

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

HERITAGE BILL 2017

Second Reading

Resumed from 22 February.

MRS J.M.C. STOJKOVSKI (Kingsley) [7.06 pm]: I rise with much pleasure to contribute to the debate on the Heritage Bill. This subject is quite close to my heart, so I want to talk a little about the importance of heritage. Heritage is the foundation of our modern society. It gives us context of how we came to be who we are and it teaches us lessons for the future. For me and many others in my community, heritage places are more than just bricks-and-mortar or remnants of the past that are nice to have around and make us feel good; they are the physical embodiment of our connection to the past, our stories and our culture. They are the roots of the tree that connect us to this place and allow us to grow into the future. This bill ensures that we have adequate and appropriate protection for heritage places, which, as I said, are an important part of our cultural identity. However, heritage is an emotive issue and the waters are often muddied by competing interests, which attempt to use heritage places or heritage value as a reason or excuse to serve their own purposes. This is where this bill comes into its own.

At my time at the City of Wanneroo, I worked on the city's municipal heritage inventory. I produced the local heritage survey with the team I was working in. During that experience, a lot of different community groups were using heritage to muddy the waters of what the local heritage survey meant and what heritage protection would mean for individual heritage sites. For example, a small group wanted the historic Two Rocks town site listed on the state Register of Heritage Places. While their goal was noble, the underlying reasons for wanting to do that was to stop any potential development or high-rise in the area. Unfortunately, there was a misunderstanding in the community about what the heritage protection for the site would mean. We were looking at categorising the site in a particular way, which the community was not happy about; they thought it should be given a higher categorisation because that would stop the development. Unfortunately, that is not the case and that is not how local heritage surveys work. This bill aims to clarify some of those issues around heritage and what the different categories of heritage protection mean.

Another example is the Weigl monolith sculptures, which are also in Two Rocks. We looked at categorising them as category 3, but the community was very upset by this. People did not understand that category 3 meant that the sculptures had local significance, but were not significant enough to be put on the state Register of Heritage Places. Recently, it would seem that even the former Minister for Heritage has misunderstood the power of heritage protection afforded by listing a place on the state heritage register. The former Minister for Heritage attempted to get one of my local heritage places, Duffy House, listed on the state register. In council documents he states that this was an attempt to avoid the demolition of the building by the Western Australian Planning Commission. Unfortunately, that is not how this legislation works. Even if a place is listed on the state Register of Heritage Places, it can still be demolished if correct procedures are followed. I think this bill goes a long way to clarify what will be protected, how much protection will be offered and the impact of any new development on a heritage place.

This bill provides some guidance on the purpose of heritage protection, particularly local heritage surveys, which are publicly accessible, historical records of a district. It is the story of a locality. A local heritage survey is a tool, usually used by a local government, such as me, when assessing development to heritage places or in close proximity to heritage places. Local heritage surveys are a story; they are not a protection in and of itself. This bill clarifies the categories and the process of reviewing local heritage surveys, and the steps to go through that process. This is a really important part of the bill because often local government areas may have a small amount of heritage value but the local government is still required to do a local heritage survey. Providing clarification to those who may not have any heritage training or heritage background on the steps, processes and guidelines to create a local heritage survey is very good. In particular, the removal of the time requirement for when these reviews should be done is a very good step. In my experience, one local government survey with, from memory, only 190 places on it took 18 months to two years. That was with the City of Wanneroo, which has a small number of heritage places to look at. If we look at places like the City of Perth or the City of Fremantle that have multiple heritage places, these processes could take in excess of two years. The way the bill treats the process for doing heritage surveys is a very positive step. The categories prescribed to places on a local heritage survey guide planners on the requirements for referral obligations and on the proponents to enable them to proceed with development. Places categorised on the state Register of Heritage Places are required to be referred, but not every place does. Sometimes they may just need to look at the impact of the development internally, rather than referring it to the state heritage register. I think this type of guidance is really good for planners, particularly those who do not necessarily do heritage work as part of their full-time job; it is just a component of their job.

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I move to the example of Club Capricorn in the City of Wanneroo. As many members would know, Club Capricorn was a resort and camping facility in the northern suburbs. It was used by a variety of people—families, scouts, school groups, church groups—as a camping retreat, but it was closed a number of years ago. The owners of Club Capricorn decided that they would like to demolish it and they put in a proposal to create housing. At the time, it was a category 3 place, which prescribes that the owners could demolish the buildings if they followed the proper processes. The local government at the time required the owners to photograph Club Capricorn to ensure that anybody looking back on the history of the area would have very detailed photographs of the site and what it meant to the area at the time. That is what I mean when I say that there has to be some clarification of what these categories mean. Just because a place is listed on a local heritage survey or a municipal heritage inventory does not necessarily mean that it has heritage protection. It means that we have to take into consideration the heritage of the place, but places like Club Capricorn, if the proper processes are followed, can be demolished. Atlantis Marine Park, in Two Rocks, had a clock with some statues created by artist and sculptor Le Buse. When Atlantis Marine Park was closed, the statues were divided up and some were put at Club Capricorn and some were put into the Two Rocks town centre. These statues held a lot of value for the local community. Some of them had been damaged over the years by their proximity to the ocean and by vandalism also, but when it came time for Club Capricorn to be demolished, one of the community's key concerns was that these statues would be demolished at the same time. One of my jobs within the heritage planning role was to ensure that those statues were maintained for the community moving forward. Because of the way the process was structured, we were able to speak to both the owners of the Two Rocks and Club Capricorn statues and made sure that we had those statues vested back to the City of Wanneroo and they now form part of a sculptural garden in Two Rocks. The Two Rocks community is very pleased with the outcome, because it did not want to lose this historical tie it had to what was in their community many years ago.

I am very lucky in the seat of Kingsley, because it is a suburban seat with lots and lots of houses around now. I still have a number of historical sites in my electorate. Some of the sites are looked after by the National Trust of Australia, some are on the state Register of Heritage Places and some are on the local government register. I am able to negotiate that path quite easily because I have a background in heritage and I understand it, but this bill looks to provide some clarity for people who are not as familiar with heritage both in a professional and a local sense. Heritage is quite close to my community's heart. In the last few months, particularly with a property called Duffy House. Duffy House is in Yellagonga Regional Park and it was purchased by the state government a number of years ago. When the previous owner passed away, the house was left without anyone living in it and, obviously, people went into the property and started to vandalise and graffiti it. Angst is growing and growing in the community because people are not happy with the way that this house has been treated. I have been working very closely with the offices of Ministers Saffioti, Templeman and Dawson, because planning, heritage and environment all cover this area, to make sure that community expectations are met when it comes to this heritage place. Even though it does not meet the state heritage threshold, it is still a very important heritage place in my community. We have been looking at the possibility of adaptive re-use as the best way to conserve and maintain this building. I firmly believe that adaptive re-use for our heritage buildings is the best form of conservation and management. Anyone who watches any of those multiple television shows in which they renovate heritage buildings will understand that heritage places can be a black hole into which people throw their money because so many things go wrong with old buildings, but I think we need to change our mindset to how we can pay tribute to our heritage buildings while allowing for adaptive re-use in these buildings.

I would like to commend the Minister for Heritage on this Heritage Bill; I think it is a fantastic bill. The clarity it provides will be very beneficial for people who were in my position before I was elected to Parliament. It will provide clarity for planners and people who own heritage properties and who are adjacent to heritage properties and their obligations when they are looking to develop those properties. This bill provides a great deal of guidance and clarity around that. I commend the bill to the house.

MS J.M. FREEMAN (Mirrabooka) [7.19 pm]: For the record, I am the member for Mirrabooka, which is the Koori name for Southern Cross so any time people look at the Australian flag they can think Mirrabooka.

Mr R.R. Whitby: It is a wonderful thing.

Ms J.M. FREEMAN: Yes, it is a wonderful thing. The heritage attached to the naming of Mirrabooka is itself worthy of my speech this evening, but I will not talk about that. I might go into it, but I will get back to the Heritage Bill.

I congratulate the Minister for Heritage for progressing the bill and again I put on record my remembrance of Angus Hopkins, who was instrumental in the 1990 act. He was involved in its drafting. Unfortunately, he died a few years ago after a struggle with cancer. He is sorely missed by many and was certainly a giant in conservation and heritage areas. I am very pleased that this bill reflects contemporary attitudes to heritage. One might ask: how can the member for Mirrabooka's electorate, which was mostly developed in the 1980s, be known for its heritage?

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Even a Department of Housing or Homeswest development of suburbs, including Balga and Koondoola, contain lots of heritage. The member for Baldivis, a national treasure of our area, having grown up there, is therefore part of its heritage.

Mr R.R. Whitby interjected.

Ms J.M. FREEMAN: Perhaps not quite, just a state one at this point in time, member for Baldivis.

I am particularly pleased to see that this legislation includes the principles of the Burra Charter, which people here will know was endorsed in 1979 and goes beyond built heritage. It is named after Burra in South Australia, which adopted the Australian International Council on Monuments and Sites charter for the conservation of places of cultural significance. It is based on that really important foundational principle that heritage enriches our lives. It takes into account the fabric, the settings, the contents, the use, the associated documents and the meaning to people through their use and associations with it.

It is really important to me that this bill recognise broader community engagement and awareness of preserving a sense of place through familiar landmarks, urban spaces and regional areas. It is also great that it will enable local government surveys to include places of local heritage interest, not just local heritage structures. I have stood, because I expect the changes to clause 5 “Term used: Cultural heritage significance” which means aesthetic, historic, scientific, social or spiritual value for individuals or groups within Western Australia, will include murals. I want to talk about the Mirrabooka mural. What was the member for Baldivis doing in 1993? Was he in the area?

Mr R.R. Whitby: I was working at Channel Seven.

Ms J.M. FREEMAN: He was working at Channel Seven. As a historical site, all we have now is a big number 7, the bush and the cottonwood reserve. In 1993, a project was undertaken by the Perth City Mission as an unemployed-youth project to commemorate the Year of the Family. Those involved in the project painted faces of the Mirrabooka and Balga communities on a Department of Housing wall facing Sudbury Road, Mirrabooka. It started to deteriorate and was peeling. I remember that mural from prior to being elected when I went to Mirrabooka square to organise the cleaners in the shopping centre.

Mr J.E. McGrath: Do you remember the ice skating rink?

Ms J.M. FREEMAN: I do. I used to go to the ice skating rink. It should have been heritage listed as the first ice skating rink in the area. We have another ice skating rink if the member for South Perth ever wants to go ice skating. He is more than welcome to go there and enjoy.

Mr D.A. Templeman: “Twinkle toes McGrath”!

Mr C.J. Tallentire: The new Torvill and Dean!

Ms J.M. FREEMAN: Yes. The member for Thornlie says that we can be the new Torvill and Dean if we go there together! It became a bit of a passion for me to get this mural restored. At that stage, the council in its wisdom got rid of a couple of iconic places in Mirrabooka, including the Mirrabooka pond, which was very famous for receiving lots of shopping trolleys. But I have to say that it was a favourite place for many people.

Mr D.R. Michael interjected.

Ms J.M. FREEMAN: Yes, thank you, member for Balcatta.

Outside the Mirrabooka square there was a large paved area on which the Southern Cross was designed to recognise the historical aspect of Mirrabooka being named after an Aboriginal word meaning Southern Cross. With those two areas being replaced by a road and a car park, I was very keen that we did not assume that there was no heritage in our area. It was part of our heritage because it was part of a canvas that showed the rich diversity in that area. I therefore found the original artists, who lived in Melbourne, and we sourced some funding. The artists came back and worked on the project to renew it. It is more a renewal than a restoration, but that heritage is still attached to it. The original mural included Sue Jeyeraj and her son, Joshua Jeyeraj. In 1993, she was depicted as a white mum with a brown child and some racist graffiti was scrawled over it, and it was removed. Through all that time—since 1993 until recently; I think about two years ago when it was restored—no other graffiti was written on that mural because it was seen as something quite iconic in the area. In 2015, I formally contacted the Housing Authority to make it aware of the mural’s historical significance.

At the end of 2015, things started to heat up and subsequent to a meeting with the City of Stirling to discuss restoration of the mural and our getting excited, the City of Stirling went to inspect the wall and declared it to be structurally unsound and that it was to be knocked down. I said, “You cannot knock it down”, and put in an application to the WA Heritage Council to have it listed, only to discover that murals cannot be listed; the wall

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could be listed but not the mural. The wall had no significance to the community; it was a brick wall. The significance was in the mural on the outside of it. Thankfully, after speaking to the Minister for Heritage, and the good people of the Department of Housing recognising that it was an important project and given we had funding for it, it spent quite a considerable amount of money—thank you Minister for Housing and the previous Minister for Housing—to place a wall behind it. They repaired the wall by putting a retaining wall behind it. Unfortunately, part of the wall, with Sue and Joshua—the white mum and grandkid—collapsed, but the picture of Joshua remained, and I will tell members how that became part of the new mural. The project was funded by the Department of Housing, the City of Stirling, me and the Balga Friday Markets, which I will talk about in a moment. The Metropolitan Migrant Resource Centre managed the project, and we ensured that young people got involved in it, as with the previous project in 1993. In 2017, workshops were held with Balga Senior High School intensive English students—that is, migrant students—and one of the original artists, Mike Barker. They took the pictures, and one of the original artists, Steve Cross, came over from Melbourne and he and Mike Barker worked with a team of students from Balga Senior High School to put their faces, as well as the faces that were already there, on the mural, making it a contemporary piece that reflected the old and the new, as well as the root heritage of the Balga–Mirrabooka community.

We are a place that welcomes migrants from across the world, makes them feel at home and helps them to understand that Australia is very much a place of welcoming and inclusion, where they can settle, feel safe and bring up their children. We kept a picture of Lily, an older woman, but the most beautiful thing is that we have Joshua in the mural as a grown man—I think he is aged about 21 years—holding a picture of himself as a baby. He was painted into the mural holding a picture of himself as he was in the original mural in 1993. What is also beautiful is that in the centre of the mural are the Indigenous elders in our area, Doolan and Leisha Eades. In 1993, the mural was called “Shaping the Future”, and shaping the future is still part of the mural’s design. It shows that in 1993 Mirrabooka was part of the future and it continues to be part of what the Australian future looks like. I am very keen to ensure that that mural is able to be heritage-listed, because it is a place of significance. Eight children and the 26 students at the Balga Senior High School intensive English centre were involved in the project. They were young adults from Congo, Greece, Burma, Vietnam, Kurdish Iraq, Afghanistan, Iran, India, Ethiopia, Syria and Australia. They had been in Australia for less than two years. When they saw themselves on that artwork, they said that they felt that they belonged because they could see that they are part of something.

The importance of murals in urban suburbs such as Mirrabooka was recently illustrated in Britain, with the discovery of the Daubeneay mural—Daubeneay is a place in London—in a housing estate with a similar history to that of Balga and Mirrabooka. They found this mural underneath some ivy. They were going to knock down this housing estate for redevelopment, because it has now become a trendy part of London. As they pulled the buildings apart, they saw a project that had been part of bringing artwork into housing in low socioeconomic areas. It was a big canvas of the Kew Gardens that had been covered over. As they pulled it apart, they found this amazing canvas that people had contributed to brighten up this area. The London Mural Preservation Society—I might become president of the Perth mural preservation society—has stated that the mural provides a window into the lost stories of the neighbourhood and the history of people who lived there. That is a really important thing for us to think about with heritage. It is not just a building; sometimes other things in our community create the sense of place and the stories. We think about the Midland railway workshops, and the history of those working people, or look at West Leederville, in the electorate of the member for Churchlands, where the Catholic Education Centre is now; we know that it was once the laundry of Sister Kate’s, where they incarcerated young women who were errant in their behaviour. They could find themselves institutionalised —

Mr D.J. Kelly: For going out to dance.

Ms J.M. FREEMAN: Yes, completely; they could just go out for a dance, and suddenly find themselves incarcerated. I think I have told this story in this place before. The member for Bassendean may have heard it. My partner wrote his thesis on Sister Kate’s and how people were institutionalised and used as slave labour for the laundry. He wrote about one young woman in Kalgoorlie who went out one night to the pub. She was under 18 and working in a hotel as a domestic, and her friends convinced her to come out with them. When she got home the next day, she was put on a train to Perth—and she was basically incarcerated in Sister Kate’s for the rest of her life until she ended up in a nursing home. It was because she got up to mischief, and that was the way to deal with it.

Mr D.J. Kelly interjected.

Ms J.M. FREEMAN: Yes, these days, we would.

[Member’s time extended.]

Ms J.M. FREEMAN: As we got so excited about that project, we have now embarked on a new mural project—yaaay!—near the Mirrabooka Mosque, at the Fragrant Gardens Reserve. This one will incorporate the Noongar

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six seasons with other culturally significant dates around a block of change rooms at the gardens. Peter Farmer is the collaborating artist on that—with the Edmund Rice Centre, the Wadjak Northside Aboriginal Corporation, the City of Stirling and the community as a whole. Peter Farmer is doing a great job. He was named as visual artist of the year at the Perth National Aborigines and Islanders Day Observance Committee awards. I think he recently did the police car for NAIDOC last year, and his works are in collections everywhere. I was going to check whether his work was included in the Aboriginal People's Gallery, but I did not get a chance to do so. It has certainly proved to be a great example of people coming together and transforming a changing room block into a great piece of urban art—about inclusion and place, telling a story about what a great community I get to represent. From a heritage perspective, murals represent an accessible and popular form of local characteristics and identities. Indeed, they reflect the identity of place, and that, for me, is at the heart of heritage. In an urban setting like Mirrabooka where we have lost our lake and our town area, heritage must include social experience—things like the naming of the area, and aspects of the people's history of the area, and what they have contributed to making it a successful community.

Cultural heritage is also alive and well in the Balga community markets, which celebrated its 37-year-old heritage this month. The City of Stirling now has plans to develop the area, because the markets have become enormous. People can go down to the local park and buy a fridge, a mattress, a chainsaw, strawberries, clothes—you name it, you can get it.

No longer can people buy pornographic CDs; he got shipped out and picked up by the police, but we will not talk about that! The City of Stirling has plans to develop that area. I hope that in any development the structures will incorporate the local identities who have made a great institution that supports the community. One of the great things about the Balga community markets is that it fundraises money by charging for the bays and that money goes to schools and community groups. When we are developing new structures, we need to celebrate those people on the ground who do so much good work in our communities, because they are part of our heritage and strength and they should be part of the heritage in our communities.

MR J.E. McGRATH (South Perth) [7.41 pm]: I rise to say a few words about the Heritage Bill 2017. As our lead speaker said, the opposition supports the bill. I attended the briefing with the member for Carine because I am a great follower and student of history—one of my favourite subjects at school was history—and I have a great interest in heritage. I have travelled a little bit, and when I have been to cities such as Adelaide, Melbourne, and to some extent Sydney, which have retained their beautiful heritage buildings—especially a little city like Adelaide—people say that Perth has knocked down all its buildings. We have had a bad reputation for that, especially when we think about what happened to the Barracks. If our forefathers had known about tunnelling, the Barracks would still be there, as they should be. What an amazing historically valuable old building that was, and it was just bowled over. There was a big debate at the time; it was a huge issue. I believe that this legislation could be a way of righting some of wrongs of the past to make sure that buildings or sites with heritage value have a good chance of being protected into the future.

I want to speak today about the electorate of South Perth. South Perth, historically, is one of the oldest white settlements in Perth. When Captain Stirling and his crew came up the Swan River, I am told that he considered the south side first as a site for the city, but that when he looked on the other side, there were springs and more water supply so they moved to the other side. In hindsight, that was probably the right choice. Having said that, South Perth was part of early white settlement.

My predecessor the late Phillip Pandal was a well-known advocate for the protection of heritage buildings and sites particularly in his electorate of South Perth. It is fitting that one of the two ferries that now operate between the city and the heritage-listed Mends Street Jetty is named after Phillip Pandal. As previous speakers on this bill have noted, prior to 1990, Western Australia did not have legislation to protect heritage places. South Perth, as my predecessor once noted in this house, was a victim of that. Due to the lack of protection of its heritage sites, some old buildings that had been in South Perth since colonisation were lost. South Perth had a significant number of heritage buildings in the 1970s and 1980s, particularly in the older parts of South Perth and the Mill Point area near the peninsula. I am proud, as the member for South Perth, also to be a member of the South Perth Historical Society.

Mr D.A. Templeman: You're their mascot!

Mr J.E. McGRATH: The South Perth Historical Society was founded by the late Phil Pandal; he was their first president and patron. He was certainly a great local member.

Mr S.K. L'Estrange: Does he have a grandstand or oval named after him?

Mr J.E. McGRATH: He did not have a grandstand or pavilion named after him.

Mr D.R. Michael: What about the on-ramp?

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

Mr J.E. McGRATH: The on-ramp is to come. I am working with the Minister for Transport on that one.

Those of us in the house who knew or remember Phillip would be aware that prior to coming to this place, he was a journalist, just like me. Later he became a writer and historian. He wrote a book called *Hands That Heal: the story of a unique Australian: the community-owned South Perth Hospital*, which is the history of the South Perth Hospital. The South Perth Hospital is one of only two hospitals in Australia owned by the community. I am on the board of that hospital; I volunteer my services. Phil Pental wrote its history and the history of the Royal Perth Golf Club.

In 2009, following Phil's death, the historical society established an annual Phil Pental Young Heritage Award in honour of his dedication and contribution to the history of South Perth. I sponsor this award, too, and I attend the presentation every year. The award is an excellent initiative by the society because it encourages young people in the City of South Perth to develop an appreciation of the history of South Perth. Students are asked to present a written and photographic submission to be considered for the award. There is a judging panel. Those young people go out and study the history of South Perth, how it developed, how it came from the early days of colonisation and what it looks like now, and they write some great pieces about the heritage-listed buildings and sites in South Perth.

The South Perth Historical Society published a book in 2002 titled *South Perth: the vanishing village*. What a great title! South Perth has gone from a village into an almost North Sydney with tall buildings and the great density that is now building up in the Mill Point Road region. The vanishing village was edited by the late Phillip Pental and Kerry Davey, another long-time South Perth resident. It is a wonderful read. It traces South Perth from the early days and contains stories of the glory days of the local tram running up Mends Street and the arrival of cinema in South Perth, frolicking along the river, people fishing and crabbing—all the history of South Perth that is such a part of that area.

As a long-time resident of South Perth and Phillip's successor, I share his interest and drive in the preservation of historical and cultural heritage, particularly in the electorate. I want to name some of the sites in the City of South Perth's local heritage inventory. It is quite interesting. There are commercial shops, hotels and theatres. One of the hotels is the Windsor Hotel—a famous landmark. There are parks and reserves, bridges and jetties—as I said, the Mends Street Jetty is heritage listed. There is a quite a bit of residential heritage listing—schools, churches, civic, community and government buildings, and others, such as the World War I memorial. Even a field gun has been heritage listed. Out of 36, 17 are categorised as of exceptional significance and listed in the state Register of Heritage Places. These include the former mechanics institute hall, which is now the Old Mill Theatre, where I am sure the minister might have performed. Did the minister ever get invited to perform or tread the boards at the Old Mill Theatre in South Perth?

Mr D.A. Templeman: It is one of the few institutions I have not trodden the boards of.

Mr J.E. McGRATH: We will have to get him there. I will send some footage of his performances here and I am sure he will get a gig.

The Cygnet Theatre on Preston Street is heritage listed. There is also the former Pagoda Ballroom on Melville Parade; the Old Mill and cottage on Mill Point Road; Dennehy House at St Joseph's Convent on York Street; St Columba's Catholic Primary School; Wesley College; Aquinas College; Clontarf Aboriginal College; St Columba's Catholic Church on Forrest Street; and Saint Mary the Virgin Church, hall and monument on Ridge Street—that is the old church with the great spire that can be seen when driving down the freeway.

I am pleased that the former government initiated the long and extensive consultation process in 2011 that ultimately resulted in the drafting of the Heritage Bill 2017. I acknowledge that the McGowan government, in picking up this legislation that the former government introduced in 2016, is doing a great job. Congratulations, minister, for what you are doing.

Mr D.A. Templeman: Thank you very much!

Mr J.E. McGRATH: Broadly speaking, the government and the opposition are in agreement on the issues and concerns relating to the current legislative framework covering heritage and the need to address and improve it. Heritage is an area that is of interest to not only me, the Minister for Heritage and other members of Parliament; I think the broader community is becoming increasingly appreciative of the heritage and historical aspects of the place we live in. I am very fortunate that in my electorate there are a lot of people who have that heritage bent, one of whom is a constituent who is very knowledgeable and experienced in this area. The minister might have heard of him. He got in touch with me earlier this year —

Mr D.A. Templeman: The watchmaker on Canning Highway?

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

Mr J.E. McGRATH: Not the watchmaker, no. This gentleman got in touch with me earlier this year and I met him this week. His name is Dr Ian MacLeod and he lives in South Perth. He has not lived there a long time—only a couple of years. Dr MacLeod worked for the Western Australian Museum for 38 years and was director of the WA Maritime Museum. He is a significant and respected contributor in the area of Western Australian history and heritage.

Dr D.J. Honey: I know him; he has a good chemistry degree.

Mr J.E. McGRATH: A good chemistry degree? Very good.

Speaking of the Maritime Museum, my grandfather was coxswain on the *Lady Forrest*, which was a pilot boat.

Mr J.N. Carey interjected.

Mr J.E. McGRATH: I have a nautical history, member. He scoffs at my nautical and Fremantle history!

They lived on Rottnest Island because many years ago, back to the sailing ship days, the pilots were all on Rottnest Island. When the ships came in, the pilot would come out from Rottnest Island and take them into the port. That is a little bit of history for the minister.

When I met with Ian this week, he and I shared the need for a heritage legislative framework to adapt to and reflect contemporary attitudes of the broader community and to encourage the identification, recognition and protection of Western Australia's significant and precious heritage places for current and future generations. This is a bit broader than what we are talking about under this legislation.

I am pleased that the bill aims to achieve that, but I want to talk about historical and cultural heritage, pre and post settlement. Western Australia's history since the establishment of the Swan River Colony in 1829 is fairly short. Our Aboriginal history goes back a long, long way. Under the right legislative framework, we have an opportunity to capitalise on not only our post-colonisation history and heritage, but also our Aboriginal heritage. I will ask the minister about that during consideration in detail because I think there is a great opportunity for us here. It is my hope that maybe a new heritage act will provide a legislative framework that can lead to integrated and improved planning involving various stakeholders at the heritage level and that also takes into account Aboriginal heritage.

One of the reasons I am saying this is that my electorate is a riverside electorate that carries a lot of both pre-colonisation and post-colonisation history. Many of us are familiar with the significance to the Noongar people of the Swan River—which they refer to as Derbarl Yerrigan—and how the river preserves many stories they hold dear. I was talking to an Aboriginal person the other day and he told me that many, many years ago, before white settlement, when they hunted kangaroos through the bush up through Kings Park, the Aboriginal women would get behind the kangaroos, make a lot of noise and herd the kangaroos at full pace to the edge of the escarpment. They would fall over the edge and the men would be waiting down below on the banks of the river, and that is how they caught them, because obviously they had no guns or things like that. That was one of the ways they hunted. It is a fascinating part of history that children today would not even know or hear about. When I was at school, the only thing we learnt about Aboriginals was that they could light fires by rubbing two sticks together and things like that. It is a hugely important history that we could intertwine into our post-colonisation history.

The Old Mill is a really well known landmark in my electorate. The City of South Perth says that it is the oldest surviving physical link with the pioneering days of the Swan River Colony. It was owned for some 50 years by Margaret Elvire Hamersley, the wife of Western Australia's long-serving Premier John Forrest. The Old Mill is a link in South Perth that is still there today. Unfortunately, the Old Mill does not get many visitors these days. A lot of schoolkids used to go to the Old Mill; in my generation we were all taken to the Old Mill, but it does not happen as much anymore. Maybe there are ways we could set up some sort of interpretive museum there where people could learn about Aboriginal culture and pre-colonisation history. We could take the story from before the white settlers arrived, what happened around the Swan River and how the Aboriginal people hunted and gathered, up to the arrival of the settlers and the changes that took place. I think it is an amazing story and we could have a museum on that site that would be a tourism attraction.

When Australians go to Europe, we are amazed by the history of those countries, going back thousands of years, and old buildings that were built 600 years ago. We wonder how they did it without modern technology, but they did it. Those sorts of attractions lure people, and this is a time when we are looking for things to attract tourists to Perth. We have history on our doorstep, our ancient history through the Aboriginal people, and it is an amazing story to tell, when we hear about the Dreamtime, for example. I one day asked an Aboriginal person, "Did the Aboriginal people ever live on Rottnest?" He said, "Of course they did. There was a time when Rottnest was joined to the mainland and they could just walk out onto Rottnest." These are the things that we find hard to imagine, but we are going back 6 500 years. It is part of our history in Perth that we do not sell well enough. If the government

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were to look at our heritage and our past with some foresight, there would be a great opportunity to integrate it into tourism.

[Member's time extended.]

Mr J.E. McGRATH: The value in establishing an interpretive Indigenous museum at a site such as the Old Mill on the South Perth foreshore is that it would be for not only tourists, but also schoolchildren, who can once again learn the history of the people who were on this land thousands of years before white settlement. It can be done. We now see interpretive centres all around the world, which recreate stories and tell them visually. I think there is a huge possibility there. I know I have raised this in the past and it has been looked at. The City of South Perth has looked at having some sort of museum at the Old Mill. There is enough room to put one there. Now that we have Elizabeth Quay, we could run a tourist ferry straight across to the Old Mill. It is a fair walk from Mends Street Jetty to the Old Mill, especially given that a lot of tourists are older people.

There are so many things intertwined with the Old Mill; indeed, the Battle of Pinjarra apparently happened after the Aboriginal people who stole some flour from the Old Mill were tracked down. That was the reason for the Battle of Pinjarra, which is another part of our history. The other day I was told—I did not know about this—about the site in Pinjarra where the massacre took place. Minister, I am trying to say that there is potential there because, since white settlement, we are a very young country. Our history under white settlement is not really very old. I am sure that if we incorporated Aboriginal history, Aboriginal people would love to be involved and would tell stories. When we do tours of castles and places like that in Europe, the local people tell stories of the time as it was. When I was in Germany last year, the guides were telling us about—they were not proud of it—the days of the Nazis' reign. They told stories about the oppression of the Jews and things like that, which is something we are all aware of. It is history and it is often said that if we do not look at our history and the mistakes of the past, how will we plan well for the future?

I know that the Minister for Heritage is a student of history and I know he is a thinking person. I think this is something that we as a Parliament could look at. I know that when Elizabeth Quay was being planned, the City of Perth planned for an Indigenous museum at Elizabeth Quay. I was at a seminar with the Lord Mayor of Perth, other people from the City of Perth and people from other councils. The Lord Mayor was talking about the plan for a museum. I do not know why nothing ever happened, but it was planned. I said, "You're pinching one of our ideas, Lord Mayor. We think that the museum should be on the other side of the river. We've got the spot for it and that's the Old Mill." Nothing has happened since; it is something we should get behind. The Aboriginal people of Perth, the Noongar people, would get behind it because it is their history and culture. They want to tell us about their culture and what the Swan River means to them. I was at an event the other day and someone gave a welcome to country. He told a story—I had not heard it before—about two young boys in the Dreamtime who wanted to swim the Swan River between the north side and the South Perth side. Their mother said, "Don't swim it." They disobeyed her and swam the river. When they had nearly reached the South Perth side, they tried to stand up in the water but they could not. They were horizontal and had been turned into two white seals. That is a story of the Aboriginal Dreamtime and it relates to the river that borders my electorate and the cities on the other side. For us the Swan River is the Swan River, but for Aboriginal people it has such huge meaning.

I see people from the heritage department are here today. It would take a big commitment by the government of the day, but I think it is something that we should look at. We talk about trying to improve tourism. We do not have major events. We have great beaches but Chinese tourists do not want to go to the beach because they are not swimmers. People are interested in history. It is something that we need to look at. During the minister's second reading reply, I would be interested to hear what he thinks about the things that I am throwing out there. This is something I have thought about for quite a while. The Heritage Bill 2017 is good. We are very fortunate in South Perth because even though we lost buildings with heritage value in the 1970s and 1980s, we still have a lot of outstanding heritage sites in South Perth. The South Perth foreshore—what a history it has! After the early days of colonisation, forgetting about what happened when the Aboriginal people lived there and hunted, gathered, fished and all that, there was winery and a vineyard there. The Governor of the day would come on his horse-drawn carriage over the causeway—he might have had an old T-model Ford—to buy his wine. There was also a racecourse on the South Perth foreshore, an actual horse racetrack that was probably for pony races. There were also the Chinese gardens. As I have said to the City of South Perth, we have not made any sort of memorial there to the Chinese gardeners. Anyone who knows anything about Perth knows that they were there right until the 1950s when the government moved in and moved them all out because the land was just too valuable. These Chinese men had come from Kalgoorlie. They had gone to the gold rush, but under the White Australia policy they could not get a licence to become a miner so they had to come back to Perth. They were single men because the Chinese government would not let families leave China. Husbands were allowed to go to Australia. They were single men—some might not have been married—but what could they do? They started the gardens. I have always

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thought that somewhere along the foreshore we could have a pavilion. There are plenty of photos of old Chinese guys with their ploughs and beside their growing vegetables.

Mr W.R. Marmion: Didn't the Chinese curse it so you can't put a building on there?

Mr J.E. McGRATH: The member for Nedlands said there was some Chinese heritage there.

A lot of people walk along the South Perth foreshore; indeed, it is very, very busy. A lot of tourists walk along there. Why would we not have the men who came to Perth from China as part of our history? They fed the early settlers. They were in not only South Perth, but also Osborne Park and other places. In South Perth they are very significant in our history. I think there is so much rich history in our state and city. I am glad that the minister has brought forward this legislation. We can make sure that the right decisions are made in the future. We know that we have to develop, move forward and modernise—we cannot stop progress—but we should preserve things of historical significance to our state and city.

MR M. HUGHES (Kalamunda) [8.10 pm]: Thank you, Madam Acting Speaker, for the opportunity to speak on the Heritage Bill 2017. I wish to begin by thanking Hon David Templeman for introducing the bill. I think we can all agree that the review of the Heritage of Western Australia Act and the introduction of the Heritage Bill were long overdue. Member for South Perth, I am a relative newcomer to Perth. I have been here for just on 40 years. It is a long time in my lifespan but very short in the lifespan of the city. I have to say, coming from a background in the United Kingdom, that when I was told that behind the Barrack Arch there used to be entire barracks that had been demolished, I just could not believe that a city could do that to what was clearly an important building in the history of this state. I wonder whether, member for South Perth, we could list the loss of other significant buildings from the streetscape of our state capital. I took the opportunity to look at the WA Museum's demolished icons project listing and it gives us a helpful reminder. I have a little statement for each of them.

Mr J.E. McGrath: The member for Nedlands said the Esplanade Hotel was a historic site.

Mr M. HUGHES: Maybe the member South Perth can add it to my list.

Several members interjected.

Mr M. HUGHES: I seem to have engendered some degree of debate about this. I was trying to illustrate a point, really, about the loss of iconic buildings. There were the AMP Chambers at the corner of St Georges Terrace and William Street, built in 1915 and demolished in 1972, which was seven years before I arrived here. It was a six-storey building, I am told, in the renaissance revival architectural style, clad in limestone with an interior finish in WA jarrah. On the roof was a 3.7-metre bronze statue by renowned sculptor Pietro Porcelli. Interestingly, the sculpture was saved and is now in the middle of the lake of the new residential estate in Floreat Waters. Obviously, some communities took advantage of some of the remnant pieces of our iconic heritage. We can list others. There are Viking House, built in 1912 and demolished in 1970; the Empire Building, built in 1902 and demolished in 1981; the Colonial Mutual Life building, built in 1936 and demolished in the 1970s; and the Adelphi Hotel, built in 1935 and demolished in 1967.

I was interested in what the member South Perth had to say about South Perth. It is to be hoped that we have learned from the mistakes of the past when these grand iconic buildings were demolished in a wholesale fashion to make way for modern structures. The Heritage of Western Australia Act, brought in in 1990, which we are going to replace if this bill passes, really is a statement about closing the stable doors once the horse has bolted. We really have to make amends and ensure that future generations do not look back on this Legislative Assembly and think that we weakened the provisions of the existing act with this bill, but I do not think we will. Reece Harley, the executive director of the Western Australian Museum, has commented that we will never know the kind of city that we could have created if we had been a little less eager to put a wrecking ball through some of our greatest architectural achievements. Madam Acting Speaker (Janine Freeman) will be aware that as recently as 2016 Edith Cowan's Malcolm Street home was under imminent threat of demolition, but was saved due to advocacy and public pressure. The Perth Technical College, the buildings at Brookfield Place and the Treasury buildings are examples of historical buildings being reinvented and repurposed, developed and made profitable without their destruction for real estate advantage. But I would argue that economic benefit should not be the main driver for the conservation and protection of our heritage places. Madam Acting Speaker's reference to the mural in Mirrabooka is a prime example of why we need to conserve things other than iconic buildings, because murals like that, as you have mentioned, mean a lot to particular generations of people and they should be there for future generations to appreciate because they tell us who we are and they tell the people of the future where they have come from.

Kalamunda, my electorate, has been ravaged by the wholesale demolition of buildings and places from the 1960s onwards, even up to the present day, by those wishing to modernise it. Happily, by contrast, Darlington, where

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I live, remains largely intact. I am fortunate enough to live in Old Tower House, which was built in 1917 and to benefit from the determination of successive owners and the community of Darlington generally over three generations that that building and many others be retained so that the essential characteristics of the place of Darlington have been preserved. Arguably, we have stumbled along with the deficiencies of the current legislation for the last 26 years since it first took effect, coupled with what many in the community consider a lack of resolve by the Heritage Council and, regrettably, I have to say, by successive state governments in that period when bold action on the protection of particular heritage buildings and places was needed. I will talk about some examples in a moment. With certain qualifications, in his contribution to the second reading debate on the 2016 Heritage Bill, the then shadow Minister for Heritage, Hon David Templeman, flagged that WA Labor, then in opposition, broadly supported the bill that was brought into the house by the previous government. Of course, inevitably it would seem that consideration in detail of the 2016 bill did not eventuate. The government of the day ran out of time and, sadly, that seems to have been the fate of a lot of legislation that was brought before this house by the previous government. There were clarifications of that bill that the then shadow minister wished to explore in detail, but as members will understand, he did not get to do that. I understand from conversations with the now minister, that the 2017 bill addresses some of the concerns that he had with the 2016 legislation.

I would like to review some of those matters, and I would like to begin with the role that municipal authorities have in identifying and protecting our local and regional heritage through the process of the establishment of the municipal inventories of heritage places under the current legislation. Section 45 of the Heritage of Western Australia Act requires local government authorities to compile and maintain an inventory of buildings that are, or may be, of cultural heritage significance. We are advised that the section is unclear about the purpose of the inventories and that leaves some to argue that its ambiguity and confusion is unhelpful. I would be less charitable and say that the section permits local authorities to choose to be confused about the purpose of municipal inventories, as the section should be read in the context of the act as a whole. At the local government level this is the weakest provision of the current legislation, and despite strong positions adopted by some notable local authorities regarding the identification and protection of heritage buildings and places, sadly, many local authorities have been seen to be weak and indecisive with regard to their role in protecting local heritage. If the 2017 bill ends this sort of confusion about the importance of the place of local government in what might be described as the hierarchy of national state and local jurisdictional engagement in the process of the conservation and protection of the cultural heritage of communities, then I will be very happy and this major defect with the current legislation will be overcome. Sadly, too many local authorities see the establishment and maintenance of a municipal inventory as a burden and pay lip service to the resourcing of this work. Part 8 of the 2017 bill retains the substance of section 45 of the current act. Part 8 is intended to clear up the claimed ambiguities about the scope of such inventories to assist local governments in the work of heritage conservation. The bill renames the inventories “surveys” to reflect their purpose as a survey of community heritage resources. I am pleased that a survey made under part 8 of the proposed legislation is required to include places and not just buildings. However, part 8 of the bill will not impose any requirement or expense on local governments to conduct wholesale reviews of existing inventories compiled under the existing legislation. Existing inventories will be deemed to be valid surveys under clause 181, “Local heritage survey”, of the bill. This clause provides that —

An inventory compiled and maintained under the 1990 Act section 45 is, on and from commencement day, taken for the purposes of Part 8 to be a survey prepared under section 103(1).

I see this as a weakness, minister. Herein lies a rub. Clause 181 presupposes that the existing inventories are worth the paper they are printed on. No doubt in some instances they most certainly are, but others are less than satisfactory and need much more work and attention than they have hitherto been given. I offer a case in point to illustrate this. I refer to a letter from the Guildford Association, which was written to the City of Swan regarding the review of the city’s preliminary heritage list and heritage inventory. Members may be wondering why the member for Kalamunda is talking about Guildford, but I used to live there. Many years ago I was secretary of the Guildford Association and in fact I helped set it up as an incorporated body. I also had something to do with the retention of some of the trees in the streets of Guildford, which I might refer to later. The letter was written by Barbara Dundas, whom the minister has spoken to previously in relation to her attempts to conserve the township of Guildford and to have it listed, as a whole, as a place of cultural and historical significance. I quote this letter really to illustrate the lacklustre approach of some local authorities to the importance of municipal inventories, which are soon to become surveys. Her letter states —

The Guildford Association wishes to express its concern at the recent Heritage List and Local Government Inventory produced by consultants TPG for the City of Swan. We understand this is the four year update as required under the Heritage Act of WA.

Extract from Hansard

[ASSEMBLY — Tuesday, 8 May 2018]

p2174b-2204a

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

The consultants appear to have done little more than re arrange the text of the previous Municipal Inventory. The material is out dated eg. reference to a private home as *Whiteman's Abroad* restaurant in Swan Street. In places it is incorrect eg *Santa Rosa* for *Guildford Markets Building* or *Gill's Store* buildings (*Santa Rosa* was a vineyard in what is now Bassendean). They have failed to consider submitted material eg placing of the Vaudeville Theatre and 29 Johnson Street on the Heritage List as part of the Guildford Hotel Precinct ... They have failed to assess the Sugar Gum Trees ... in James Street adequately, simply listing them as some/ moderate local significance and have not considered documentary evidence submitted. These plantings have has been described by the ... Tree Society ... as the largest civic planting of these trees in Australia. They have failed to consider or update information and appear to have done little or no additional research. These lists are inadequate.

Under the bill, that survey will be deemed to be adequate as a survey of important places.

As I mentioned, I was particularly pleased to have been involved some 20 years ago in the people's campaign to save the sugar gums that have lined the streets of Guildford since 1897, in commemoration of Queen Victoria's jubilee, and which the local authority was intent on felling, allegedly because of concerns regarding public safety. People of all ages and political persuasions rose up and occupied the road verges under the trees with tents and camped out until the council retracted that move. It was a quiet and determined statement from the people, who valued their sense of place and connection with the living story of the township of Guildford. It was a simple and powerful statement of: "No, you will not do this." The event was eventually commemorated by the installation of a permanent memorial in Stirling Square by the local authority. It also implemented an ongoing maintenance program for the trees, focused on their preservation. The action taken by the community was not undertaken to preserve real estate value but to preserve the environment of Guildford and its sense of place. The proposal to cut down the trees is indicative of the crassness of the attitude displayed at times by local government officers and elected councillors who have no particular commitment to, or understanding of, heritage values and no particular interest in places outside their own wards. History seems to be about to repeat itself in the City of Kalamunda on Welshpool Road, with the significant plantings of lemon-scented gums to be demolished for a slipway. Some suggest that that is not going to happen, but others have some doubts about the absolute commitment of the local authority to ensure that it does not happen. At the time of the threatened destruction of the trees in Guildford, a group of councillors in the City of Swan considered heritage conservation as an impediment to progress. With great predictability they would sally forth to undermine the status of Guildford as a heritage precinct and set about to weaken the Guildford design guidelines. This attitude remains and has put the preservation of Midland Oval under threat.

[Member's time extended.]

Mr M. HUGHES: Sadly, despite noted progress in the area of heritage conservation and protection, some in local government circles still consider the concept of heritage conservation and heritage values as an infringement on a person's inalienable right to do what they please with the property they describe as their own. That is particularly true in relation to the support of owners of properties in declared heritage conservation precincts who make applications for demolition. Despite contrary recommendations from appointed consultants charged with producing reports on the conservation fabric of the city, the City of Swan has approved the demolition of buildings on the municipal register. What does the council do in these circumstances? It simply resolves to remove the property from the municipal register. To echo the words of the then shadow minister when referring to the 2016 bill —

Perhaps through the passing of this Heritage Bill, we can re-emphasise the importance of those inventories —
Soon to be surveys —

and the importance of local government and the role it plays in not just helping to protect and preserve, but also enhancing the Western Australian story.

I am hoping that this legislation does just that and does not soften the expectations of the community in relation to the resolve of their local councillors to identify and actively engage in the process of conserving local heritage.

I refer to the issue of demolition by neglect, which this bill seeks to address and bring to an end. It was an often important example of the nature of the previous act. Any inclusion of requirements to prevent demolition by neglect will only take effect if the Heritage Council of Western Australia, which will be charged with responsibility for ensuring that this kind of activity does not take place, has enough steel to ensure that it makes use of the provisions of the new legislation.

I have many other pages of notes, but I do not intend to pursue all the things I had to say on this Heritage Bill. I believe that the Heritage Council of Western Australia and the Heritage Act will only be as good as the people administering the act, in this case the Heritage Council and its relevant committees. I believe the Heritage Council

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and its committees must reflect a cross-section of expertise and local knowledge and be clearly independent of real estate and commercial interests. This does not appear to be the case in the current composition of the Heritage Council, I have to say. I note that four of the seven listed members on the development committee are involved with real estate and development. The registration committee of seven comprises three architects and a landscape architect. No-one on the board, I would say, could in any sense be described as an ordinary community representative or a person who has a history of unselfish interest in the cultural and heritage values of our buildings and places. That may be regarded as a bold charge, but in terms of the opportunities that might exist for the minister to be careful in the selection of the membership of the new Heritage Council, he should engage in a broader remit for who might be considered to be worthy of sitting on the council. I will be interested to hear. The bill responds, I believe, to the need for a broader community and skills-based representation, and overcomes what I think is the existing skewing of the membership of the Heritage Council towards real estate, planning, development and other commercial interests.

I accept, as the minister said in his second reading speech, that the bill will overhaul unnecessarily complex, inflexible and unclear assessment and consultation processes that are in play and that the new legislation will modernise the Western Australian approach to the preservation of heritage. The minister states in his second reading speech —

This bill brings Western Australia into line with the rest of the country by addressing demolition by neglect, the lack of maintenance or protection of a place listed in the state Register of Heritage Places.

The existing legislation provides no means to compel owners to maintain and protect their property. Currently, the compulsory acquisition by the state is the only vehicle open to preserving buildings deemed to have heritage value. It is a power that has never been used; that in itself is telling. This Heritage Bill will enable the Minister for Heritage to address genuine cases of demolition by neglect by requiring an owner to make their place safe and secure by means of repair orders, subject to review by the State Administrative Tribunal. I am pleased that the penalties for deliberate destruction will remain at \$1 million and regulations will be developed to enable the Heritage Council of Western Australia to prepare guidelines to help state agencies identify and manage the more than one-third of the 1 300 places entered on the state register, under current government custodianship, and ensure that heritage places earmarked for disposal are assessed and protected where necessary in the transition to new ownership. I am pleased that increased transparency will be achieved by requiring publication of the Heritage Council advice to the minister on registering places and the minister's decision in response to that advice.

I am pleased also that as a result of consultation with stakeholders, greater consistency will be achieved as a result of the adoption of nationally recognised criteria in the assessment of heritage places and that the Burra Charter's definition of cultural as a means of bringing to clarity the definition of cultural heritage is used in the proposed legislation. This provision is a welcome added development to the assessment process.

As I mentioned earlier in this contribution at some length—probably at too much length—the bill will overcome many of the common misconceptions and uncertainties about the current requirements for local government to prepare and regularly review inventories of heritage buildings. I have concerns about the quality of existing municipal inventories that will transition to local heritage surveys. Replacement of the inventories with surveys is intended to provide increased flexibility for local governments to include places of cultural significance rather than buildings, as prescribed under the act. But I believe that in many instances, the existing inventories are woeful and need to have closer scrutiny before they are seen as acceptable under the act in constituting adequate surveys of places of cultural significance in local government areas.

I have to congratulate the McGowan state government for bringing on this bill in the first year of the fortieth Parliament, despite the efforts of the previous government, which came to nothing.

Several members interjected.

Mr M. HUGHES: WA Labor is committed to continuing to work with the community to further recognise the value of land and to conserve our heritage buildings and places for our children and their children and thereby to enhance our sense of place. I commend the bill to the house.

MR Z.R.F. KIRKUP (Dawesville) [8.36 pm]: I rise, together with opposition members, in support of this Heritage Bill.

Mr S.K. L'Estrange: Set the record straight.

Mr Z.R.F. KIRKUP: I would like to set the record straight with the member for Kalamunda. This bill arrived here so early and could be acted upon so quickly by this government because the previous Liberal government drafted said bill. It was part of our significant achievements in the area of heritage.

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Several members interjected.

Mr Z.R.F. KIRKUP: I appreciate also the run through of historic buildings by the member for Kalamunda, a man I think is well placed, given his interest in heritage.

Mr M. Hughes interjected.

Mr Z.R.F. KIRKUP: I would not suggest age, member for Kalamunda. I would suggest his interest in all matters heritage. Having grown up in Guildford and Midland, I remember the protests about the trees.

Mr M. Hughes interjected

Mr Z.R.F. KIRKUP: He was; it was probably a step too far for my family to wrap ourselves around trees.

Heritage is a reflection of our society. This bill, drafted by the previous government, is a good one. I applaud the protection mechanisms and the penalties. I wonder often, when I have the pleasure of being in the city, about the nature of our architectural outcomes in the CBD. It seems to me that every time Western Australia went through a boom of some sort, we wanted to tear down certain buildings and build examples of what we thought were great pieces of architecture that have dated far more poorly than they would have had we kept those heritage buildings and simply worked around them. Many of those buildings were highlighted by the member for Kalamunda. It is now much more suited to our architectural style and we retain and restore existing buildings as achieved by Brookfield Place, which I think the member for Kalamunda referred to. Although the architectural style of the tower there is quite industrial, the fact that it managed to use the heritage buildings at the front on St Georges Terrace has been a great outcome for our city.

During my time serving the former Premier, I had the benefit of being planning adviser, which was an area of great interest to me. It meant that when we were looking at the Elizabeth Quay development and the policy that was attached to it, I had the privilege of going back through old town planning schemes for Perth, right back to, I think, the 1820s. In fact, I found an old town planning scheme for Perth from I think 1822.

Mr D.T. Punch: Was it to check the water pipes?

Mr Z.R.F. Kirkup: It was not to check the water pipes, member for Bunbury. It was to check the city's desire for its citizens and what it should look like as planned in the 1820s. Indeed, in the 1820s, at the end of Barrack Street, they recognised that where Elizabeth Quay now is there was to be a promenade and a boardwalk right on the river. What is now Elizabeth Quay, in its modern iteration, was planned very early in the 1800s.

Dr D.J. Honey: Back to the future.

Mr Z.R.F. KIRKUP: Back to the future, as the member for Cottesloe quite rightly points out.

Having reviewed those plans, I also found that the Perth town site has always been designed around an east–west split, along Barrack Street. On the eastern side of Barrack Street we see a lot of civil administration buildings dating from the time of European colonisation. We see the Town Hall, the state buildings, the Perth Mint, the government stores, the place where I was married, St George's Cathedral, and Government House, all on the eastern side of Barrack Street. Two of my favourite buildings on the east end of Hay Street are the number one fire station, I think it is called, which is a beautiful building in Romanesque design—I am looking at the member for Perth, who may know this—and the old government printing office, built in 1894 in the pre-Federation style. There are great examples of architecture there, and great heritage buildings that should be retained and restored as much as we can, and integrated into our modern society.

There is a bit of a problem with the eastern end of the city now. The so-called historic heart of Perth is rightly placed and rightly branded, and I think that is a great outcome, but I think we should move as many people as possible down to that eastern end of the city, because otherwise it is quite dead. Other members have made the point that if we do not get people embracing those heritage buildings and becoming more part of them, such as we see with Brookfield Place, they do not really care for the beautiful structures and the history that they hold.

Madam Acting Speaker, I would like to point out that my clock has yet to start.

Several members interjected.

Mr Z.R.F. KIRKUP: I can just keep on going.

Dr A.D. Buti interjected.

Mr Z.R.F. KIRKUP: I hope so, member for Armadale.

The ACTING SPEAKER (Ms J.M. Freeman): Member, are you good that we take five minutes?

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

Mr Z.R.F. KIRKUP: I am good that you take two minutes, sure. Are we having an active negotiation on the floor here, Madam Acting Speaker? Five minutes is fine, thank you very much.

The ACTING SPEAKER: There was no active negotiating; I was just being polite.

Mr Z.R.F. KIRKUP: The eastern end of our city has for some time been ignored by governments and people who have orientated themselves towards the western side of Barrack Street, which is the more commercialised centre now. I think what they are trying to do with historic Perth is a great outcome. I worked with BGC before becoming a member here. BGC built the Western Hotel precinct, which was, I think, opened by the member for Perth. That is a great outcome, and I hope it will inject —

Mr V.A. Catania: You are very good with your hands there.

Mr Z.R.F. KIRKUP: I was very good with my hands there, member for North West Central; I appreciate that.

The historic part there, with the Western Hotel, will inject a number of people into that area, and I hope they then realise what beautiful heritage buildings exist there.

Another area that I hope either a Liberal or Labor government will get around to is the Royal Perth Hospital precinct. There are some fantastic pre-Federation-style buildings there as well, that have been used for the delivery of various health services. They are fantastically under-utilised for their full purpose. There are some beautiful architectural outcomes there that could be possibly rendered into apartments or more commercial centres in hospitality and retail. It would enable people to go through those buildings and appreciate them for what they are. At the moment they are set back behind fences, and they are a bit dingy, because the Department of Health focuses more on delivering health services than on the maintenance of those buildings.

Mr J.E. McGrath: What about more statues of people riding horses?

Mr Z.R.F. KIRKUP: The member for South Perth raises quite a good point. I am all for more statues. I look forward someday to a statue of Her Majesty Queen Elizabeth II being erected somewhere in the city. Hopefully, in time, it will go on to become an iconic heritage outcome, and it will rightly support the cause of having more females represented in our city. There are so few women who have had the privilege of having a statue erected in their honour, and far more women should have that honour bestowed on them.

When we look for the historic heritage buildings that I have spoken about and that I enjoy, we find that they are not specific to Perth. The member for South Perth has mentioned a number of the fantastic heritage buildings in his electorate. The Old Mill is one that comes to mind for me, more often than not, as I travel from Parliament down to Mandurah. Arriving in Mandurah—the Minister for Heritage may correct me—we find 83 historic locations, buildings and sites, only six of which are heritage-listed. This is fascinating to me, considering that it has been an active trade site for both colonial and Aboriginal residents and inhabitants for some time. So many of the historic sites represented in the state Register of Heritage Places in Mandurah unfortunately represent only colonial history. As the member for Mandurah knows, there is a rich history of Aboriginal involvement in Mandurah, and I have had the privilege of going to some amazing places with George Walley and a number of other families in the area, such as the Bouvard caves. They are amazing places that at the moment are surrounded by shrubbery and bush, and they actually get vandalised now. There is no real appreciation of or any way for people to engage with those heritage assets in Mandurah. I welcome the City of Mandurah's decision at the end of last year to put together some Aboriginal heritage trails. The council and the mayor should be applauded for their work in recognising the unique Aboriginal heritage we have. I support them fully in trying to make sure that we do all we can to ensure better recognition, acknowledgement, access and involvement for those Aboriginal heritage icons, assets and places. As I said before, about the eastern end of Perth, the more that we can encourage people to utilise those places and heritage assets, the more appreciation they have for them, and the more engagement and appreciation they have of their place in history, and how far back it goes. Hall's Cottage, in my district, was built in 1833, but for hundreds of years before that Mandurah was used by local Aboriginal people, as a trading place, for fishing and, down the southern end of my electorate, as a very special place for giving birth and the early stages of motherhood. Places like that deserve to be protected and enhanced.

I look forward to this bill, written by the previous government, enabling local governments and private custodians of important heritage assets to look after, as best as they can, a part of all of our history, even though they are the present owners. The member for Kalamunda talked about Guildford. Having grown up in the Guildford and Midland area, I would like to talk about Guildford. I know that the Minister for Heritage has an intense interest in the area; I think he has been out that way recently. Guildford, for those who might not be familiar with it, is a real mismatch of history. It is disconcerting to drive down the main street, James Street. We see the 1883 Guildford Hotel with pride of place on the main road, and yet 400 metres towards Midland, down the same street, we see a hardware

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

shop and a row of pawnshops and storage facilities. Places like that are incongruent with the heritage notion of Guildford.

Mr J.E. McGrath: There are some beautiful cottages there.

Mr Z.R.F. KIRKUP: There are some beautiful cottages there; the member is quite right, but again that mismatch of heritage outcomes is there. If only legislation like this, and more prescriptive structure plans, had existed at an earlier stage, we might have been able to preserve the history that those pawnshops and hardware shops have now taken over. There are some exceptional antique shops down there. The former Premier once said to me that one of the favourite things that he enjoyed doing was going to antique shops in Guildford. He really enjoyed that. There are a lot of good antique stores through there.

Mr P.A. Katsambanis: There is nothing wrong with that.

Mr Z.R.F. KIRKUP: I am sure there is not, member for Hillarys, but Guildford is a really good contemporary example. Governor Stirling reached Guildford because he could not go any further up the river in his boat. It hit rocks, where one of the bridges is now, if my recollection of history serves me right.

Mr J.E. McGrath: He had a retreat there.

Mr Z.R.F. KIRKUP: He had a retreat there; that is right. It was turned into a nurse's outpost, I think during the First or Second World War.

Guildford itself is a great town site. It is well planned for a colonial example, in a grid pattern. It includes the house, I think, of the first constable in Western Australia, and those of a number of important figures, certainly in the history of Guildford and Midland, and more broadly. Olive Farm, just down the road in South Guildford, was the first vineyard in Western Australia. Important history exists in that space. Yet there is complete incongruence with what we want. As the member for Kalamunda pointed out, there has been the retention of those trees and great heritage outcomes, but we need only travel less than half a kilometre down the road to see some very poor examples of buildings that cast quite a taint over the rest of the town site and that are completely incongruent with what the people want.

In 2013, I was writing election policies, and the matter was of great concern to me because the Guildford Hotel had burned down in 2008. It was a bit of a sore point for political parties at that time. Guildford was in the electorate of Midland and the Liberal Party was very close to winning. I think we lost that seat by 20-odd votes. In 2013, we lost the Guildford booth by only 49 votes. I remember quite robust discussions in the policy unit of the Premier's office at the time, wishing that we had pushed harder to do something to save the Guildford Hotel. It was not about compulsory acquisition, which is what the community was asking for, but incentivisation on a grant basis, which was eventually announced as part of the heritage revolving fund that would have enabled the owners of that building to restore the Guildford Hotel to its former glory. I wish we had done that. We did not announce that, unfortunately, during the election campaign. If we had, we may not have lost the Guildford booth by 49 votes and we may have got the seat of Midland for the first time in the Liberal Party's history. That is now passed and, thankfully, the Guildford Hotel has been restored with the help of a heritage grant. That was a great outcome. It is now a revitalised hotel, in the modern sense, that people are able to use. It has restaurants and that building is being used.

Mr I.C. Blayney: McDonalds.

Mr Z.R.F. KIRKUP: It was meant to be a McDonalds, member for Geraldton, but that was knocked back. I look forward to seeing what is done with that car park at the back of the Guildford Hotel.

Mr I.C. Blayney: Aren't they building a six-storey building?

Mr Z.R.F. Kirkup: When I was in the former Premier's office one plan put to me was to build apartment blocks that would be set back, as it were, but that was considered to be impinging on the heritage values of Guildford. Again, people only needed to travel 500 metres down the road to see things such as the storage yard, the hardware shop and things like that. I think there is a real need to get the mix right in places like Guildford, because presently the town site deserves to be enriched and protected.

Mr J.E. McGrath: It's got tourism.

Mr Z.R.F. KIRKUP: As the member for South Perth quite rightly points out, it has rich tourism outcomes and possibilities; if only there was a better plan to deal with its heritage, that town would be far better off.

I could be wrong, but I do not believe any other member has spoken about the important heritage of this very building we are in now. This chamber was built, or completed, in 1904, at a point in time when the chamber was

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a lot smaller than it is today and the cabinet was half of the size it is at the moment. In the 1960s, what I think is a pretty brutal, not particularly endearing-looking facade was built at the front of the building that faces the city. When compared with the back entrance, the east entrance is lacking. Since the 1960s there has been no major investment for any addition in the parliamentary reserve at all. I think that is a real concern. There will be significant pressures on this building if we cast our minds decades ahead when this chamber will be fuller and there are larger constraints on office space. There is already a massive maintenance bill attached to this building. I remember reading an article in *The West Australian* that quoted Rob Hunter. His team are doing a great job but he said that there will be \$33 million in maintenance for this building over the next 10 years. That is without any expansion during that time, which will be required when new members of Parliament come with their associated staff.

[Member's time extended.]

Mr Z.R.F. KIRKUP: It concerns me that there has been a significant increase in committees and associated staff, a larger number of members of this Assembly, and a larger executive who require more facilities to operate out of this building, yet there has been no extension or major redevelopment of any sort to this building since the 1960s. The members for Carine, Hillarys, Burns Beach and Bunbury and I—I was not on the leg with the member for Bunbury—travelled east recently and we viewed as part of our committee inquiries the Parliaments in other jurisdictions. I travelled on the Sydney leg and visited the Parliament of New South Wales. It is a fascinating building and has about seven different architectural styles.

Mr P.A. Katsambanis: It's a mishmash.

Mr Z.R.F. KIRKUP: It is indeed a mishmash, member for Hillarys.

Mr I.C. Blayney interjected.

Mr Z.R.F. KIRKUP: The member for Geraldton says it is the oldest used building in Sydney. We can tell, because it has been added to and tacked onto over time. A member of Parliament there told me that there is no possibility of expanding their offices anymore because they have height restrictions—they cannot go any further; the building is physically constrained on that site. They are concerned about what they will do with their Parliament as New South Wales grows. That building has far more architectural variations than this Parliament, which has a 1960s facade on an early 1900s building. I struggle to see what we will be able to do with this place. It is incumbent on us all. We serve the people of Western Australia as their elected representatives in this building. I know it has never been—I am acutely aware of the political implications—politically advantageous to spend money on ourselves. I know that is something that is consistently looked down upon, but I am concerned that since the 1960s so much has changed in this chamber, in this Parliament and in Western Australia, and this building has not been resourced, funded and invested in to keep up with that demand. It should concern all of us not only so that we can do our jobs well and so that the staff who already do a fantastic job can do their jobs to the best of their abilities, but also so that the people of Western Australia can have pride in this democratic institution. Michelle often says that her most vivid memory of Perth is being driven in a school bus and seeing the fountains in the Parliament forecourt. They have been switched off since 2005 because this place could not afford to keep up with maintenance issues and because of water restrictions. The fact we cannot keep up with the maintenance cost of a fountain shows just where we have arrived. There are so many pressing needs for this building. Sixty per cent of the maintenance budget in this building goes to air conditioning replacement, let alone the stonework that is required and all the efforts that go into maintaining a heritage building.

Mr I.C. Blayney: The roof.

Mr Z.R.F. KIRKUP: Not to mention the roof, as the member for Geraldton points out. We should have a bipartisan approach for a building that is 110 years old and is expensive to maintain. I hope that the Minister for Heritage and the shadow Minister for Heritage at some point sit down and plan a bipartisan approach for key institutions like this. The Parliament is deserving of far greater investment and planning. It is not just a building out of which officers and members of Parliament operate, but an institution with dignity that represents all of us and is the bastion of democracy in this state. It deserves some investment in it. At the moment the staff do a great job covering over where they can, but we need to make sure that we all understand our obligation to ensure that the Parliament's heritage is invested in and maintained. The bill provides that private owners of heritage places are aware of their obligations to ensure that they maintain and keep in good condition their heritage places; I think also all of us here, as custodians of this place, should put together a bipartisan plan to spend some money, invest in this place and make this place something we can be proud of.

Ms A. Sanderson: Do that when you're in government.

Mr Z.R.F. Kirkup: The member for Morley is quite right. I am acutely aware —

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

Ms A. Sanderson: I will support any plan you put forward in government.

Mr Z.R.F. KIRKUP: We put together a plan, member for Morley.

Ms A. Sanderson interjected.

Mr Z.R.F. KIRKUP: The plan was always to cap the freeway and invest the money from the sale of the land into the parliamentary precinct.

Ms A. Sanderson: Where did it go?

Mr Z.R.F. KIRKUP: It did not go anywhere.

Mr D.R. Michael: Aren't you responsible for the Michael Sutherland car park?

Mr Z.R.F. KIRKUP: Michael Sutherland might be someone who is responsible. The member Morley raises a good point. Of course, investing in this place and ourselves will never be particularly popular. We all know that. We need to come up with a realistic image of what it should look like. I could be wrong and I could get the figure wrong, so I might not quote it directly, but I think the Palace of Westminster has had to be shut down for a number of years to overhaul the Parliament House building because it had got so decrepit and had such little investment in it. I fear if we do not come up with a plan —

Mr S.K. L'Estrange: It's a job's growth plan.

Mr Z.R.F. Kirkup: A job's growth plan! If we do not do that, this building may follow in the same manner.

Mr K.M. O'Donnell interjected.

Mr Z.R.F. KIRKUP: I do not know, member for Kalgoorlie. I think we would find our way.

The dignity of this building and, indeed, all heritage places deserves to be invested in. I look forward to this bill allowing both the private sector and the government to do better for any of the buildings that they are custodians of, to make sure that we keep these valuable assets for the future.

MR J.N. CAREY (Perth — Parliamentary Secretary) [9.00 pm]: It is my pleasure to speak to the Heritage Bill 2017. I know that the members for Dawesville and Kalamunda referred to the City of Perth, but I want to talk about a lost opportunity for our city. Great cities around the world understand this very simple concept: heritage can greatly define cities and create incredible experiences for tourists, residents and locals. When we reflect on Perth's history, it is very sad that we have seen such a significant loss of heritage throughout the city. Perhaps we could imagine a very different Perth being like the great city of San Francisco, with St George's Terrace lined with beautiful heritage buildings. As has been identified by other members, perhaps the city would not have some of its current struggles, particularly economic struggles, had it retained a greater number of heritage buildings.

It is fair to say that the heritage and economic fortunes of our city are linked. We know that tourists who enjoy the urban experience in my electorate of Perth enjoy areas such as the west end and King Street. Why? Because they have a sense of place and heritage. They also go to the east end, which has the Perth Mint and a sense of heritage. I look back at some of the great heritage fights and thank God that at least sometimes people power won, although not always entirely. There is the example of the Barracks Arch in the 1960s. Imagine our city and the face of Perth had the barracks been entirely preserved. There was also the Palace Hotel in the 1980s. Again, people power sought to protect it, but it was only partially saved. In more recent history, and perhaps more controversially, there was Council House in 1993. At the time I think I was at high school or beginning university. There were always Curtin University and UWA architecture students out there protesting, and people thought they were nuts. They said, "What are you doing, protesting to protect Council House?" Of course, it was the right decision. Although its recent history of shenanigans is probably far more interesting to observers, the building itself and its brutalist structure is actually quite important for Perth. I have to commend the City of Perth, under the current suspended Lord Mayor, for making an investment in lighting for Council House, and I congratulate the council of the time.

As the member for Dawesville also mentioned, it was the mining booms that saw the destruction of much of the heritage in our city. I refer to the former executive director of Heritage Perth, Richard Offen, who was quoted in an article that appeared in WAtoday in 2013. It states —

"Wealth from Western Australia's mining meant that it could afford to knock-down and rebuild Perth's inner-city suburbs," he said.

St Georges Terrace is a great example of an area which was "pretty much destroyed" due to the amount of money knocking around the city, said Mr Offen.

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

“A lot was destroyed in the 70s and 80s—which was what town planners were doing all over the world.”

“I think it was a knock-on from the second World War, where there was a desire for modernisation—an ‘out with the old, in with the new approach’.”

Interestingly, he also made a comparison with Melbourne, which retains much more of its heritage. The article continues —

There is a clear distinction, between Perth and a city like Melbourne “where they didn’t have the prolonged economic income from mining wealth,” he said.

That means that Melbourne now has more heritage style buildings. The article continues —

“The stark contrast was simply a product of the wealth of the time,” Mr Offen said.

Speaking closer to home, Mr Offen said Fremantle, which had lacked the money for widespread redevelopment due to periods of economic depression, was a great example of how a lack of wealth had actually saved history.

I think that is fascinating. It was actually economic good fortune in Perth that resulted in many heritage buildings being lost, but it was the economic depression in Fremantle that resulted in heritage buildings being saved. The member for Kalamunda talked about the work of the Museum of Perth, which is doing great stuff to show the city’s history. It has provided examples of many extraordinary buildings that were lost.

I again come back to this theme: imagine what Perth city could have been. It could have been more like San Francisco or other great cities around the world. We have a bigger struggle now in the City of Perth and in the city districts to try to create that urban experience and a city of neighbourhoods. At the Perth City Summit last year there was recognition that heritage had a critical role to play in the city of neighbourhoods. We are doing that, and I was glad to hear the member for Dawesville commending the east end and the Historic Heart of Perth project, which has been totally embraced by Activate Perth as a model for creating city neighbourhoods across Perth to ensure that we have great urban experiences.

I note the opening of the Westin Perth, which is a sensational development that has created an amazing new public space in the East End. I believe this will drive more vibrancy, economic life and renewal in the city. I absolutely agree—I am agreeing too many times with the member for Dawesville!—that there is real potential in the Royal Perth Hospital heritage sites and some of those buildings that are clearly unutilised. They could be redeveloped for private development to help fund works at Royal Perth Hospital and drive more residences and economic activity in the city.

I want to mention Aboriginal heritage and culture. There were 350 delegates at the Perth City Summit; it was the biggest city dialogue we have seen in the last 10 years, to give it another advertorial. Aboriginal heritage and sense of place and culture were rated as number one for our city. Tourism professionals tell us that when people come to Perth—it might be for only three to four days—they want to experience Indigenous tourism, but it is very limited in the city. Activate Perth and others are doing work to look at how we can promote Indigenous tourism and history through walking tours and recognition of sites. One idea—which is not meant to be tokenistic but could demonstrate some visual presence of Indigenous culture in our city—is for every street in the City of Perth to have a Noongar name. I do not see that as tokenistic; I see it as one small step towards recognising Noongar culture and history in Perth. I think tourists and locals alike would be very interested in learning more. It would be a visual marker for our city and I hope it is pursued. I do not believe it is lip-service, but a beginning of much greater recognition of Noongar culture in the city district.

We have seen the opposition fawning over the Heritage Bill 2017 and saying that it should take full credit for producing it. It is great to see the Liberals embrace heritage now, because I remember distinctly working for the new heritage minister at the time, Graham Kierath. He was a champion of heritage!

Mr Z.R.F. Kirkup interjected.

Mr J.N. CAREY: No, this is your proud history; you should embrace your proud history! The former Liberal government refused to list the Raffles Hotel. Even more extraordinary was that the former Liberal government would not direct that Edith Cowan’s house go on the permanent register and it took it off. It is an incredible building of history in our city and this man across the road, the Minister for Heritage, directed a permanent heritage listing. That is the former government’s record. I also note—this is fascinating—that when the City of Perth considered Edith Cowan house, two former Liberal members who were on council, the former member for Perth and the former member for Mount Lawley, voted against including that building on the City of Perth register. This is the great record of the Liberal Party. When it comes to the tough decisions about particular buildings, it is nowhere to be seen. Maybe it has to look after its mates. Maybe that is why the Raffles Hotel was never considered.

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

It looked after its mates. It is a Labor state government that makes tough decisions about heritage listings. Labor has a strong and proud history of preserving heritage in our city. It is now great to see that the Liberal Party has had a conversion and its members are dressing themselves up. They are suddenly amazed by this thing called heritage and it actually has economic fortunes for our city. It is great to see the member for Dawesville recognise the east end as a great historic heart. It is brilliant. I love the conversion.

The Heritage Bill 2017 has three key issues or changes. As a former Mayor of Vincent who regularly dealt with heritage issues, these changes are very good and will mean significant change for heritage conservation. The first, of course, is demolition by neglect. I think many members of this Parliament have had constituents come to them citing examples of demolition by neglect. The easiest way for an owner of a property to ultimately get the building removed is to simply not maintain it and not look after it. As the Mayor of Vincent, from time to time I would receive complaints about this and the lack of power. I think we can all agree that this change, which will be used in exceptional circumstances, is meaningful reform for heritage conservation in Western Australia.

The second key part that I have identified—I know it has been frustrating and has added to delays—is the removal of interim and permanent listings. At the time that I was working under previous heritage minister Dr Judy Edwards after the Labor government came to power, there was a backlog of 740 places for consideration. A key part of backlogs in heritage conservation is the two-step process. As we note, and as the minister noted in his second reading speech, there were significant costs and extra delays in the west end of Fremantle as a result of the two-step process. Despite my understanding of there being overwhelming support, the fact remained that both the interim and permanent process added time.

The third part, which I think is good—I am speaking within my 20 minutes—is the transparency provision. The Heritage Council will be required to publish its advice to the minister on whether a place should be entered on the register, and it is also the case that the minister's direction will be published. That is critical. We will now clearly see the positions of state governments and where they stand on heritage conservation. We will not see the mystery, a lack of transparency in heritage and the kind of tactics that we witnessed under the previous state Liberal government.

Mr Z.R.F. Kirkup interjected.

Mr J.N. CAREY: I have clearly touched a point there. He is a bit edgy about it. He is very touchy about it.

I see that the bill does three key things: first, it addresses demolition by neglect; second, it removes the two-step process; and, third, it adds transparency to the process.

I will finish on this theme. I still look at our city and wonder what kind of experience we could offer tourists, local visitors and residents had we seen a more strenuous approach to heritage conservation. I really believe that we could have a stronger sense of community in the city and stronger tourism opportunities. It is unfortunate that particularly in the 1970s and 1980s, we lost so many heritage buildings. We cannot look back; we have to look forward. I commend this bill to the house.

MR P.J. RUNDLE (Roe) [9.17 pm]: I rise to make a relatively short contribution, but I think it is important to point out that the Nationals are certainly supportive of the Heritage Bill 2017. As the member for Dawesville pointed out, the Liberal–National government was originally involved in the drafting of this bill and we are certainly looking forward to bringing Western Australia back into line with the rest of Australia. As the member for Perth pointed out, demolition by neglect—the lack of maintenance and protection of listed heritage places—is certainly a really important part of this bill.

I am sure the Minister for Heritage would be disappointed if I did not bring up my favourite subject of the Esperance tanker jetty, which I will be doing shortly. I would like to reflect on community attitudes to cultural heritage. I think this is where something such as the Esperance jetty is really important. It needs to be seen as an asset rather than a liability. I am concerned that certain members of the community and council are treating it as a liability. That is definitely not the way to go.

The part of the legislation that provides for nationally recognised criteria for the assessment of heritage places and the Burra Charter with its definition of “cultural heritage” is really important. I know that that has been brought up several times in the Esperance jetty debate.

On a personal level, I will point out a couple of heritage places in my home town. Certainly, the Katanning Town Hall is very important. There is also the Unit Hotel. The one that I will dwell on for a few minutes is the Premier Roller Flour Mill. Just to provide a little history, the Katanning shire council had the Premier Roller Flour Mill on the corner of Austral Terrace and Clive Street. To be honest, once again the community and shire had reached a point at which it was considered a liability. I think about five or six years ago the shire sold it to Nigel Oakey

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

and the Dôme group for \$1. There were question marks at the time, but what I have seen over the last few years has been amazing—the community consultation, the community getting behind Nigel and his group. As a result, the lower level of the Premier Roller Flour Mill is now a Dôme cafe and on the top three or four levels there is now the Premier Mill Hotel. Basically, they have created 22 rooms throughout the flour mill. They have retained much of the old machinery and so forth. It was fantastic to be there a bit over a week ago, on 30 April at 2.30 pm, 127 years to the day and the minute of the original opening, for Nigel to reopen the building as the Dôme cafe and the newly branded Premier Mill Hotel. To me that has been a story about heritage and retention of our history, which has generated a fantastic amount of enthusiasm in the Katanning community and surrounding regions.

I would like to focus on jetties, which I think are an important part of our state heritage and history. The state has three wooden jetties remaining. The member for North West Central and I are very concerned about the Esperance tanker jetty, the Carnarvon one mile jetty and the Busselton jetty, which are the three remaining timber jetties in Western Australia. I believe we need to recognise the cultural and heritage value of those three remaining jetties. I have spoken before about South Australia, which has 103 timber jetties. WA has deteriorated to only having three left. I think it is really important that we look after those. I am sure the minister will remember when I spoke recently about my predecessor, “Tuck” Waldron, and how when he went on his recent holiday through South Australia, almost every day he sent me a photo back of a timber jetty in each of the towns he went through. I guess that really reminded me how important they are, not only as heritage assets, but as recreational and community assets as well. Some members may not be aware that the member for North West Central and I have been trying to get a private member’s bill drafted called the “three jetties protection bill”. Unfortunately, we have been informed that it is not a priority and there are not enough drafters, and therefore it has to go to the backburner. We have been very disappointed with that and we are looking forward to incorporating some amendments in the Heritage Bill to retain the culture and heritage of those jetties.

I take on board the member for Dawesville’s comments about Parliament House. I am on the Parliamentary Services Committee, and I must say that I am very concerned about the state of maintenance. I think Rob Hunter and his team are doing a fantastic job in maintaining and preserving the house, but I think at some stage in the not-too-distant future we are going to have to make some hard decisions. Westminster is basically shrouded in scaffolding, and will be for the next 10 years apparently, and that is an example of what we do not want to end up with here at Parliament House. I urge all members, when the time comes, to look after the heritage and probably increase the maintenance of the house that we sit in.

I would like to give a very brief history. I am sure the minister is fully aware of some of these things about the Esperance tanker jetty. Esperance is very lucky to have such an important asset that reflects the town’s history. It captures the essence of times gone by. I think it is also a recreational asset for the community and it draws tourists to the town. Unfortunately, the Esperance shire council saw fit in November 2015 to close the jetty to the public, so it has been over two and a half years now. I believe the community has suffered through demolition by neglect and has been denied access to this important piece of history. I am very pleased the minister has placed the conservation order on the jetty for its protection for the community and people in general. I believe that has been really important and I am sure the minister will not be lifting the conservation order until a suitable heritage result is in place. I will go through a bit of history. The tanker jetty was built in 1935. It was a really important opportunity for employment during the Depression. It was built to service both the agricultural and mining industries. When it was first built, it was 873 metres in length, with a single railway line running from the shore to the end. The iconic curve shape was there for the strength of the jetty. When people wonder why it has a curved shape, that is what it is about. In 1976, the Public Works Department wrote to the Esperance shire council asking whether there was any reason that the jetty should not be demolished. This prompted the first community outrage, I guess we could say, and the community pulled together to support the retention of the jetty for both tourists and recreational purposes. Since then there have been several small fires, the odd bump from a tanker and other minor things, but it has stood the test of time. Unfortunately, in 1985, a 200-metre section of the jetty was removed and that left a jetty island, which was basically a nesting site for local bird life. Since then, the community has pulled together several times to preserve the icon. In 1990, the state government transferred the responsibility of maintaining the jetty to the Esperance shire, which since then has taken out minimal maintenance works as required. However, in 2011 the shire council determined that the jetty was beyond its useful life and decided not to continue with any maintenance despite the fact that it had \$1.8 million in the maintenance account, which leaves me scratching my head. On 2 February 2016, the shire council voted to demolish the Esperance tanker jetty, effectively ratifying the 2011 decision. Since then we have seen the Esperance community united to fight the decision. It has re-established the Jetty Group and consequently the Friends of the Esperance Tanker Jetty. When I doorknocked through the Esperance community in 2016 and 2017, that was the overwhelming thing that people wanted to talk about. They wanted to talk about saving the jetty. As far as I was concerned, if that is what the community wanted, I was very

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happy to take it on board, and I have continued to take up the fight on its behalf. I have certainly spoken to the minister about it several times in the last year. I believe that there are viable and affordable options. The community has done a lot of research and has put a lot of good ideas together. I will just read one statement that Heritage Intelligence WA put together in October 2016 about the jetty. It states that it is —

... a rare and good representative example of a substantially intact timber jetty on the coast of Western Australia ...

it has aesthetic significance due to its considerable size, scale and construction. Its visibility from the town of Esperance and its strong presence in the seascape ensure its landmark status and contributes to the Esperance community's sense of place;

the place is valued by the community as it has been the site of commercial social and recreational pursuits since its construction, and for its association with the period of economic growth in the region in the 1930s and the development of local industries since that time; ...

the place is significant for bringing employment to many workers in the vicinity during the period of economic depression in the 1930s, and is associated with the government's efforts to employ destitute men in a variety of jobs during this time.

That really sums it up. The jetty is an important part of Esperance's culture and heritage, and, like all other heritage structures, it should be recognised and maintained. Our heritage structures enhance our collective community story and our sense of place. The bill certainly ensures that heritage structures are seen as assets worth celebrating rather than as a burden on the community. I look forward to the support of the Parliament in passing the bill, but, as I said, the member for North West Central and I will introduce some amendments that we feel will be very important in relation to our three remaining timber jetties on the Western Australian coast.

MR D.T. PUNCH (Bunbury) [9.31 pm]: It is with a great deal of delight that I speak in support of the Heritage Bill 2017. I welcome the intention to repeal the Heritage of Western Australia Act 1990 with all its attendant complexity and processes, which have added to the difficulty of protecting Western Australia's heritage assets. Within regional Western Australia are many examples of buildings and places of great significance, because of not only their physical link with the past, but also the stories they tell and their ability to evoke the imagination of people living today. One of the great little Facebook posts that comes up regularly in the Bunbury area is called "Memories of Bunbury", which picks out a heritage asset of Bunbury and tells the story behind it, bringing the past to life in a very real way. In Bunbury, Victoria Street and the CBD generally have many representative examples of Federation Free Classical-style buildings and Art Deco buildings. These have created a sense of place in the CBD that is fairly unique. Many of those buildings have been repurposed and, as part of that, refurbished. The original Lyric Theatre of 1905 survived two fires and was recently restored. Today it is home to Maker + Co, a business dedicated to promoting innovation, social entrepreneurship and other interesting contemporary activities such as hackathons—it is the case of the old meeting the new. The Rose Hotel was built in 1863 and is a favourite watering hole for many people, particularly on Friday nights. It represents a significant part of the growing prosperity of Bunbury as a port in the late nineteenth century. Former bank and commercial office buildings dating back to the 1900s are now functioning as a Lotteries House. Those buildings are located at 101 and 99 Victoria Street. I took a great deal of pleasure in meeting with the Minister for Heritage last year when funding was announced to repoint the facings of those buildings. They now look very much like they did when they were first built. There is also a former convent on Wittenoom Street, which now houses the Bunbury Regional Art Galleries. That is a very special building. These are all excellent examples of Bunbury's heritage and its listed built form being repurposed to modern use and, in the process, generating an income stream that supports their ongoing maintenance. From my point of view, that is a particularly important relationship—how our heritage assets can be repurposed to generate income streams that can then support them into the future.

There is one asset in Bunbury that of course did not survive that process and relates very much to the comments of the member for Roe—that is, the Bunbury historical timber jetty, which disappeared a few years ago. That was a sad loss for many, many people who had worked for many, many years to try to retain that asset, but I look forward to interpreting the heritage of where that timber jetty stood so that future generations can actually understand the port and maritime history of Bunbury.

Throughout the south west are many places that have a sense of history, including group settlement houses, former timber towns and historic hotels and houses. Amongst them is the original family home of Sir John Forrest at Picton, which is a critical part of the history of not only Bunbury, but also Western Australia. One thing that I am really passionate about is industrial heritage, which often slips through the cracks. The south west has a pretty rich tapestry of industrial heritage. It can be best summed up as the physical remains of industrial culture and activity, and includes buildings, machinery and mining areas. In Collie, it is not hard to stumble across old mine workings

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with the original facades to tunnel entrances, which are very reminiscent of the Art Deco period. It is a pity the member for Collie is not here to listen to me waxing on about Collie—the member is a heritage asset for Collie himself! There are some interesting areas around the bush of Collie. One old mill site that I stumbled across had a heritage story dating back to investment by the Americans during the Second World War. It was called Teddy Bear Mill after Teddy Roosevelt. That mill site never came into production, but its foundations are still there. That rich story is just sitting in the forest. Wellington Dam has a rich history captured by a series of storyboards at the dam site. Those storyboards tell the stories behind the structures and of the men and women who created them. A similar story can be found with the Harvey drain, of all things. It is a very significant piece of infrastructure that was hand dug during the Great Depression by around 2 500 to 3 000 men for a subsistence wage. At the site of the commencement of those diggings is a sculpture characterised by an enormous number of shovels. It takes people back to the fact that the drain was dug during a pretty significant part of WA's history. It is the stories behind the assets that bring them to life.

I will close off that little bit with a little more about Collie, because Collie has a huge history in railways. When I first went to Collie as a very young fellow, I remember there were hundreds of steam engines lined up waiting to go to the scrapyards. I pushed a couple of those steam engines into a little lay by with the local Rotary club, which preserved three of them—they are still there to the present day. The centre of Collie has become a railway heritage centre. It is almost operating as a men's shed, where older men have come together and restored many carriages and goods wagons in the old goods shed. They have brought that sense of what Collie was back to life. They have rebuilt, to the original plans, the original station at Collie, which had been demolished some years ago.

Within the south west is a heritage trail that lists 29 sites that are really worth having a look at. Information can be found at www.workinglife.com.au, if anyone would like to have a look. It links those sites of heritage significance into a collaborative tourism marketing framework that builds a trail for visitors to look at. That is really important, again, in terms of developing sustainable income streams that can help to support these assets into the future, because their future is not going to be dependent on government grants. Those sites stretch from Augusta to Harvey and across to Boyup Brook. Boyup Brook is especially interesting. The Boyup Brook museum has a complete Freemasons lodge on display. If anyone has ever wondered what their relative or father was doing with their little black bag, I suggest that a visit to Boyup Brook will unleash the mysteries. Those sites provide a fascinating insight into south west industrial history. Sadly, the Yarloop railway workshops were a part of that and a very significant part was lost to bushfire. Sometimes we do not realise the value of what we have until it is gone. That was a particularly sad loss for not only the people of Yarloop, but also the people of the south west, generally.

A really important collection of machinery used to reside in Fremantle called the World of Energy Museum. Some time ago, Western Power decided that that museum was not part of its core business and was in the process of disposing of those assets. However, they were rescued and are now in storage at Manjimup and will be put back on display as the Manjimup Timber Park redevelops exhibition facilities. That can give a fascinating insight into the role that energy has played in shaping the lives of our community over the past 120 years, from the very beginnings of mechanical power and energy, right through to renewables, and how it has had an impact on our social and cultural values.

There are also some assets within the south west that are heritage listed but, sadly, are slowly rusting in peace. The hydroelectric plant at Wellington Dam in Collie is slowly decaying behind a barbed wire fence for want of a commitment to bring the site back into operation as a heritage attraction. With a little bit of investment, it is a facility that could generate power for the grid again. It is perfectly salvageable and could create an income stream that could provide a pretty dynamic view of how Wellington Dam supplied power to the state in the past. These sites can all build a sustainable future out of growing interest in heritage-based tourism, generating increased visitor numbers and a revenue stream for ongoing maintenance. It is a major part of the tourism mix in the United Kingdom and Europe and we do not have to travel very far in either of those locations to come across pretty significant heritage attractions that have found new life and breathe new life into local communities. There is no reason the same cannot be achieved here in WA.

One of the really significant aspects of the new legislation is that it will make the process of protecting our heritage places simpler and more transparent, with processes supported by a skills-based Heritage Council with clearer roles and functions. Importantly, the Heritage Bill will address the issue of demolition by neglect. I hope that concept might be applied to the Wellington Dam hydroelectric station. The bill provides the power to the Minister for Heritage to address genuine cases of demolition by neglect, and that is a positive step forward. Owners of heritage classified places and buildings have an added obligation of ownership; namely, to help prepare and pass on to the next generation our legacy.

I applaud the simplification of processes and the potential reduction of costs and increased certainty around time limits associated with heritage assessments. It will provide a much better interface between development

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applications and the heritage assessment process. This is an example of a bill seeking to establish best practice through a simple, transparent process. It is a bill that is concerned with a legacy we have inherited and how we, today, as custodians of that legacy, can pass it on.

I thank the Minister for Heritage for bringing the bill to the house and commend it to the house.

MR I.C. BLAYNEY (Geraldton) [9.47 pm]: I will speak briefly on the Heritage Bill 2017. Heritage buildings occupy a fair bit of my time, as the minister will know. Two surprises in my job were how much time heritage buildings take up and how much time sewerage takes up. As members will know, Geraldton was the home of Monsignor John Hawes, who built churches from Perenjori to Carnarvon. We are particularly proud of the job we did pulling it all together to restore the St Francis Xavier Cathedral in Geraldton. When we break it down, it helps us learn how hard it is to have big older buildings restored. The federal government put in \$3 million; the locals raised \$3 million; royalties for regions put in \$1.6 million; and lotteries put in \$680 million. Lining up all those sources of funds to get a building restored—what has been done to it is quite magnificent—goes to show how much work and commitment is needed in a community to get some of these buildings restored.

Another one I recall from early in my time is the old convict bridge at Greenough. The newer bridge was flooded so a couple of road train drivers worked out that they could use the convict bridge, but, unfortunately, it was not designed to carry road trains so they broke it. They managed to get the truck off but the bridge, of course, was a mess. I think it cost about \$2 million to restore it. It is a bridge that is not used very much and we could probably live without it, but it is quite a beautiful old bridge. Someone had to make the decision: do we let this thing go or do we restore it? Thankfully, they made the decision to restore it. Another building in Geraldton, which is in very good condition, is the oldest continuously operating primary school in the state. Renovations once again are fairly constant. I am really pleased that my great niece is there now and she is the fifth generation of the family to go there.

One of the more interesting old buildings in Geraldton is the Mission to Seafarers, the second oldest building in town. Over its time, it has been a school, a police station, a police lock-up, the locomotive workshop and the Mechanics Institute. Now, of course, it is the Mission to Seafarers. Another problem with this building is that it needs extending as it is not big enough. We hoped we would be able to get royalties for regions money to match money we could get from the Seafarers Union. Unfortunately, royalties for regions money could not be used for buildings that serve foreigners. The mission does not serve locals; it serves only visiting seamen. That was, if you like, a flaw within the royalties for regions program. It is anomalous that we could not get money for a really important old building. We also have the oldest railway station in Western Australia, which, not long ago, was converted to a tourist information centre. It is a beautiful job. Once again, some federal money and some royalties for regions money was used. There is a bit of a theme here. If we want these old buildings done up, we have to coordinate funding across four or five agencies at the same time.

On the Abrolhos Islands are the oldest European-built structures in Australia from the *Batavia* mutiny. We have just built quite a faithful replica of them on the foreshore of Geraldton. It means people do not have to go all the way across to the Abrolhos to see what a simple little thing it was. Nonetheless, it is quite significant. The City and the old Shire of Greenough have become positive about using old buildings rather than building new ones. I give credit to a former member for Geraldton, Hon Jeff Carr. During the time he was the member for Geraldton, the council came up with the idea of knocking over our old town hall and turning it into a car park. I am sure it would have made a fantastic car park. Thankfully, the community revolted and Jeff Carr managed to get money out of the government to restore the town hall as an art gallery. It is a very good art gallery. I think it marked a turning point in the community as a line in the sand and they said, “No; from now on we have to look at reusing old buildings. We do not want to see them all knocked over.” I recently filled an empty day by taking my sons out to Cue for the day. For the information of members who have never been to Cue in the member for North West Central’s electorate, there was gold there. The buildings were built properly and then the economy went elsewhere and all the beautiful old buildings were left. However, they have all been restored and it is a real credit to that very small community that all these buildings are in such good condition. If ever people go through the midwest, they will find a lot of quite significant old buildings in very good condition. It is interesting to go around and look at them.

I have come across two major problems when chasing money for heritage buildings. Some organisations will not accept Lotterywest money. I tried to get the previous government to accept some kind of swap system and have a separate fund for organisations that are the custodians of some quite significant old buildings but for religious reasons will not accept Lotterywest money. If we could use money from a separate fund that came from somewhere else and used the Lotterywest money somewhere else, I think everyone could be quite happy about that. However, I am aware of organisations, which I will not name, that are happy to let old buildings go to rack and ruin because they will not accept money from Lotterywest. I think we need someone to think a bit outside the square, and we can do that.

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

The other thing I find curious about heritage buildings is when I hear occasionally of a building being restored and the builders having to be faithful to the way it was built. Quite frankly, I think that is nonsense. If we can use modern materials and technology, I would rather see that used in places where it may not be very obvious, because generally it is easier and cheaper to use and lasts longer. It is another quite significant obstacle to people who want to restore old buildings if they have to go to all this trouble to find someone who has the skills, and it is more expensive to do it. It is more likely that the building will suffer from demolition by neglect. I am aware of quite a number of old buildings in and around Geraldton that will probably go that way, and that, I suspect, is one of the obstacles to fixing them up.

The other final point I want to make is that nearly all these projects have funding from royalties for regions. The royalties for regions program really made a difference, because there were funds that could be used for these projects. Walking around any of the towns in the regions, we see a significant number of old buildings that were fixed up in the two terms of the previous government. A lot of that money came from royalties for regions, and it really made a big difference.

MS M.M. QUIRK (Girrawheen) [9.52 pm]: I am keen to speak on the Heritage Bill 2017 because I was shadow Minister for Heritage for a time, and I felt very strongly about the regime we have just left, in particular a number of issues that I think were badly handled. They include demolition by neglect, which this legislation seeks to address. Other members have spoken about that. I believe that there were some instances of conflict of interest in either registering a property or alternatively making representations to ensure that a property was not listed. I also believe that there was a lack of transparency and some level of conflict of interest in some of the grants that were given. But we are in a new era; we are moving forward. It is late in the day, so I will leave my grudges aside and proceed as if we are moving forward.

I commend the McGowan government, and in particular Minister Templeman, for introducing the Heritage Bill after an extremely lengthy gestation period. In this context, in his Premier's Statement in 2014, Premier Barnett promised the introduction of heritage legislation in that parliamentary year, but it did not eventuate. Again, in the Premier's Statement in 2015, Premier Barnett promised the introduction of heritage legislation in that parliamentary year, but it did not eventuate. By the next year, 2016, the Premier did not even go through the pretence that heritage laws would be introduced in the remaining time left for the thirty-ninth Parliament. In fact, the promise to introduce legislation was so longstanding that it was almost eligible to be heritage listed itself. Clearly, the previous government's commitment to heritage was tepid.

In discussing the bill, I want to use a case study to examine whether our views on heritage have moved on, or are more sophisticated than in the past. I believe that heritage is the key to evoking a sense of place, our identity and our history. It assists our endeavours to foster tourism, and the economic benefits that flow from it. Not far from this chamber is the Barracks Arch. As members know, this is what remains of a larger building. I pose the question that, if the issue of the fate of the old Pensioner Guard Barracks were to arise today, would the building suffer the same fate? With the indulgence of the chamber, because I think it is illustrative of broader heritage issues, and also for the benefit of younger members, I want to recount the saga of the Barracks Arch, ending some 52 years ago. I am indebted to an article by Professor Gordon Reid, later the twenty-eighth state Governor, in *Westerly* magazine in 1967, "Perth's Arc de Triomphe: Saving the Barracks Arch".

In 1864, a large two-storey red brick barracks was built at the end of St Georges Terrace. This was to house the newly established Enrolled Pensioner force and their families. The force was needed to guard the state's growing penal population, and was made up of retired British servicemen from 35 years of age and upwards, who guarded the convicts on their journey from England. By 1880 the Enrolled Pensioner force had been replaced by a military guard, known as the Enrolled Guard. The pensioners and their families were, however, permitted to continue to live in the Barracks until 1904, when the building became the Perth office of the Public Works Department. After self-government came to Western Australia in 1890, planning commenced for a parliamentary building that was said at the time to befit the glorious heritage of British democracy. The site for the new Parliament House, as we all know, was the grounds behind the Barracks. The question was then raised about the Barracks' demolition, because of its obstruction of the view down St Georges Terrace. In 1901, a select committee of the Legislative Assembly found that the Barracks should not be pulled down immediately, but should be left temporarily until such time as Parliament House was complete, and the people could then decide.

The Barracks were living on borrowed time from that time on. In the mid-1950s, the so-called Stephenson-Hepburn plan, which, as members know, was a blueprint for the Perth metropolitan area, noted, almost as an aside, that a completed Parliament House with a terraced approach overlooking the city would be a magnificent and appropriate climax to St Georges Terrace. The old Barracks and the temporary buildings below Parliament House should be removed. The Stephenson-Hepburn plan received wide approval, but on the issue of the Barracks, as Professor Reid notes, the report did not justify its removal on aesthetic or symbolic grounds, but rather on the

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utilitarian notion that the Barracks needed to make way for the motor car. In August 1959, *The West Australian* noted that it was unlikely that a convincing case could be made for keeping the Barracks. The newspaper noted that it had a slender historical background and was of dubious architectural merit or interest. Its removal would enable the hill rising to Parliament House to be fashioned as an impressive climax to St Georges Terrace.

The first move towards creating opposition was the establishment, in 1959, of the National Trust, which, in 1964, was given a statutory basis. In its early years, the trust undertook the classification of the historic buildings of Western Australia, under which the old Barracks was classified as class A, to be preserved at all costs. This was an indication of things to come. In March 1961, a deputation from the National Trust and the WA Historical Society presented the Premier of the time, Mr Brand, with a petition supporting the retention of the Barracks and asking the government to cancel its plan to demolish it. In 1961 the Barracks Defence Council was created, comprising representatives of the National Trust, the Royal WA Historical Society, the Women's Service Guild, the National Council of Women, the Victoria League, the Tree Society, the Fellowship of Australian Writers and the Citizens Committee for the Preservation of Kings Park. In 1962, Sir John Betjeman, the renowned British poet and writer and later poet laureate, visited Perth. Being a specialist on Victorian architecture, his views on the Barracks were eagerly sought. He said that the buildings were built by great and courageous people, in recognition of the convict labour that helped their construction. They had the texture of time, and had to be saved. Otherwise, he predicted, they would make way for more service stations.

By 1965, the Barracks Defence Council formally and finally announced the withdrawal of its insistence on the preservation of the two bays of windows that flanked the archway. However, the government, led by Premier Brand, would not guarantee, even after this concession was given, that the archway would remain. A public demonstration, and protest, on a Sunday in March 1966, called a "Barrack Aid", with a public meeting to be held in Harvest Terrace afterwards, was planned. However, the police intervened. Permission for the procession was refused on the grounds of disruption to traffic and the creation of a nuisance to people at a nearby church and hospital. Unexpectedly, according to Reid, this ill wind swung *The West Australian* behind the defenders and marked a vital turning point in the dispute. *The West Australian* editor asserted —

Police commissioner Napier has not justified his refusal to allow a procession of cars ... he could have simply prevented noise adjacent to the hospital and the church. That function of the police is to control traffic, not to dictate what traffic is permissible ...

Also in that month, 300 university students, dressed in old colonial attire, stormed the Barracks in a noisy and colourful demonstration to advertise *PROSH*. According to Professor Reid, for students of politics the most fascinating feature of the Barracks issue was the search by politicians and other self-appointed pollsters for public opinion. The Premier was reported to have reiterated that the government would leave it to the public to decide whether the archway stayed. But when questioned on how he would obtain public opinion, he said, "I do not know." McNair surveys were commissioned to undertake a poll. The question asked was, "Are you in favour of retaining the Barracks Arch?" Forty-three per cent responded in the affirmative, 32 per cent were against, and 25 per cent were undecided or had no opinion. When questioned on the outcome of the poll, Premier Brand asserted that the McNair results did not indicate a decision way one or another, concluding that the public presumably was leaving the decision to the authorities. Another poll taken within a week of the McNair survey found that 49 per cent wanted the archway to stay and 35 per cent wanted it demolished. Five per cent were in favour of its removal to a new site and only 11 per cent had no opinion. But, again, the Premier was not persuaded. He asserted this was another indecisive result.

The Premier's interpretation of the poll found many dissenters. The *Daily News* claimed that the government appeared to have engaged in a two-way bet and stated that if the poll had favoured demolition, the government would have said it was following the wishes of the people. Because the poll did not produce a result, there were woolly statements to the effect that the result was indecisive, and if the government had got the same degree of support at the polls, it would have been delighted.

At about this time, 75 large colourful posters were printed and appeared at strategic points around the city. Designed by a high school art teacher, the poster warned, "Don't be bulldozed: Save the arch". Replicas of the posters also appeared as car stickers, and lapel badges carrying the cry "Preserve Democracy" were distributed widely. Moreover, in getting favourable publicity for their cause, the Barracks Defence Council could not have asked for a better outcome than the then postmaster general's department producing a telephone directory that year—220 000 copies—with a colourful picture of the old Barracks on the front. This decision was taken independently of the campaign but, of course, supported the ongoing campaign for preservation. With posters, stickers, lapel badges, letters to the editor and television debates, an emotional and tense atmosphere developed for parliamentary debate. The Premier then initiated a motion in this place that in the opinion of the house the

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Barracks Archway should be removed so that Parliament House and its surroundings could become the focal point of the western end of St Georges Terrace. In light of the fact that the issue was controversial, Reid tells us in his article that party Whips were called off and members were given a free vote. Free vote or not, the editor of *The West Australian* on the morning of the debate was cynical about its purpose —

Most people are sick and tired of the Barracks archway controversy —

The editorial added —

The government's handling of the question since it decided to retain the archway for a trial period has been inept. Though members will be free to vote as they please on Mr Brand's motion, many people have been left with the impression that Parliament is being asked to rubber stamp a decision made regardless of public opinion.

According to observers at the time, the debate was unusually lively. The public galleries were full. As one journalist put it, government backbenchers had a carnival. *Hansard* gives the impression that members were affected by the unusually large attendance in the public gallery. Some on the government side made it clear from the start that they intended to vote against the motion. They complimented the Premier on his handling of the issue, then proceeded to shoot him down in flames. The Leader of the Opposition at the time, Hon A.R.G. Hawke, pursued the tactic of speaking late in the debate when the attitude of most of the government members was clear. He then claimed —

... the Government has brought this motion to Parliament because the public opinion test poll did not produce the result which the Premier and his colleagues thought it would produce, and hoped it would produce.

The Premier, in summing up the debate before the vote, admitted —

... I have made tactical mistakes about this matter but only in the interests of the people.

In the voting, 10 government party backbenchers voted with the motion and four Labor members joined the rump of the government parties in its support. The motion was therefore defeated 26 to 18 and the Barracks Arch was saved.

Professor Reid also noted that in 1966 the issue of the Barracks' demolition attracted more public attention than the Ord River project, Vietnam, British troops east of Suez, President Johnson's visit to Australia or even military conscription. Professor Reid sums up this saga as such —

The Brand Government, since taking office in 1959, has won widespread electoral support through the momentum of the economic development it has engendered in the State. In the light of its success in this respect it is understandable that it took the stand that it did on the Barracks Archway. It forgot, temporarily, that there are other criteria for social progress.

But, unquestionably, it has become the arch of triumph—the triumph being the ordinary citizen against the authoritarian urges of planners, officials and politicians, who for the time being had fallen under their spell. I am pleased to say that I believe we have moved on. In fact, if we look in the heritage register today, run by the State Heritage Office, it rates the Barracks favourably. Of course, it is listed on the heritage register. It describes it as a major landmark.

I also took the liberty of going to TripAdvisor and found a few comments on the arch. One from a visitor from Kuala Lumpur states —

I stumbled upon this arch during my walk from the Kings Park and was surprised to see a unique historical structure in the middle of town. Unfortunately I only learnt of its history much later as I was not sure whether we could enter that building. Its good that government preserves it.

Similarly, a tourist from Melbourne said —

Fine piece of preserved architecture

The Barracks Arch sits near to the freeway which almost lead to its demise.

[Member's time extended.]

Ms M.M. QUIRK: It continues —

It is a fine structure which has been preserved for future generations to admire.

Extract from Hansard

[ASSEMBLY — Tuesday, 8 May 2018]

p2174b-2204a

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

I should not hopefully need the extension. I want to say that heritage gives us not only a sense of place but also our own identity, without having to slavishly copy other places. What makes Perth different? What makes us stand out and encourages others to visit? It is absurd that while we are demolishing buildings like the Michelides tobacco factory in Northbridge we then have to have a public debate, led by Lord Mayor Scaffidi, as to what sort of symbol we should erect to represent Perth. I want to mention the Michelides building. It is a rare example of Art Deco architecture. It is also important to recall our migration heritage. In fact, I went to a similar building that has been beautifully preserved in Surabaya. I was very sad when the Michelides building was demolished. It is an absolute disgrace there was not more of an outcry.

As an aside, talking about sense of place, I am always reminded of when Robert De Niro visited Perth to open the Nobu restaurant. He was asked the standard question that celebrities are always asked—what he thought of our fair city. He replied that it reminded him of Los Angeles. Many locals were chuffed about that, but on closer analysis I believe it was a backhander. After all, although most of his work is in Los Angeles, Robert De Niro chooses to live in New York. Secondly, Los Angeles is a city that is dominated by freeways and traffic, so I think if that is our identity, we need to do something about it.

Leaving aesthetics aside, there are sound economic reasons why, as part of encouraging tourism, we should foster our heritage assets. I want to quote briefly from a book called *Heritage Tourism* by Dallen J. Timothy and Stephen W. Boyd. A chapter headed “Heritage is good economics” states, in part —

In places where tourism is dominated by heritage attractions, the economic impact can be very profound. As heritage tourism has grown, destinations have begun to realise the potential value it has for local and national economies in terms of job creation, increased tax bases, more regional income and stimulating local entrepreneurial activity. Very often, therefore, economics forms the basis for conserving heritage. Several historic cities in Central and Eastern Europe have recently begun to realise the potential of developing urban-based heritage tourism as a means of economic development.

It is trite to say it, but we must remember that investing in heritage is a very sound investment in improving tourism attractions.

There are two other issues I want to conclude with. The first relates to the new Western Australian Museum, the opening of which I am very much looking forward to. Members may not be aware that Sir J.W. Hackett, the founder of the University of Western Australia, brought to Perth with him some casts of the Acropolis marbles—or, as they are known by the British, the Elgin Marbles. Members will know that the Acropolis Marbles were taken from Greece and are now in the British Museum. There has been very hot debate for many years as to whether those marbles should be returned to their rightful home in Greece. I am told that the moulds Hackett brought with him to Perth, which were displayed in the old museum, are some of the finest that have been produced and are of a very high quality. I am very hopeful that those marbles will be given greater prominence and pride of place in the new museum. They are historically very significant. I am also hopeful that, in due course, the Marbles will be returned to Greece by the British Museum.

Finally, I want to make a brief remark on Aboriginal heritage. We cannot talk about heritage without talking about our very important Aboriginal heritage. Even if traditional sites have gone, it is important that there is at least some acknowledgement of them by way of signposts or by the renaming of certain sites. For example, many years ago I suggested to the then Minister for Transport Hon Alannah MacTiernan that the northern suburbs train line virtually coincided with the route that Yellagonga and his people took when following sources of water from near the site of the present-day city to what is now Joondalup. They would camp at Lake Monger, Lake Goollelal, and finally at Lake Joondalup. Yellagonga was of the Mooro people. It seems to me that it would be a great gesture if we were to put up signs at the various stations along the northern suburbs railway line to explain the former activities of Yellagonga and his people on the same route. I think that is something we can acknowledge. To get back to tourism, many European tourists are really anxious to know about Aboriginal heritage. I was very disappointed when the promised Aboriginal heritage museum at Elizabeth Quay was abandoned by the previous government.

Finally, I will not sing this, as the Minister for Heritage would, but those of us of a certain vintage will remember the original song by Joni Mitchell; some who are younger will recall the Counting Crows’ cover version. I refer to the song *Big Yellow Taxi*. I think it sums up why we must fight for heritage and why we must preserve it at all costs —

They paved paradise and put up a parking lot
With a pink hotel, a boutique and a swinging hot spot
Don't it always seem to go

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

That you don't know what you've got til it's gone
They paved paradise and put up a parking lot

They took all the trees and put 'em in a tree museum
And they charged the people a dollar and a half to see 'em
Don't it always seem to go
That you don't know what you've got til it's gone
They paved paradise and put up a parking lot

MR V.A. CATANIA (North West Central) [10.16 pm]: I do not have a prepared speech like the member for Girrawheen, but that was a very good speech. I am not going to sing any of the verses she just spoke about!

I will make this brief because it is late at night and everyone wants to go home, so I will make just a few comments about the Heritage Bill 2017. This bill recognises that heritage in Western Australia needs to be protected and I am all for that. It is all very well introducing a bill that protects our built heritage, but I just hope the government adheres to its own legislation when it comes to government buildings. Something that was highlighted by the member for Roe is jetties—One Mile Jetty in Carnarvon, the tanker jetty in Esperance and the Busselton Jetty. These three remaining wooden jetties in Western Australia need to be protected. The tanker jetty in Esperance is falling to bits because it is an asset that has not been looked after. One Mile Jetty in Carnarvon is currently closed because of the failure of governments—both this government and previous governments—to invest in this infrastructure and to keep our heritage. One Mile Jetty was built in 1898 and it is something that needs to be kept for its heritage; it was there for shipping and the import of goods and services for Western Australia. It was one of the largest ports in Western Australia at one point in time. It is important that we protect the heritage of One Mile Jetty. It is a government asset, owned by the Department of Transport, so I would like to see it protected under this legislation. When I say “protected”, the government needs to come up with the necessary funds to ensure that One Mile Jetty is fixed and reopened to bring tourism dollars to the community and for the fun and enjoyment of being able to use it to go fishing. We also need to get the railway line running again from the centre of town out to One Mile Jetty. I ask the minister to not allow the state government to let our heritage assets fall into a state of disrepair, as One Mile Jetty and the tanker Jetty have, under this legislation that the government wants to impose on local governments.

It is great to see that the old Cue post office has been restored and is now a community resource centre. The member for Geraldton spoke about the amount of royalties for regions funding that has gone into heritage buildings in many of our smaller towns, such as Cue. I know the Minister for Heritage gave an award to the Shire of Cue for doing up the post office, which had royalties for regions money in it. It could not have been done without that funding source. However, the funds that were given to the Shire of Cue to make the resource centre viable and allow it to operate as a visitor centre were recently taken away. The Shire of Cue was able to restore a fantastic heritage building under royalties for regions and Lotterywest. The minister gave the shire an award and when the community resource centre went in, everyone said, “Yay, this is fantastic.” However, the government is now taking away the funds to operate the community resource centre. My point is that it is a fantastic building. The Shire of Cue has done an amazing job to restore the old post office. Infrastructure in Cue, Mount Magnet and Meekatharra is going to be a burden on local governments because they have buildings that come under this legislation which they cannot let sit and become derelict. I do not know how smaller councils will afford to do this unless there is a grants system, similar to royalties for regions, which provides grants to local governments to restore fantastic old buildings. That is not there anymore. I would like to know how the Minister for Heritage is going to assist local government to fix these terrific heritage buildings, because no funds are available. The government has taken away royalties for regions. It was there over the last eight years to assist local governments to restore their heritage buildings, including the Cue post office, for which the minister gave the council an award, which has a community resource centre, the funding of which the government has now taken away.

I hope that the state government follows suit. We will move an amendment during the consideration in detail stage to include the three jetties. I have tried to get the parliamentary draftspeople to assist me to draft a private member's bill to protect the three wooden jetties, but unfortunately the government cannot devote any resources to this side of the house for a private member's bill that will protect three jetties that are absolutely critical for our communities. They are absolutely critical for the minister's community because a lot of his grey nomads come up my way. I am sure that they have gone into your office and complained that the government is not giving money for the Carnarvon One Mile Jetty.

Mr J.E. McGrath: Where are the jetties again?

Mr V.A. CATANIA: In Carnarvon, Busselton and Esperance.

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I understand that before the election in November 2016, we commissioned a report to find out the true cost of fixing the One Mile Jetty. Obviously, we are now sitting on this side and the Labor Party is sitting on that side. The report came out a couple of months after the Labor Party came to government. If we had been in government, we would have used royalties for regions money to fix the One Mile Jetty along with the Esperance tanker jetty. The previous government committed \$8 million to the Esperance tanker jetty and \$8 million for the Carnarvon One Mile Jetty. Those figures are about right to restore those jetties. I hope that the government can fix the One Mile Jetty after we already invested \$5 million of royalties for regions money into a heritage building at the start of the jetty, which is going great guns. Unfortunately, the closure of the One Mile Jetty will affect that business, which means that the fantastic new building could become a stranded asset in the future. The business case of that new building is based on the One Mile Jetty being open and collecting funds from people going on the jetty.

I hope that the state government looks after its own heritage assets. I am yet to make up my mind about whether I support this bill. I want to know how local governments will afford to fix some of their heritage buildings given that in my patch, the only funds available in the last eight years were from royalties for regions. The government has taken away the ability of local governments to fix heritage buildings in places such as Cue, Mount Magnet, Meekatharra, Carnarvon and other regional towns. I look forward to the minister supporting our amendment. It will be on the notice paper tomorrow. The minister will have plenty of time to look at it. I hope he can support our amendment—if we are not debating it tonight!—to protect this critical infrastructure owned by the state. Under this legislation the government cannot allow it to go derelict and then knock it down. I am sure it is the government's aim to let it get to a point at which it cannot be fixed. The minister should adhere to the legislation he takes credit for and I look forward to him restoring One Mile Jetty, restoring the Esperance tanker jetty and making sure that local governments right across regional Western Australia are not burdened with this legislation because the government has got rid of royalties for regions.

MS J. FARRER (Kimberley) [10.26 pm]: I would like to throw in my two cents' worth about the Kimberley on behalf of the Kimberley. I would like to support the Heritage Bill 2017, and in doing so I acknowledge this bill before the house replaces the Heritage of Western Australia Act 1990. I also acknowledge that although this bill before the house is related primarily to the built environment, there are elements relevant to the sites and areas of significance to Aboriginal people. I am aware that the Aboriginal Heritage Act is currently under review and that process will be of particular significance and interest to Aboriginal people. However, this bill before the house has importance where there is an overlap of significance and interest to Aboriginal people for sites like the Pinjarra massacre site in the Peel region, places where Aboriginal missions were established and even cemetery sites where Aboriginal or Indigenous people are buried. In 2015, when I was with the Labor Party here in opposition, I brought up a grievance about some of the cemeteries right through the Kimberley that each shire held in significance. I spoke about them in this Parliament and requested that some of these sites be looked at because they are so important. Not only Aboriginal people are buried in some of these cemeteries; a lot of pioneers are also buried in them. One of those is the pioneer cemetery that sits on the banks of the Fitzroy River. I talked in this Parliament about the fact that the bank of the mighty Fitzroy River had been eroded for years by the flooding. At that time I asked the previous government for some support, but it never happened. Now in the Kimberley we face the issue of a lot of the sites of burials that took place over the last century having been eroded and washed away. Bodies and remains have been picked up by people along the river and even kids have stumbled on some of those skeletal remains. I was very sad when I heard that had happened. It fell on the deaf ears of the previous government. That is one of the things I talked about.

I would like to talk about a lot of the cemeteries. In Moola Bulla, where I come from, there is a historical cemetery that was established in 1910. It is now forgotten. A whole mixture of historical people, people who lived there at that time, are buried there, because it was a huge mission.

That is still in neglect. I wrote to the museum back in 1992 and asked if it could help me do something about it. The museum supported what I asked, but a significant amount of money was not allocated to look after that. The old cemetery at the old jetty on the Broome town beach needs a lot of work to be done to it. It is right next to where some land has been eroded by high tides. I think that the Shire of Broome has plans to build a boardwalk from there to Chinatown. They are all sites of significance that we should all make sure are preserved and looked after.

I go back to the old cemetery in the old mining town of Halls Creek, which is a site of historical significance. More than 12 000 miners came to that area in 1888 when gold was first discovered. That was a long time before gold was discovered in Kalgoorlie. That has historical significance in a sense, because it was not just white Australians or Aboriginal people—a number of miners of all different nationalities came there. This is where we talk about how the stolen generation eventuated. A number of miners came in and took Aboriginal women as wives, and the kids were taken off them. It is a very significant history. People are always looking for details of some of their families who came there. When I was with the Shire of Halls Creek back in the 1990s, I had letters written to me

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from people in New Zealand and America who asked if there were any records of some of the miners who came in 1888. I did not know whether there had been any history written regarding some of the men who came there to do mining. There is a very strong historical attachment to that area and also with the Aboriginal people. In Wyndham, there is the Afghan cemetery. Afghans came in the early part of the century and worked with some of the developers. Some of the Afghans who are buried at that cemetery also had the camels that they brought over with them buried with them there. Over the years, numerous people have come through the Kimberley wanting to know where some of their relatives or some of their people were buried, and we could only direct them to this cemetery in Wyndham.

Oombulgurri is a living site of historical significance. A mission was created there by the Church of England. We saw the eviction of the Oombulgurri people in 2011. There is a history there of people who worked in that area—missionaries or whomever, plus Aboriginal people. That is the forgotten cemetery. Nobody wants to talk about Oombulgurri, but it has its history. We need to discuss some of these things. We hear all the time in the Kimberley about kids running amok in this town or that town. Why are we not working towards getting some sort of history put on paper in those shires, so that they have some histories to pass on?

There are some massacre sites. There is one near a place called “Chinaman’s Garden”. In 1888 some of the Chinese miners had a bit of a vegie garden out there, and they were able to sell their vegetables to some of the miners who lived in the old Halls Creek town. Its Aboriginal name is Yarrangka. That is where a lot of our Aboriginal people were massacred. It was so heart-wrenching when we did our native title a few weeks ago for that area. Of course, from the apical ancestors of those families and the descendants, we had a particular person—Mr Bridge, who was a member of this house. He was a state member of Parliament. That is where his family came from and a massacre site there shows where a lot of his family was destroyed.

The ACTING SPEAKER: Sorry, member. Members, if you want to have a conversation, take it outside, please.

Ms J. FARRER: There are sites of significance right around the country. Last year the University of South Australia brought up its anthropologists and the relevant records to the area around Sturt Creek station, where a lot of Aboriginal people were massacred. They are very significant sites of importance to Aboriginal people, but they also have a history that overlaps with non-Aboriginal people. When that museum made that documentary on what had happened, it was a moving time for a lot of our Aboriginal people. The remains of the old hobble chains that were made to capture Aboriginal people and to keep them there can still be seen. Some places there are very significant in the sense that people want to know what happened to their families. I do not know whether we are scared or what it is, but these are some of the things that we in Australia do not talk about. That includes all of us who live here.

I come from the Kimberley, where we have a large number of Aboriginal languages. A diverse range of language groups live there. We are talking about wanting to create jobs in the tourism industry. I think it is very important for us. I was the chair of the Roads 2020 organisation, which was set up back in the 1990s when I was with the shire. We talked about Great Northern Highway, which leads from Perth all the way up to the Kimberley. With other people, I worked on trying to preserve some of our Indigenous languages that come from the Kimberley, where we have a vast number of languages. One of the things that I thought would be a lot more creative and also a benefit for tourism was signage as people enter the Kimberley that reads “This is Karrajarrri land” and then it would tell the story about all the things that eventuated over time. There are diverse languages such as Karrajarrri, Yaru and Bardi. Visitors would then drive through Nyikana country. I must say that this is all important. It is our heritage, but it also acknowledges that the rest of Australia needs to understand. Some of the languages that exist in the Kimberley and are still spoken today are Walmajarri, Bununba, Gooniyandi, Gidja and Jaru. They are alive and strong. We need to acknowledge our heritage, as well as the heritage of this country. That is not to forget some of the more fluid languages that exist in the Great Sandy Desert. I thought I would bring that up because we talk about wanting to create employment. I would say that that is one of the innovative and creative ways of exposing our heritage, the Aboriginal heritage, together with tourism.

I would like to leave that with all of us and look at ways of how we can capture this thing we call “trying to create employment” for our people. I am not talking just about Aboriginal heritage because I know it is under review, but the heritage that exists from the development that took place by non-Aboriginal people working with Aboriginal people right through the Kimberley. Thank you.

MR D.A. TEMPLEMAN (Mandurah — Minister for Heritage) [10.40 pm] — in reply: I thank all the members who contributed to the second reading debate on this important Heritage Bill. As the member for Girrawheen indicated, it has had a very long gestation period, but it is very significant. The Labor Party in government in the early 1990s introduced the first heritage legislation. Now a Labor government is introducing a modern Heritage Bill. We are very proud of that and acknowledge the work of previous heritage ministers and, indeed, the

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consultation process that dates back to 2011. It was an important and very extensive consultative process, which, of course, engaged a range of important stakeholders in the collaboration and ultimate redrafting and now presentation of this bill in its current form to this house.

I acknowledge the member for Carine, the member for Mount Lawley, the member for Thornlie, the member for Kingsley, the member for Mirrabooka, the member for South Perth, the member for Kalamunda, the member for Dawesville, the member for Perth, the member for Roe, the member for Bunbury, the member for Girrawheen, the member for North West Central and the member for Kimberley for their contributions to this important debate. It is very, very pleasing that so many members have contributed to the second reading debate in this place, many of whom have highlighted personal anecdotes and, indeed, examples of local heritage sites and/or buildings and/or areas of cultural significance in their electorates and/or in their regions. I think that underpins the fact that, commencing of course with our very, very rich and, indeed, unique Aboriginal heritage, throughout the state of Western Australia there are various examples of very significant heritage assets. The member for Kimberley highlighted and the member for Girrawheen in her speech outlined the importance of campaigns such as those in the 1960s, which saw the ultimate preservation of the Barracks Arch. They are all good examples of the importance of recognising the role heritage does, can and should play in this state's future.

In their contributions, a number of members highlighted the importance of cultural tourism and cultural heritage tourism to their regions and as a magnificent opportunity for how we sell the state of Western Australia to the world. There are very, very good examples around the world of how heritage is a very key element in how a place's significance and stories behind those heritage assets help to sell the brand of that place to the world, to visitors and to the people who are fortunate enough to live in those neighbourhoods. The member for Perth in his contribution posed the question: imagine what Perth could have been, had we not gone through a period, as we did in the 50s, 60s and earlier, bulldozing some of our most magnificent heritage buildings or buildings of significance that are no longer here? He quite rightly asked us to imagine what Perth could have been if those leaders and legislators at the time had seen then the value of keeping these magnificent buildings for the future. The City of Perth has many examples of heritage buildings that fortunately were kept. They are now very fondly protected and held by Western Australians and Australians as very important examples of heritage assets. Many of them have been repurposed or their use has changed, which creates opportunities. The member for Perth highlighted the importance of reimagining those assets that still exist in the eastern precinct of the City of Perth.

Late last year in the City of Fremantle, I was very pleased to officially list the west end of Fremantle under heritage protection, which is the largest heritage area by size. Again, that process took significant time but it now means the west end of Fremantle is heritage listed into the future. The adaptive reuse opportunities that exist now and into the future can deliver to that part of Fremantle quality outcomes for businesses and people who live in the city et cetera.

We also heard from regional members tonight about the significance of many of our regional towns and communities. In her contribution, the member for Kimberley highlighted the importance for Aboriginal people throughout the Kimberley of numerous sites and places that are very significant for Indigenous people. She highlighted that many of the Indigenous cultural heritage aspects are ultimately covered by provisions in the Aboriginal Heritage Act, which this government is reviewing; it is well overdue. In the Heritage Bill 2017 and in heritage in general, there are examples of sites of specific relevance and importance for Indigenous people overlapping with the colonial influences that came afterwards. As the member for Kimberley and a number of other members highlighted, it is important to ensure that we reflect, in our approach to heritage, on the importance of our first nations people—our first people—and that is part of how we interpret our history and the spirit of how we move forward as a state. I thank the members who represent the regional parts of the community. I hear the pleas from people like the member for Roe and the member for North West Central about structures that are significant to their communities, such as the jetties. I understand the concern and the willingness of the communities to protect those icons because of the history behind them—the social, industrial and economic history. If members have been down to Esperance, they know that the Esperance tanker jetty, for example, has played a very important recreational function for generations of people who have either lived in Esperance or have visited it over many years. I have a number of friends in Esperance who have articulated their concerns to me. I understand that. The member for South Perth highlighted in his contribution the importance of the South Perth regional area in the establishment of the colony of Western Australia, from both its early agricultural significance through to some of the significant activities that were established on the South Perth foreshore.

The member for Thornlie, in his contribution, highlighted the importance of the demolition by neglect component of this bill. He highlighted Maddington Homestead as an example of a building that has fallen into disrepair over time. A very important feature of this bill is the acknowledgement of demolition by neglect as an issue. The bill has a range of features that seek to use both incentives and significant penalties for examples of severe neglect. The member for Kingsley used Duffy House as an example of the early development of the areas in which she

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lives and which she represents. She also highlighted her involvement, in a former professional role, with work to acknowledge and understand the importance of heritage assets such as Duffy House. The member for Mirrabooka highlighted the importance of cultural aspects. She pleaded very eloquently and justifiably for the mural at Mirrabooka, but she also highlighted the other examples in our history of elements that capture important moments in time. She talked about her role in protecting those assets, and creating an understanding in her community and in the wider community that these things are worth arguing for, debating and protecting. I acknowledge the work of the member for Mirrabooka.

The member for Bunbury highlighted the suite of historic assets that exist in the south west region of Western Australia. The member for Dawesville highlighted some of the assets in Mandurah. Unfortunately, Mandurah and Peel do not have as many significant heritage assets as I would like. The number of formally registered assets there are few.

Mr D.J. Kelly: We could heritage list you.

Mr D.A. TEMPLEMAN: We could—you never know. I can see a bust of me on the Mandurah foreshore. I would reluctantly accept that honour, but I would hope it would have more hair than I have now. The Shire of Murray has a magnificent history, but it also has a chequered history in early conflict between Indigenous and non-Indigenous people. For over a century, in the Shire of Murray, there has been debate about the significance and even the labelling of the famous conflict that occurred there over 150 years ago. Some steadfastly still call it the Battle of Pinjarra, but it is now more appropriately referred to as a massacre, and there is a significant site in Pinjarra. I am very pleased that the Shire of Murray is embracing the importance of its Indigenous history and that some very good reconciliatory effort is being put in. That is supported strongly by the member for Murray–Wellington as the new member for that area.

The member for Kalamunda raised a number of important issues. I acknowledge the member for Kalamunda's background and understanding. He mentioned the importance of the town site of Guildford to the history of Western Australia. This was touched on by a couple of other members. The fact of the matter is that Guildford is the oldest intact town site in this state. There are opportunities from both a tourism and heritage perspective to look at how we can better protect the town site of Guildford. I take on board the comments and, in some ways, concerns that were highlighted by the member for Kalamunda and thank him for his contribution. I am sure there will be opportunities to flesh out some of these details during consideration in detail. I am pleased to tell members that we will not be going into consideration in detail this evening. Members know that I am on a roll, but I can see that the member for Moore is keen to put on his socks and his little cap and retire for the evening.

I want to highlight the comments of the member for Geraldton. Geraldton has significant heritage assets. The member highlighted the restoration work on Geraldton cathedral, the convict bridge in Greenough, Geraldton Primary School and the Mission to Seafarers' building, along with the Abrolhos Islands heritage assets. That underpins and is part of how we sell the midwest and Geraldton to the rest of the world and to intrastate and interstate visitors. Heritage is a key aspect of how we sell that magnificent part of Western Australia. I know that the member for Geraldton is committed to continuing to do that.

I will wrap this up by highlighting some of the key parts of this bill. The bill repeals the Heritage of Western Australia Act 1990. That was a Labor government act. The bill overhauls our approach to heritage legislation by bringing in aspects such as demolition by neglect; ensuring greater protection for state registered places by allowing a mix of incentives; and maintaining the penalty for deliberate destruction at \$1 million. Regulations will be developed to enable the Heritage Council of Western Australia to prepare guidelines to help state agencies identify and manage more than one-third of the 1 300 places entered on the state Register of Heritage Places. The bill removes the current two-step interim listing process and then full listing registration process to make it more streamlined and timely. The need for that was highlighted by a number of members in their contributions this evening and previously when this bill was debated. The bill provides greater certainty with time limits for the assessment process, which again will streamline those processes. This was in response to stakeholder input from the National Trust and other agencies. The bill provides for the adoption of nationally recognised criteria for the assessment of heritage places under the Burra charter. The bill also clarifies the definition of "cultural heritage". The member for Kalamunda raised his concern about the integrity of heritage inventories, which of course ultimately become a transition to local heritage surveys. I am happy to canvass this further in consideration in detail. The transitions for local heritage surveys will allow increased flexibility for local governments to include places of cultural significance over and above those of just simply buildings. A degree of flexibility will be allowed for this transition. Yes, it does place renewed onus on local governments to understand the importance of heritage places to their local areas. It disturbs me that some councils, particularly big councils in the metropolitan area, do not have, for example, heritage officers as part of their municipal team, because that is important and it is, in my view, a demonstration of the value local governments put on the heritage in their area.

Mrs Jessica Stojkovski; Ms Janine Freeman; Mr John McGrath; Mr Matthew Hughes; Mr Zak Kirkup; Mr John Carey; Mr Peter Rundle; Mr Donald Punch; Mr Ian Blayney; Ms Margaret Quirk; Mr Vincent Catania; Ms Josie Farrer; Mr David Templeman

Another aspect again highlighted by the member for Kalamunda is that this bill seeks to look at a skills-based membership of the Heritage Council. There is clarification of its role and functions. Of course, integral to that are the people we appoint to it. I take on board the comments of the member for Kalamunda and others.

This bill has received quite a lot of attention in this place. The scope of the contributions have been varied. Many members have focused on sites within their particular electorates and/or areas. All members, I am very pleased to say, have made contributions that have reflected on the importance of heritage to local communities' identities and to the cultural significance of the area, both Indigenous and non-Indigenous; the importance of enabling opportunities for investing in and recognising the value of heritage assets; and, indeed, the value in providing renewal, be that through adaptive reuse or readaptation of use and the benefits of that for business and economic viability and activity, and in improving the capacity of tourism to play a greater role.

The member for Roe highlighted a couple of examples in his electorate in Katanning. I look forward to looking at that mill, which of course has been converted into a Dôme restaurant and accommodation. There are many examples of adaptive reuse that repurpose buildings that may indeed have slipped into decline or ultimately would have ended up being derelict. That is a sign of the maturation of people's views on heritage. There was a time when heritage was seen as simply an impediment and a no-go zone. "Whatever you do, do not touch it," was the approach. That is no longer the case. There are so many people, local governments, individuals and business people who see the opportunity that heritage can create or present in so many ways, as the member for Perth highlighted, to create places and spaces that are inspiring, activated, and are interesting to visit, live in and be part of. That is what this bill seeks to do. It is modernising a piece of legislation that was proudly introduced by a previous Labor government, utilising the skills and attributes of those people who are stakeholders and have the capacity to contribute and ultimately tell the stories of Western Australia. That is what this bill is about—telling the stories of Western Australia through our Indigenous cultural history and indeed our built environment post-colonisation and onwards.

Thank you very much to all members for their contributions. I look forward to consideration in detail. I hope it will not go for too long, but there are some questions that have their gestation from me when I asked them when I was in opposition. I am sure they will be repeated and asked of me, but that does not matter because I assure members that I have very good answers prepared. Members should not worry about that! Thanks to all members who contributed, and I look forward to consideration in detail.

Question put and passed.

Bill read a second time.

Leave denied to proceed forthwith to third reading.