal trainers, are set out in the bill. One example of reasonable excuse that is expressly provided for in the bill is where an accused was acting in self-defence. The self-defence provisions are modelled on the defence of self-defence in section 20 of the Animal Welfare Act 2002. The provisions would allow a person to claim they were acting in self-defence to protect themselves against an animal that was being used by an officer, if the use of the animal was unreasonable in the circumstances—for example, when the use of the animal was not in accordance with WA Police Force policy, procedure and training.

The bill also provides for compensation orders to be made against a person who is convicted of assaulting, injuring or killing a law enforcement animal. Animals used by officers are of significant value to the state because of the work they perform as well as the resources invested in their training. If an animal is injured, the state may incur significant costs in relation to the treatment, care, rehabilitation and re-training of the animal. If an animal is killed or unable to be deployed for use, the state may incur costs in relation to the replacement of the animal with another suitably trained animal. The bill provides an avenue for the WA Police Force, or other agencies using animals under the Criminal Investigation Act, to recover those costs from the offender. The bill will strengthen the protection of animals that assist officers to perform their duties.

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 table the explanatory memorandum.

[See paper 3089.]

Debate adjourned, pursuant to standing orders.

## STANDING ORDER 42 — APPLICATION

### *Statement*

**HON NICK GOIRAN (South Metropolitan)** [5.11 pm]: President, I rise this evening for the purpose of expressly seeking your consideration and ruling on the application of standing order 42. By way of brief explanation, yesterday evening I was away from the chamber on urgent parliamentary business but I have had the opportunity this afternoon to familiarise myself with the uncorrected proof of the recording of yesterday's proceedings in the *Hansard* of Wednesday, 17 April 2024. It is recorded that at a late stage yesterday, sometime after 6.27 pm, an adjournment statement was delivered by Hon Ben Dawkins on the topic of biological sex and gender identity. I seek the President's consideration and ruling on the application of standing order 42, noting that we are about to embark on a two-week recess. It would be useful to have some clarity on that standing order's application. In the version of the standing orders I have in front of me, standing order 42 reads —

#### 42. Allusion to Debate in the Assembly

*[Repealed 9 September 2021]*

That date was some two and a half years ago. I appreciate that I am quoting from the uncorrected *Hansard*, but to the best extent I can rely on this document, it appears that only moments after Hon Ben Dawkins got to his feet there was an attempt by the very experienced Hon Kate Doust to move a point of order. According to the uncorrected *Hansard*, there was no further clarification from the honourable member as to what the point of order was. President, you then said, according to the uncorrected *Hansard* proof —

Just before the point of order, honourable member, you are not able in your contribution to allude to debate that is occurring in the other place. That bill is currently being debated in the other place. You may comment broadly on the content. We do not have a standing order in relation to alluding to debate in the other place, and as the bill is not listed on our notice paper yet, my strong advice to you is not to discuss the specific content of the bill but keep your comments to very broad issues in relation to the matter rather than the bill itself.

<046> M/5

President, I was not sure, because it is the uncorrected proof, whether that accurately records what you said yesterday on that, other than to note that there was then a later point of order taken, it would appear, according to the uncorrected proof, by Hon Dr Sally Talbot, who said in the uncorrected *Hansard* —

President, I would ask you to consider once again how it could possibly be construed that what Hon Ben Dawkins is trying to talk about does not have a direct reference to something that is happening in the other place. It is so obvious. The entire content of what he is talking about is about what is happening in the other place.

President, again, the uncorrected proof records you saying —

Honourable member, the point of order that you might have been referring to was about allusion to debate in the other place. That no longer stands in our standing orders, but, again, I invite the honourable member—as that bill is yet to be debated in this place, although it does not appear on the notice paper, he may wish to keep his comments to a broad nature, rather than the specifics of what likely will be contained in the bill. In addition to that, I will also invite the member to table the document, from which he is quoting, at the conclusion of his speech, as I am hearing that there is a substantial number of quotations. I am assuming what you are currently reading is still a quote. At the end of your contribution, I invite you to table the document from which you are quoting.

Back to Hon Dr Sally Talbot, there is no point of order, though I have invited the member to keep his contributions broad.

President, the reason I seek your direct consideration and specific ruling perhaps at a later stage with regard to the application of standing order 42 is that I must confess, having been absent from the chamber on urgent parliamentary business late yesterday, that I am at a loss to explain how a member is to interpret the events from yesterday. If one is to interpret standing order 42, it plainly no longer exists. Allusion to debate in the Assembly is no longer a point of consideration for members, if one is to have regard only to the standing orders. However, members will be aware that the way that parliamentary law operates is greater than merely the standing orders. It includes custom, practice, convention, rulings from the current President, and, indeed, guidance taken from past Presidents and other Presiding Officers.

It seems to me, as a member who has made every best endeavour to try to understand the connection between standing order 42, which was repealed on 9 September 2021, and the events that have been transcribed from last night, noting very specifically, President, that you said last night to Hon Dr Sally Talbot, “there is no point of order”, I think it would

be helpful, at least for me—it may not be necessary for anybody else—to understand, moving hereon in, in the absence of the existence of a standing order, whether a member is indeed able in any fashion to allude to debate in the Assembly.

### QUESTIONS WITHOUT NOTICE — ANSWERS

#### *Statement*

**HON TJORN SIBMA (North Metropolitan)** [5.18 pm]: I will keep this brief, for everyone's benefit; I think I can distil the issue briefly. I want to identify a disturbing practice in the way that questions without notice are answered by ministers. This is something that has piqued my alarm this week, but I think it is indicative of a practice particularly from a number of specific ministers and one minister in particular.

President, members will be aware that section 82 of the Financial Management Act requires a minister who decides that it is reasonable not to provide an answer to Parliament for whatever reason to advise both houses of Parliament and the Auditor General accordingly.

<047> J/5

That often precipitates a review by the Office of the Auditor General into whether that minister was reasonable in making a determination to withhold information sought in Parliament. Ordinarily, customarily, this process would be initiated with an active refusal in that the minister's response is, "I will not provide this information" for whatever reason, citing commercial-in-confidence or a range of other sensitivities, but there is also a way to evade a direct evasion, and that is to pretend that the minister never read the question in the first place or they never heard the question asked. This particularly cunning technique is used, I think, by the more experienced political practitioners in the cabinet. I identify Hon Rita Saffioti here, the Minister for Transport, as one of the masters of this dark art.

For three consecutive days, I have sought the minister's substantiation of a very bold political claim when it comes to the manufacture of C-series railcars for the Metronet project. The minister is on the public record saying that the government had exceeded the 50 per cent local content goal that it sought itself in relation to this project. Government and non-government members alike would be aware that this is a political claim that the Labor government propounds, extolls and promotes quite proudly. If, indeed, the claim could be substantiated, that would be an interesting accomplishment. For three days, via questions C311, C353 and C376, I have sought that substantiation. It has been refused as an act of omission—that is, the refusal is not a direct speak to the hand; it is just a wave on by. There is a distinction. It is obstructive and frankly contemptuous of Parliament. One might even say it is arrogant. One might even say it is not in keeping with the bold vision that the previous Premier Mark McGowan had on the swearing-in of his cabinet in 2017 to establish a gold standard in openness, transparency and accountability.

Today, I asked what I thought was the most simple question, learning that eight reports had been provided by the company Alstom to government, explaining or reporting on local content in this project. I also asked what was done with these reports and whether the government relies upon them and has validated them to any great degree. I learnt that the government does something with them. The bureaucrats who receive them ask questions, which is reasonable, but what is being withheld are the core documents. Why should anyone in Western Australia believe that this achievement is being accomplished when the minister and government making the claim, which has every benefit derived from people believing the claim, cannot substantiate it and refuses to prove it? Are we to take the government at its word? Over the last seven years, we have learnt that we cannot trust the government, particularly when it is speaking in its own self-interest.

<048> D/4

If the minister has accomplished what she says she has accomplished, that would be an achievement. I am not the only one asking for the proof. The burden of proof to substantiate this claim falls upon the government and the minister. A number of members opposite would be familiar with the work of Christopher Hitchens. As a polemicist, Christopher Hitchens was not somebody I always agreed with, but he could enliven and entertain an intellectual argument. One of his contributions to epistemology is what is called Hitchens's razor; that is, what can be asserted without evidence can be discounted without evidence. The minister asserts without evidence that she has exceeded the 50 per cent local content contribution or component of the Metronet rail car build, but she cannot provide the evidence. If she can so wantonly make that claim without evidence, I and the people of Western Australia are completely justified in disbelieving her self-promoting claims.

### PARLIAMENTARY FRIENDS OF TECHNOLOGY AND INNOVATION

#### *Statement*

**HON WILSON TUCKER (Mining and Pastoral)** [5.25 pm]: I would like to update the house on a recent trip that I took through the Parliamentary Friends of Technology and Innovation with my co-conveners, Ms Caitlyn Collins, MLA, and Ms Emily Hamilton, MLA, and several other members. Three planes took 18 of us to—I consulted Hon

Rosie Sahanna on the pronunciation of this, but I will butcher it nonetheless—Inyarrimanha Ilgari Bundara, the CSIRO Murchison Radio-astronomy Observatory. It is located just outside of Geraldton, within a couple of hours as the crow flies.

A government member interjected.

**Hon WILSON TUCKER:** Four hours.

There the Australian and Western Australian governments have established a radio-quiet zone that stretches for 520 kilometres. In the zone, licensed communication and electronic devices, such as television transmitters, mobile phone base stations and CB radios are controlled. It is fair to say that cat videos are not allowed to be streamed by employees at night. When people land here, they have to turn off their phones. It was a rare privilege to go up there because even the electromagnetic waves from the bus disrupt the instruments. They are extremely sensitive so only a small number of visitors are allowed each year. It was a rare honour to go up there and see firsthand this extraordinary place, which is on Boolardy station.

There are a number of projects within this radio-quiet zone, including the Curtin University–led Murchison Widefield Array, which is operational, and Arizona State University’s experiment to detect the global epoch of reionization signature. Do not ask me to explain that; I am not quite sure what it is, but I am sure it is very impressive. The most impressive project that we were privileged to witness was the Square Kilometre Array observatory, which, when it is completed, will be the largest local frequency radio antenna in the world and comprise 131 000 individual antennas. It is part of an intergovernmental project with South Africa, which has the SKAO mid-frequency radio antennas. Australia and WA won the bid for the low-frequency radio antennas. We obviously have exciting and innovative capability here in WA. When it is completed, it will be the largest and one of the most sensitive radio-astronomy instruments in the world. It will further our understanding of the universe and perhaps firm up our understanding of the age of the universe.

<049> B/G

When we were there, we had the privilege of putting together some of the antennas. I think about 200 or so have been completed. There is only about 130 000 to go over a 50 square kilometre radius, so it will take about six to eight years to finish. It is an extremely exciting project. Members can imagine that when talking about 131 000 individual antennas, there will be an absolutely huge amount of data. There is a dedicated fibre connection to Pawsey, which was built as part of the bid to secure the low frequency Square Kilometre Array. All that information will be fed into Pawsey and all the analysis will be done on it. One of the projects that will operate through there will be the Search For Extraterrestrial Intelligence program to detect life and biosignatures from other planets. Very interestingly, WA could be the first place in the world to detect life on other planets. As part of the Indigenous land use agreement with the Wajarri Yamatji people—I thought this was a really fun fact—some of the new observations and discoveries through SKA-low will take on those traditional names.

**Hon Kyle McGinn:** And they are building the antennas as well.

**Hon WILSON TUCKER:** Yes. CSIRO is working very closely with the Yamatji people and has a number of Indigenous people working on the project and a number of employment pathways for them. The CSIRO has understood from the get-go that it needs to work hand in hand with the traditional owners, and I applaud the CSIRO for that.

I would like to give special thanks, firstly, to Hon Kyle McGinn and Hon Peter Foster, who helped fund this trip. We had three planes that carried about 18 people. We had a mix of MPs. From this chamber we had Hon Sophia Moermond join us and the Minister for Innovation and the Digital Economy, Hon Stephen Dawson, and a number of lower house members. We also had Hon Darren West. I was going to call him Darren Foster! Hon Darren West joined us as well. I will leave it there.

**Hon Kyle McGinn** interjected.

**Hon WILSON TUCKER:** It was, yes. We had a number of lower house MPs with us as well as a mix of a few private industry folks. We had a few professors, some space lobbyist groups and a representative from the Department of Jobs, Tourism, Science and Innovation. I think it was important to not just have MPs but some real and more interesting people with us as well. It was quite difficult to wrangle the schedules. Like I said, it was a real privilege to be there. I extend my thanks to the CSIRO, and in particular to George Simpson; Amy Ruddock; Rebecca Wheadon, site entity lead; George Heald, science director; Brad Hiscock, operations lead; and Chris Brayton, the deputy site entity lead.

It was a very interesting trip and I think everyone who came along really enjoyed it. We came away having learnt a little more but also being very impressed by the site and by the sovereign capability that we in our backyard, which will only grow as those antennas come up and the capability continues to expand.

## POLYPHAGOUS SHOT-HOLE BORER

### *Statement*

**HON NEIL THOMSON (Mining and Pastoral)** [5.33 pm]: Tonight I want to raise a matter that I think is important to the all the Western Australian community, particularly those in Perth. My intent in raising this matter is to see whether

we can get some movement on this specific issue for the sake of our Western Australian environment. On 20 March 2024, I asked a question about the polyphagous shot-hole borer, which is a pest that is impacting our urban trees in Western Australia. Not many people know much about it. There is a quarantine area in Western Australia. Some news about it is being reported by the media. I know that some work is happening in Hyde Park and a few other areas in the city to deal with the trees that are affected by this very dangerous pest.

<050> C/5

It is not dangerous to humans but it weakens the trees and will have an impact on our urban environment. We know that Perth has had a major problem with the loss of tree cover in the urban environment, which is having a big impact on our urban community in terms of the heat island effect. That could accelerate quite seriously as this pest starts to have effect. I am seeking some more information from Hon Jackie Jarvis, who no doubt is working very hard on this issue. I hope, and am certain they will be, that the staff at the Department of Primary Industries and Regional Development are working hard to resolve the issue.

I met with Dion Johnson from Parks and Leisure Australia (WA), the peak body that engages with local government and park managers around our urban parks, and Giles Pickard, representing the Australian Institute of Landscape Architects, and they raised some concerns about the level of transparency around the impact of the borer. Obviously, with the right intent, they are worried about the fact that people in Western Australia are not fully aware of this pest and that there is still movement of vegetation throughout the city. One would not really know unless one has become aware that we cannot move vegetation material outside the quarantine area. We know that with pests and diseases of plants and animals, like any pest or disease, we need to respond with quarantine controls and go hard, go fast and go early. That is the answer to this because that is the only way it can be stopped—if it can be stopped. I was involved in this area in the early part of my career. In fact, my master's degree was on the control of the spread of pests and diseases. I studied that at university. Sometimes we are unable to eradicate a pest or disease, so a better scenario is to control and build awareness of it.

From the answers given by the minister, there is a prospect of eradicating this disease, and I think it would be good to know how. I refer to question without notice 224. Perhaps the minister could be so kind as to look, and also have her office look, at the *Hansard*. Maybe a briefing could be provided to Parliament or publicly at some time, as I have some matters that I want to raise on this issue. Part (3) of my question asked how the pest entered Australia, and the answer was that it was unknown how the pest entered. The pest was first detected in East Fremantle, so there is a high probability that it came through the Fremantle port. In that situation, there is a case for undertaking some analysis of the quarantine controls, because we clearly have a vulnerability there. It is important to present that more transparently. Question (4) asked —

What is the existing budget to control and eradicate the borer?

The response was —

This is a three-year, cost-shared national response plan, with an associated budget of \$41.29 million.

From talking to Mr Johnson and Mr Pickard, I know they feel that the resourcing has been inadequate. They believe that the response of attempting to identify any infestation by viewing trees from the ground is inadequate for large iconic trees in the metro area, and they feel that more should be done. There is also concern that DPIRD is not supporting local independent trials of alternative responses at this point. That issue was raised by the industry. I note the three-year response, but it appears that it will end on 6 August 2024. What are we going to do beyond that and how are we going to be able to deal with this so that we make progress with this terrible situation in Western Australia? There are a few questions there.

<051> H/2

The fifth part to my question without notice asked, “Can the borer feasibly be eradicated in Western Australia?” That is a very important question. I raised this matter with people from the Department of Primary Industries and Regional Development earlier before asking the question without notice, and they were not sure whether it could be eradicated. In fact, some potential feedback to industry was that maybe it could not be. Looking at the way in which the pest has been managed, it would appear that the department is not taking a hard, fast and early approach to eradicating the disease. We know that when disease can be feasibly eradicated, it is better to go hard, fast and early to deal with it and not let it spread, because the longer the disease is in the community, the more likely it will end up becoming impossible to eradicate.

Industry has got back to me and asked whether there are any known or suspected cases via sampling of the pest found outside the published quarantine zone? What does DPIRD measure to determine a successful eradication? Is it deemed successful when there is total eradication of the disease, or just containment and control? That is a very important point. There is no clarity in the community's mind, apart from the fact that most people do not know about it. I am sure that many members in here are not fully aware of the issue. We should be looking to find more clarity around the approach that is used and to get the community mobilised behind an eradication program to get on top of this issue. This will help to save the iconic old trees and our canopy cover and allow us to get on with the job of creating the green city that we



all aspire to. What are the measures? I hope that we can have more transparency on reporting in this area. The quarantine zone has increased over time, so what measures are in place if the response plan has been inadequate to restrict the spread? Let us have an honest conversation about that. There is a feeling that not enough information has been provided. DPIRD might have a lot of information, but it is not coming out to industry.

The sixth part of my question 6 asked, “What percentage of urban trees will be impacted by the borer?” The answer was that this is undetermined. That is really inadequate. Perhaps this is a range or an understanding, and has any work been done to determine the impact on the state’s biodiversity? Has work been conducted to determine the impact it will have on the state’s urban tree canopy? That is what is in the back of the mind of a lot of people who are starting to become aware of this problem.

My final question asked about the impact of native flora and banksia woodlands in particular. The answer, in part, was that native trees are not considered natural hosts of the polyphagous shot-hole borer. I suppose that question was batted away, but there is a view that it affects some native trees. Industry is certainly saying that it knows that endemic and native species have been impacted. Does DPIRD have an understanding —

**Hon Jackie Jarvis:** I am happy to organise a briefing for you. All you have to do is ask.

**Hon NEIL THOMSON:** I am asking about this in the Parliament because this is really important. I know that the minister does not like this issue in the public domain, but I am asking her to take note of these things and provide more transparency for the Western Australian community.

### NORTH FREMANTLE FOOTBALL CLUB

#### *Statement*

**HON STEPHEN PRATT (South Metropolitan)** [5.43 pm]: As members may recall in my inaugural speech, I advised the house of my strong connection to the North Fremantle Football Club. On a number of occasions in this place, I have spoken about the strong role that sporting clubs play in the community. I have a good story to tell this evening, but I cannot do that without first making mention of the tragic passing of club great Scott Misich in the last 24 hours.

<052> E/2

That footy club community is hurting right now. My thoughts go out to Tony, his father; Tully, his brother; and his family.

Now on to a good story. As Anzac Day approaches, I wanted to let the house know about 10 of my former teammates from the North Fremantle Football Club who will embark on a journey over the coming week leading up to Anzac Day, walking the Kokoda Trail. They are honouring a pledge they made four years ago to hold a small ceremony at the gravesite of former North Fremantle footballer Private Arthur Slayford. Unfortunately, this trip was cancelled due to the emergence of COVID-19. Arthur Slayford is buried at the Bomana War Cemetery in Port Moresby. As an 18-year-old, he was a member of the 1938 undefeated North Fremantle ex-scholars premiers team. I should have said earlier, but I lost my way a bit, that if members are interested in reading about this, a fantastic article was published in the *Fremantle Herald* on 12 April, written by none other than my dad, Baden Pratt.

Arthur Slayford then joined the Saturday North Fremantle team. Five months before he enlisted in the Army, he starred in North Fremantle’s 1941 premiers side to win the Sandover Shield for the club. Slayford was one of 15 children. He was the second youngest of four Slayford brothers who all fought in World War II. Sadly, he was killed in action defending Australia during heavy fighting near Gona in December 1942. He was just 22 years of age.

The North Fremantle Football Club’s foundation team from 1901 to 1915 played in the West Australian Football League. It was destroyed during World War I in 1915. So many players enlisted in that club forfeited the finals game of the 1915 season. Forty-three players walked off the Gilbert Fraser Reserve in North Fremantle to enlist. Sadly, 12 died. Six years later, in 1921, the community of North Fremantle advocated for its own district team and today’s club was born. Today it is the oldest existing club playing in the Perth Football League.

In 2008, to mark the 150<sup>th</sup> anniversary of Australian football and coinciding with the ninetieth anniversary of Anzac Day, 66 North Fremantle Football Club members visited every gravesite and memorial of those 12 footballers at the Western Front, Gallipoli and in London, where one footballer had flown in the Royal Air Force.

Now to the 10 former players who have gone on this important trip. Seven of them are aged 50 or over and an eighth turns 50 on the trek. Together they played more than 1 000 games of football for the North Fremantle Football Club. What they are doing this Anzac Day is remarkable. For nine days and nights, they will struggle through the mud and mountains of the 96-kilometre Kokoda Trail as a salute to Slayford and the North Fremantle footballers killed in action in World War I, World War II and Vietnam. They are Paul Farrell, Gary Hasler, Adam Calginari, Tim Seeber, Tim Kullack, Brynne Farrell, Heath Nelson, Jamie Connolly, Andrew Maiorana and his son Jessie.

Each Anzac Day, the North Fremantle Football Club holds a special 9.00 am Anzac Day ceremony at the Fallen Soldiers Memorial in North Fremantle. This year, as in other years, the North Fremantle Club’s colts and women’s team members will place jumpers carrying the names of the 12 footballers killed in World War I around the memorial. This

Anzac Day will be a much more special occasion because the 10 former players will be in the middle of the Kokoda Trail, at Brigade Hill. I commend what they are doing and wish them a safe journey.

## IMMIGRATION AND HOUSING

### *Statement*

**HON BEN DAWKINS (South West)** [5.48 pm]: I wanted to say a few words tonight about immigration and housing. First, I wanted to say that there is a lot of repetitious debate from my observation in my short time I have been in this place. It does get frustrating. A lot of it revolves around things like housing, with comments made back and forth, and finger pointing between the major parties. There is repetition.

<053> O/5

I say that because One Nation wants to cut through the repetition and the waffle and do what is right for the people. On this issue of immigration and housing, I have some sympathy for the major parties as they exist in WA, and that is because, essentially, the housing problem that we are experiencing, or at least a huge part of it, relates to there being too much immigration in Australia.

Several members interjected.

**Hon BEN DAWKINS:** If the members would like to just remain silent for a little while, we can do some stats.

Several members interjected.

**The PRESIDENT:** Order! Order! Hon Ben Dawkins.

**Hon BEN DAWKINS:** I will just cut straight to the chase; we are running out of time already.

Albanese and Labor are destroying Australia in fact. From the end of World War II to the Sydney Olympics, the annual average net migration was 80 000 people a year. In the first year of the Albanese regime, net migration was over 500 000. However, data just released by the Australian Bureau of Statistics shows that net permanent and long-term arrivals in February 2024 were at an all-time record monthly high of 105 460. This is the first time in history —

**The PRESIDENT:** Order! Order!

**Hon BEN DAWKINS:** — that the net monthly permanent and long-term arrivals have exceeded —

**The PRESIDENT:** Order! Hon Ben Dawkins when I call order, that includes you.

**Hon BEN DAWKINS:** I could not hear you, President.

**The PRESIDENT:** Hon Ben Dawkins.

**Hon BEN DAWKINS:** It has exceeded 100 000; it is the first time the monthly figure has exceeded 100 000. It is 19 per cent higher than the previous record of 88 800 people. In the middle of a housing crisis, with Australian families living under bridges, in tents and in cars, this is disgusting—what the Albanese Labor government is doing! We have our own housing problems, and migration is out of control.

Several members interjected.

**The PRESIDENT:** Order! Members, the house is adjourned.

*House adjourned at 5.52 pm*

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