



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2023

LEGISLATIVE COUNCIL

Thursday, 30 November 2023



# Legislative Council

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

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

*Inquiry into support for children and young people who have been directly or indirectly exposed to trauma associated with migration to Australia due to humanitarian crises — Terms of Reference — Statement by President*

THE PRESIDENT (Hon Alanna Clohesy) [10.01 am]: I have some correspondence —

Dear President

### Joint Standing Committee on the Commissioner for Children and Young People inquiry

The Joint Standing Committee on the Commissioner for Children and Young People has resolved to inquire into **support for children and young people who have been directly or indirectly exposed to trauma associated with migration to Australia due to humanitarian crises.**

*The inquiry will consider:*

1. *The prevalence of 'migration-related trauma' among children and young people in WA.*
2. *Existing resources designed to provide support for this cohort of children and young people.*
3. *Potential adverse impacts of any inability to access support resources.*
4. *Models and strategies the State Government could consider to mitigate the risk of adverse impacts of migration-related trauma in children and young people.*

It is signed by Mrs R.M.J. Clarke, MLA, the chair of the committee.

## PERTH CULTURAL CENTRE PRECINCT — WETLAND

*Petition*

HON DR BRAD PETTITT (South Metropolitan) [10.03 am]: I present a petition containing 328 signatures couched in the following terms —

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

We the undersigned oppose the destruction of the wetland at the Perth Cultural Centre.

Situated in the heart of Boorloo (Perth) on the lands of the Wadjuk Noongar people, the small wetland is the last cultural reminder of the original landscape in the precinct, and a contributor to the biodiversity of the local ecosystem, holding numerous species of plants, birds, amphibians and insects. Together with the Urban Orchard, it provides a wonderful living education resource on sustainability, which has been used by thousands of children and adults.

It is also a performance space, a political space for rallies, adding to our great democracy, and plays a significant role in reducing stress and improving the mental health of visitors and workers.

It is a place of beauty, wonder, enchantment, education, biodiversity, history, and culture that adds to the area immensely, framing the art gallery with living art, reducing the heat island effect, and reducing the carbon and biodiversity footprint of the area. We therefore ask the Legislative Council to support its preservation rather than its destruction.

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

[See paper 2883.]

## PAPERS TABLED

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

## STANDING COMMITTEE ON PUBLIC ADMINISTRATION

*Fortieth Report — Terms of reference: Inquiry into innovation in Western Australia — Tabling*

HON PIERRE YANG (North Metropolitan — Parliamentary Secretary) [10.06 am]: I am directed to present the fortieth report of the Standing Committee on Public Administration, *Terms of reference: Inquiry into innovation in Western Australia.*

[See paper [2884](#).]

**Hon PIERRE YANG:** The report I have just tabled advises the house that on 29 November 2023, the Standing Committee on Public Administration resolved to establish an inquiry into innovation in Western Australia and that the committee will consider the current state of the innovation ecosystem; the role of the Western Australian government in supporting entrepreneurship, start-ups and small and medium-sized enterprises; and any other matters that the committee considers relevant.

I commend the report to the house.

### JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

*Eleventh Report — What happens next? Beyond a finding of serious misconduct: Examining the responses to a finding of serious misconduct and building integrity in public agencies — Tabling*

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [10.07 am]: I am directed to present the eleventh report of the Joint Standing Committee on the Corruption and Crime Commission, *What happens next? Beyond a finding of serious misconduct: Examining the responses to a finding of serious misconduct and building integrity in public agencies*.

[See paper [2885](#).]

**Hon Dr STEVE THOMAS:** The committee's eleventh report, *What happens next? Beyond a finding of serious misconduct*, covers a wide range of matters relevant to what happens after a public officer is found to have engaged in serious misconduct. The committee makes 49 findings and 34 recommendations. A few recommendations are relevant to the reform of the Corruption, Crime and Misconduct Act 2003 and the Local Government Act 1995.

What happens after a public officer is found to have engaged in serious misconduct is largely unknown. The committee examined sanctions and other outcomes that public agencies impose on public officers, whether lessons are being learnt from misconduct events and whether appropriate action is being taken to prevent misconduct and build integrity at public agencies. The report reveals the sanctions and outcomes imposed and recommends that the Corruption and Crime Commission's oversight of serious misconduct be strengthened by requiring more detail in agency closure reports. This is important given that a local management or improvement action, which includes verbal guidance, is commonly imposed for serious misconduct. The committee recommends greater transparency and that the CCC publish its records of outcomes and prosecutions arising from its investigations. The committee also recommends measures to enhance the prospects of a successful prosecution, that the government direct agencies to recover financial loss arising from serious misconduct whenever feasible and possible, and that the Public Sector Commissioner clarify and strengthen her advice to agencies about making voluntary severance payments when there is an allegation of serious misconduct.

It may surprise members to know that the CCC does not have a clear misconduct prevention and education function for all public agencies, as it does for police. Plainly, it is in the public interest for the CCC to have this function for agencies, as is the case in other jurisdictions. The committee recommends that, as a standard practice and wherever possible, the CCC reports tabled in Parliament formally recommend agency action to minimise misconduct risks when the CCC identifies misconduct risks at the agency. The agency's response noting action taken, or not, could then be published, providing transparency and accountability. This happens in other jurisdictions.

The committee also recommends that the government establish a centralised public employment register that records public officers who have been dismissed on the grounds of misconduct or have resigned during an investigation. This is the best way to avoid a recycling of names that causes the CCC to say, in its words, "we've seen that one before".

A few recommendations build on the good work of the Public Sector Commission and Office of the Auditor General in recent years to build integrity at public agencies. To promote improvement, we recommend that agencies complete the PSC's Integrity Framework Maturity Self Assessment Tool annually, and that the remit of the Auditor General's forensic audit unit be expanded to include local government.

The committee also recommends laws to stop local governments entering into termination or resignation agreements with confidentiality clauses and/or payments above entitlements if the CEO or employee is the subject of a serious misconduct allegation or finding. Communities deserve better. We also recommend that legislation provide the proposed local government inspector and monitors with robust powers to intervene and proactively work with local governments to achieve better misconduct outcomes.

I thank my fellow committee members Matthew Hughes, MLA, who is the chair; Hon Mia Davies, MLA—previous to her appointment, Shane Love, MLA—and Hon Klara Andric, MLC.

This is a very important report. People very rarely understand what happens following a finding and the consequences for the people of the community and the government. This has been an excellent investigation. I commend the committee and the staff members involved in it. This report will make good reading for everybody over Christmas if they are interested in the integrity of the government going forward.

**BUSINESS OF THE HOUSE — SITTING HOURS***Standing Orders Suspension — Motion*

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [10.11 am] — without notice: I move —

That so much of standing orders be suspended so as to enable the Council to sit beyond 5.20 pm on this day's sitting and take members' statements at a time ordered by the house.

By way of explanation, this reflects an understanding behind the chair that we will finish the Planning and Development Amendment Bill 2023 we are dealing with through to the completion of third reading before we finish orders of the day at 5.20 pm, but in the event that we need a little bit more time we will have that capacity. I am sure everyone is looking forward to us finishing the third reading by 5.20 pm today so we can then do our Christmas speeches and then have a drink with the media. That is the intention of the motion.

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [10.12 am]: I confirm that this is the result of conversations behind the chair, noting that with the goodwill of the house we will achieve our aims, but just in case we need a little bit of extra time, rather than come back next week, I think we are determined that we will finish the bill today.

Question put and passed with an absolute majority.

**BUSINESS OF THE HOUSE — PRIVATE MEMBERS' BUSINESS***Motion*

On motion without notice by **Hon Sue Ellery (Leader of the House)**, resolved —

That, pursuant to standing order 112(4), the schedule for private members' business tabled by the President be adopted.

**BUSINESS OF THE HOUSE — NON-GOVERNMENT BUSINESS***Motion*

On motion without notice by **Hon Sue Ellery (Leader of the House)**, resolved —

That, pursuant to standing order 111(4), the schedule for non-government business tabled by the President be adopted.

**QUALITY OF LIFE — WESTERN AUSTRALIANS***Motion*

**HON PETER COLLIER (North Metropolitan)** [10.14 am] — without notice: I move —

That this house expresses its concern that the quality of life for many Western Australians has deteriorated as a direct result of the policies of almost seven years of Labor government.

I move this motion intentionally because it is the last day of parliamentary sittings for the seventh year of the Labor government and, particularly, the third year of the second term of the Labor government, so it is three-quarter time in real terms, and it is only appropriate that the house looks at and reflects upon the performance of a government. In anyone's language it is only appropriate. In political and real terms we are basically back to normal. Although COVID is still there, essentially, the restrictions, the closed borders, that existed for the two years from 2020 to 2021 have lifted and now the political landscape is back to where it was. It is hard to reflect back prior to COVID and remember that the political landscape going into COVID was dramatically different from what it is now. There was the Darling Range by-election 18 months prior, with a 9.4 per cent swing to the Liberal Party, the federal Liberal-National government had been re-elected unexpectedly and our polling showed that the Liberal Party was going to pick up six to eight seats in February 2020. That all changed, of course, with COVID. COVID completely changed the landscape so all political oxygen was taken out of the air. Mark McGowan was canonised in the eyes of the community. It was almost like Stockholm syndrome in Western Australia with people fawning over their captor. He was elevated to a status that had been unseen in political terms. In addition, COVID meant that all oxygen was gone—issues such as cost of living, health, education and law and order evaporated because all people wanted to hear was the Premier and members of the government commenting and letting them know that they were safe. Now, of course, that has changed significantly. The dark clouds of COVID have gone, former Premier Mark McGowan has gone and people are focusing yet again on quality-of-life issues such as: Can they pay their mortgage? Do they have to wait in line for an operation? Do they get a quality education? Do they feel safe in their homes? All of these issues impact directly on Western Australians, and it is only appropriate that the Parliament, as we go into the election year, assesses the performance of the government.

I would like to spend a little bit of time on my two primary portfolio areas: law and order, under police, and juvenile justice, with corrective services. I hope when we get a response from the representing minister that we do not spend an exorbitant amount of time talking about the Barnett government, which has happened during the last seven years. This infatuation with the Barnett government has to stop, guys, with all due respect. I am flattered that the Labor government after seven years continues to be focused on, and almost obsessed with, the Barnett government, but

the Labor Party has been in government for seven years, and it is directly responsible for the policies that exist now. A lot of people are hurting out there now. The winds have completely changed—I promise you! People are starting to focus on things that are important to them, and they are willing to change their votes again. They will not vote for a party, or a man in particular because he closed the borders. Just ask Prime Minister Anthony Albanese how he feels about whether the winds of politics have changed. There has been a massive shift in political fortunes in such a short time, and that will only get worse in the next 12 months. As I said, there has been arrogance from the members opposite. In question time, in answer to every second question, we have this almost galling obsession with the previous government, which just shows the current government has lost sight of the process and is still focused on the past.

Turning to law and order, we hear from the Minister for Police quite consistently how wonderful things are and how crime has gone down. We hear this consistently. I tell members that in real terms there is an element of truth in that because during COVID crime went down. Go figure—people were stuck at home. They were stuck in their houses and as a direct result stealing, in particular, went down, and drug-related issues went down considerably because there was no access into Western Australia. But let us have a look at whether crime has gone down in real terms and Western Australians are better off now after seven years of Labor rule than they were. I direct members to the Western Australia Police Force website. This is not the gospel according to Pete; go and have a look at the WAPOL website. There is a litany of figures there to show that crime is, in fact, out of control in Western Australia. Across the state, over the last two years, there has been an increase in selected crimes against the person of 12.5 per cent. Family related offences—that is, domestic violence—is up by 40 per cent over that period of time. That is on the back of a reduction in the number of dedicated police officers to the family and domestic violence unit. In addition, total selected offences against the person are up by 9.2 per cent. Then, of course, we can look at the drug offences—down by 8.4 per cent—but that, as I said, is a direct result of COVID. Members should desperately look at the figures. In the metropolitan area, for example, the number of offences over the last two years has gone from 172 045 to 199 030. In the regions, the figure is even worse: it has gone from 58 000 to 74 000. Go and have a look at the figures for Geraldton, Broome, Kalgoorlie, Bunbury, Albany, Karratha, Onslow and Northam. The figures for every one of them have increased significantly. Members should ask people whether they are better off now, in their homes or businesses, than they were seven years ago. Ask the people of Hillarys, Warwick, Armadale, Bentley, Wembley or Hamilton Hill whether they are better off now than they were seven years ago and they will say no. That is just a few; there are dozens and dozens of them.

This comes at a time when 473 police officers have resigned. According to the Minister for Police, that is entirely attributable to the economy. Rubbish! Go and talk to police officers. Another 300 have resigned so far this year. Go and talk to police officers; I do it on a daily basis, and trust me, they talk to me, in increasing numbers. It has gone from a trickle to a tsunami. There is so much disillusionment out there, but we yet again hear that it is as a direct result of other opportunities. That is just garbage. In terms of law and order, ask people whether they are better off now than they were seven years ago. Ask them that. Point to those crime figures. I point all members to the WAPOL website, and ask them to come back and prove me wrong. They will not be able to.

Juvenile justice is a massive sore for this government. What we saw in today's announcement would quite frankly have been laughable were it not so serious. Are we better off? Are the juveniles who go into the justice system now better off and more resilient, with enhanced self-esteem? Is the community safer as a direct result of the juvenile justice policies of this government? Absolutely and utterly: no. Banksia Hill Detention Centre is the only juvenile justice detention centre in Western Australia, and it is a rehabilitation facility, I might add, not a punitive facility.

I refer to the annual report on the Banksia Hill website and witnesses at estimates hearings. Things have completely deteriorated as a direct result of the policies of this government over the last year. There have been multiple incidents and riots; staffing issues; constant lockdowns; multiple issues of self-harm and suicide attempts; and hundreds upon hundreds of cases of attempted self-harm at Banksia Hill Detention Centre and unit 18, and I will talk about that in a moment. One in four detainees at Banksia Hill Detention Centre go straight from Banksia Hill to an adult prison.

Are we a safer community as a direct result of the policies of this government in juvenile justice? Absolutely not. It is doing it wrong. Ask the Inspector of Custodial Services, the former Inspector of Custodial Services, the President of the Children's Court, the former President of the Children's Court, the Commissioner for Children and Young People and Professor Fiona Stanley. Of course, the government's response is to ignore all those experts in the field of juvenile justice and to label detainees as terrorists, rapists and murderers. That is what the former Premier and former Minister for Corrective Services did, because they knew it was politically palatable out there; it was a vote-winner. By doing that, most people out there are going to agree with the government, but is it resolving the issues? Is it actually transitioning those juveniles from being disengaged, disaffected angry young men and women and rehabilitating them so that when they come out, they can make a productive contribution to society? No. It is making them angrier and more determined to live a lawless life, which is such a shame.

I have been very consistent in my views on this. I have made comments about the fact that the government's policies with Banksia Hill have not worked. I have made those comments on numerous occasions, particularly in January 2022. I am absolutely bemused that the minister in recent times has been saying that I said in January 2022

that I wanted to close Banksia Hill. Wrong, minister, wrong. Talk about licence; that is an abject lie. I have, on no occasion, said “Close Banksia Hill”; not once. I have always said that things were not working at Banksia Hill, and every single juvenile justice advocate agrees with me—every single one.

Fortunately, there have been some improvements at Banksia Hill; it is still not enough, but there have been some improvements. But it has been made worse by the establishment of unit 18. There was an announcement last year about the Marlamanu diversionary program in the Kimberley. I thought, “That’s promising. Rather than taking these Aboriginal juveniles off country and booting them down into the city into a tiny little cell for 22 hours a day, let’s have a diversionary facility in the Kimberley.” That was announced in May 2022 and was due to be completed in June 2023. Guess what? It has not even started. I have asked numerous questions on this and I know Hon Dr Brad Pettitt has also. It has not even started. The people in the Kimberley are pulling their hair out. This is bleedingly obvious: if you really want to make a difference to the lives of these young Aboriginal men and women, have a diversionary program and do something productive. It has not even started.

However, the ultimate stain on the record of this government—it transcends all areas and portfolios—is unit 18. It is an absolute disgrace and it should never, ever have been opened. After one of the riots at Banksia Hill, the former minister took film crews in there to show them all the damage that was done. He had all the nodding heads out there in the community: “Isn’t this terrible? You know what we’re going to do? We’re going to lock them up now. We’re going to take them over to Casuarina Prison, put them in unit 18, put them in those cells for up to 22 or 23 hours a day, and make them better citizens.” Of course not.

I have never, ever once condoned the behaviour of lawless juveniles. There must be a degree of punitive action, but it must also be rehabilitative. As a former educator, you will not find anyone in the space of disengaged youth who disagrees with me. Having said that, the government said when establishing unit 18 in July 2022 that it was a temporary facility. It made it quite clear in its media releases and in its rhetoric that it was a temporary facility. I was willing to grant the government that because, quite frankly, the government’s record at that stage was appalling. It reached a pinnacle when we saw the image of a young 16-year-old girl on the roof of Banksia Hill with a gun to her head. That gained international condemnation, not just for the WA Labor Party but for Western Australia. To see that image of that young 16-year-old girl with a gun to her head was absolutely disgraceful. As I have said before, if members honestly think that that made that young girl’s life better, they are dreaming; it did not. It made her life worse, and the lives of those around her. But the government wanted the throw-away-the-key mentality. It thought, “Yes, that’s going to work; it’s going to show that we’re tough on these thugs, we’re tough on these young juveniles”, knowing full well that a lot of the community out there would agree. But if we just explained the situation and asked, “Do we actually really want them to be better individuals and therefore make a better society?”, perhaps they would not agree.

Again, multiple questions asked by Hon Dr Brad Pettitt and me have shown the despair in this horrific unit. There have been constant lockdowns, folding-up restraints, self-harm and suicide attempts. It was just appalling. Every time the former Premier opened his mouth, he would say, “No, they’re terrorists, they’re rapists, they’re murderers”—constantly. It was not working, and it is not going to work. That attitude is not going to work. One of the first things Premier Cook said when he was elevated to the position of Premier was that he wanted a change in attitude at Banksia Hill Detention Centre and at unit 18. The new minister supported those comments. That happened on the back of the appointment of Tim Marney to implement a new model of care program at Banksia Hill, so I actually had a semblance of hope. As a former educator, my genuine desire is to see change and to make those kids better kids, and there were promising signs. Unfortunately, it has amounted to absolute nought. There has been some shift in programs and culture at Banksia Hill, but unit 18 remains an absolute stain on the record of the Labor government and on Western Australia. We now have a situation in which we put those young men—they are all young men, 49 of them—into a cell for 20, 21, 22 or 23 hours a day. I asked recently whether any had been in the cells for 24 hours. Imagine being in a cell for 24 hours? They could not answer. We will get that response in due course. I find it extraordinary that they could not answer that. If they were in a cell for 24 hours, that would make the matter even worse—absolutely worse.

The rhetoric of the new minister changed to a degree. It changed from “terrorist” to “challenging”, “complex” and “often dangerous”. Challenging, complex and very often dangerous just rolls off the tongue each time. We get that; we know that. Putting them into a cell for 22 or 23 hours will not make them any less challenging, complex and sometimes very dangerous. What does he think: that putting them into a cell for 23 hours a day will make them any less complex or dangerous? It was inevitable.

I did numerous press conferences and said that, unfortunately, one day, someone was going to die as a result of those policies. Unfortunately, I was proven right. I hate being right in this instance; I hate it. Cleveland Dodd lost his life as a direct result of being locked in a cell at unit 18. That young man lost his life. He was the very first juvenile to lose his life in a juvenile detention centre in Western Australia. That we can allow that is such a shocking indictment of where we are at as a society. We not only put a gun to the head of a 16-year-old girl but also put young, vulnerable, complex—yes, complex—disengaged young men into a cell, say, “Deal with your demons”, and then ignore them. Of course, as a result, it is the topic of numerous investigations, including a Corruption and Crime Commission investigation, to see what happened on that night.

Having said that, Cleveland, rest in peace. Rest in peace, young man. Unfortunately, his passing, as tragic as it is, will hopefully lead to some change or shift in the mindset of the Labor government. Please, listen. I have been making these speeches for the last two years, and no-one opposite listens. I really wish they would because it is not just me saying this.

What made it worse was that, just when I thought things could not get worse, I saw the Minister for Corrective Services stand in the Legislative Assembly three weeks ago with his makeshift weapons and give stabbing signs. That was the lowest ever point of this Parliament. How on earth did that happen? What political genius suggested to the minister that that was appropriate? Who suggested to him that standing there with those makeshift weapons, purportedly made by the detainees, was appropriate? It was the most disgraceful display, and it will be the low point in that minister's parliamentary career. It was absolutely disgraceful. When the media grilled him about it—he copped it from the media—he said that he was responding to the Liberal and National Parties' call to immediately close unit 18 and house them at Banksia Hill.

No, minister, do not dare associate me with that disgraceful display. I want nothing to do with it. You do not dare associate me. I want nothing to do with that whatsoever. The minister must own that. He made the conscious decision to stand there with the weapons and make the stabbing displays. It is absolutely disgraceful. At the same time, he is making juvenile comments about the opposition about some share house or something or other. I do not know how long his minions in Dumas House spent trying to work that one out. I wish he would spend as much time focusing on his portfolios as he did on making those stupid, juvenile comments. We might have had some change.

Today's announcement is no shift; it is a plan to have a plan. It has taken them 18 months to get to here and nothing has changed. There is still no prospect of unit 18 being closed. More lives will be lost, and dozens of detainees will leave Banksia Hill and unit 18 more angry, frustrated, confused and disengaged than when they went in. The community will be less safe as a direct result of the policies of the WA Labor government.

**HON NEIL THOMSON (Mining and Pastoral)** [10.34 am]: I rise to support the motion. I acknowledge Hon Peter Collier and his comments about law and order and juvenile justice. Before I get into some other matters, I also want to comment on the juvenile diversion centre in the Kimberley. It is a youth diversion facility. Quite frankly, I do not understand why it is taking so long for a decision to be made about that facility. On that issue, we continue to see such high rates of crime and disaffection. Terrible confrontation occurs on an ongoing basis in communities like Broome, Kununurra and right across the north. We all witnessed some of those things in the media recently, with kids as young as eight or nine carrying knives. We have to do something about that. At the end of the day, the government has control of the purse strings and is able to make those investments. It is able to make decisions about what programs can be introduced to resolve some of these basic community safety issues. I endorse Hon Peter Collier's comments, which I think are very profound and should be reflected on over the Christmas period because we absolutely need to do something more.

Before I speak about some other matters, I send a message to the government: please keep an eye on the ball over the Christmas period. I thank the government for the work it did on the Fitzroy Crossing bridge. I put that on the record. Notwithstanding the slow start, the fact that the government delivered that in that amount of time is a credit, and I will give credit where credit is due. I also come back to this point: the government cannot take its eye off the ball in relation to the responses to inevitable emergencies that will arise, such as cyclones, floods and fires, just because there is a Christmas break and everyone goes on holiday. The slow response in the first few days had a heavy impact on the Kimberley community. I know that many people were in such a distraught position because it took so long to deploy emergency services on the ground. I do not know the detail of the decisions; an independent inquiry into that was never allowed. The government could have gained many learnings if there had been an independent inquiry into the emergency response. We have to do better. We cannot have our ministers sitting here in Perth running the whole government. There has to be much more focus because we will be confronted with fires, cyclones and emergencies over that period, and we must be ready to deliver.

I comment briefly on the health system. We have a health system that is in chaos and a health system in which seven of the 10 worst performing emergency departments in national public hospitals are in Western Australia. This state has the highest incomes from mining sector royalties and huge economic opportunities that are delivering revenue into Western Australian government coffers. Record taxation revenue is being poured into the Western Australian government coffers, such as stamp duty payments, which I have been making a point about; the state had \$600 million of additional stamp duty from a rise in insurance costs. The government is doing nothing about taking pressure off households that are suffering under the weight of taxation. Meanwhile, the government has record revenues pouring into its coffers. I do not know what the plan is, but we constantly see the government trotting out the latest initiative or a record investment in this or that. Members opposite treat the government revenue like it is their own money. It is not about investment, folks; it is about outcomes. That is what people want.

They want to see outcomes and results. We see that seven out of 10 of the worst performing emergency departments in Australia are in Western Australia. Perth public health hospitals have been forced to declare more than 500 code yellows in the past year. That should not be happening in Western Australia. Sir Charles Gairdner Hospital was impacted the worst, with 144 code yellows in 2021–22, and these results continue. We see the current health



minister Hon Amber-Jade Sanderson's captain's call on the women's and babies' hospital, when clinicians say that it should not move to Murdoch. We see the business cases being ignored. This government is not taking notice of that professional advice and delivering the outcomes that we need. We see that last year, there was 66 000 hours of ambulance ramping, with ambulances stuck at hospitals. Putting aside the clinical problems, millions of dollars of investment is tied up in this, but those ambulances are not on the road or getting out there. The Premier should be honest, because it was the Premier who called it a crisis when there was 1 100 hours of ambulance ramping for a period under the Barnett government, yet there was 10 000 hours of ambulance ramping over the whole of 2017. The Premier should stick to his word, because if that was a crisis, what do we have now? I note the comments of my colleague Hon Peter Collier about the constant reference to the Barnett government. There is something we can reference: the fact there was not only 10 000 hours of ambulance ramping, but 66 000 hours of ambulance ramping, and we are still running around 5 000 hours of ambulance ramping every year.

I do not need to go more into crime other than to mention the terrible increase in domestic and family violence. It is a scourge across our state, particularly in the regions where I live. Even at the moment, in the Kimberley there is 11 times more chance of being assaulted in a family situation than in Perth, an impact that then spills over to our police. The number of assaults on police continues to escalate and is out of control. We must do more because that is driving down morale in the police force. Other important, basic areas in life that people want this government to work on are health, the cost of living, crime and safety, and housing. When this government came to power in February 2017, the average rental for a residential home was \$375 a week. The average rental for a unit was \$340 a week. That has increased 60 per cent. Today, right now, it is \$600 a week.

**Hon Pierre Yang** interjected.

**Hon NEIL THOMSON:** It is \$600 a week.

**Hon Pierre Yang** interjected.

**Hon NEIL THOMSON:** It is \$550 a week for units.

**Hon Pierre Yang** interjected.

**The PRESIDENT:** Order!

**Hon NEIL THOMSON:** Thank you, President. Rentals are now \$600 a week for a home. I know that in places in the north, that figure can be up around \$900 a week. We know that the insurance cost of a home can be about \$200 a week. This is driving people into their cars, onto the streets, and out of our regions. It is a constraint on our economy that creates massive stress and difficulty, particularly for single mothers who cannot afford massive rental costs that continue to escalate. The problem is that this is not going backwards. The government has a responsibility on housing. It is failing, even though it keeps talking about its record investment in building houses. However, there is still 20 per cent fewer public housing homes built each month on average under this government than under the Barnett government. It is not delivering on social housing. There is much more I could say, but this government is failing on every parameter important to the people of Western Australia and it should reflect on that over the coming months.

**HON LOUISE KINGSTON (South West)** [10.44 am]: I thank the previous speakers. I start today by again talking about issues in the timber industry, such as no credible science being used, the widespread effect that has had on communities and the lack of understanding of how those communities work.

I then go to the live sheep export closure and the lack of government support for the sheep producers. I have a report that was commissioned by the North Eastern Wheatbelt Regional Organisation of Councils. The report's background states that NEWROC —

- ... is a voluntary organisation of Councils and includes Presidents and CEOs of seven Local Governments; the Shires of Koorda, Mt Marshall, Mukinbudin, Nungarin, Trayning, Wyalkatchem and Dowerin in Western Australia.

It has been established for over 25 years. The direct effect just on their area from the collapse of this industry is in the tens of millions of dollars. There are 400 000 sheep in that area alone, and 180 local businesses producing a gross value of \$18.7 million. That is just in those areas, so imagine extrapolating that out across Western Australia, and the effect on those people at the moment. They were literally reduced to tears yesterday when telling us about the poor farmers up there and what they are having to do. The effect on schools, the rest of the community, the other businesses associated with that industry cannot be recognised enough.

Then we have the changes to the marine parks and fishing businesses. Every business in Esperance will be affected by this and face closure. Where is the economic assessment again? Where is the economic assessment on either of the other two? Where is the consultation?

Again, we collected nearly 13 000 signatures to extend that consultation on gun reforms and it was not listened to. The housing crisis, which Hon Neil Thomson mentioned, in regional Western Australia is even further compounded. There are issues with the health sector and access to healthcare professionals. The patient assisted travel scheme is the lowest in the country at 16¢ a kilometre. In New South Wales, it is 40¢ a kilometre. In a state as big as ours,

we have to understand the effect on some of those people who live in regional and remote communities accessing healthcare. The Country Age Pension Fuel Card that we introduced has not kept pace with the rise in costs. There are education issues. A review was commissioned by the State School Teachers' Union WA and chaired by Dr Carmen Lawrence, who was WA's education minister in the late 1980s before becoming Premier. The report, *Facing the Facts: A review of public education in Western Australia*, states —

Teacher shortages, excessive workloads and violence in schools are just some of the day-to-day problems, and with the public system educating the majority of WA children, they deserve the very best from a quality education environment.

...

... 6000 teachers had retired or resigned from public schools in the past three years, largely down to workload pressure.

We also know that there is a surge in public service stress claims. The latest data from the Insurance Commission of WA showed that the number of mental stress claims from the public service had risen in the 2023 financial year for a sixth straight year. The number of such claims lodged each year is now up by almost 45 per cent since Labor came into power in 2017. Then we have the cost-of-living increases on top of that. People are out there desperately trying to survive, put food on the table, and keep a roof over their head. It is absolutely unforgivable. I come back to our signature royalties for regions program that has been decimated and is now being spent on things in the city instead of where it was intended to be. I ran a community resource centre for years, as members know. We saw people in those CRCs who cannot navigate a system that has become complex and difficult. It leaves them in a situation in which they come to us because they are desperate. Those CRCs are woefully underfunded. The services that they deliver and the importance to those communities is not recognised adequately. In the years that I was there, the number of people I continued to see grew year on year. The ability to access services became less and less. The ability to assist people to access services became more and more difficult. There was more and more compliance and regulation for us behind the scenes with less ability to deliver those needs to those communities. I think that is what we see across all of those sectors I have mentioned today. In this house we sit here and look at pieces of legislation, but I am not sure it is ever fully understood how difficult it is for those people—who are the majority of people in Western Australia—who are not able to access education services in regional areas in particular. It is the same in the city. I have highlighted that with that report. We need to fix it from the bottom up rather than the top down. We need to understand what people need and how we facilitate that. In the short time that I have been here, I have raised this over and again. I spend time in the electorate talking to people who say they cannot navigate the system. That has to be a failure. It has been far worse since 2017, based on the figures I produced.

We are facing a lot of change in the future in terms of our ability to meet our net 2050 targets. Considerations need to be made in terms of that. How do we facilitate that transition so that the people of Western Australia benefit from the changes and are not impacted negatively by those changes? It is easy to get caught up in the buzz and excitement of it all and we tend to forget that things at that level need to be delivered in a way that takes our most vulnerable and marginalised along for the ride. I concur with what Hon Peter Collier was saying earlier about assistance for people who find themselves in the juvenile justice system. During my time at the community resource centre, I saw many people fail to get services at a time when they needed those services. They need to be able to reach out in a way that is beneficial to them, so they do not feel persecuted or like they are going to be put into a system from which they can never get out. A lot of the children struggle to find a way through once they get into the system. They are, for the most part, kids who have a lot of potential. I remember having a discussion with one of our local police officers and I was talking to him about a program I wanted to put in place. It was a program in which people would be rewarded for good behaviour rather than punished for bad behaviour. He had done some stunts in some difficult places like Halls Creek and Roebourne and places like that. He had a lot of lived experience. He said, "These kids can be turned around easily. All it takes is for somebody to recognise that these kids have a value; they have a value in society." They are clever kids. He said, "If they weren't, they wouldn't be getting into trouble; they would be sitting at home in front of a video game machine just playing video games all day long." He said they want to get better and they need those services. That is where it is lacking in terms of intervention in situations at the time when it makes a positive rather than negative difference. I think we all need to turn our thinking to that. How do we develop those programs in the future so that we take the people who we need to take—the most vulnerable and the most marginalised people—along with us on that journey, rather than leaving them behind?

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [10.54 am]: There is no question that the cost of living is hurting people in Western Australia. There is no question that we are at record low vacancies in rental properties, but why is it, we have to ask ourselves, that people are still flocking to WA? Why are they coming? It is because they want what we have here. They want cheaper houses. It is much cheaper to buy a house here than on the east coast. They want cheaper electricity. They want a cheaper cost of living more generally. According to the Australian Bureau of Statistics, more than 1 000 people a week—1 000 people a week—are moving to Western Australia. If it is so terrible, as has been described to us in the last hour, why are those 1 000 people a week coming to WA? It is because we have it better here than they have where they are. There are better jobs and a better lifestyle; the cost of living is better than where they are now.

I am going to talk about the cost of electricity, for example. The cost of electricity on the east coast has increased in the last year by between 19 and 25 per cent per annum, depending on where people live. That is the price of electricity. No wonder more than 1 000 people per week are moving here. Why do we think there is a significant difference in electricity prices between the east coast and here? I wonder what the difference is between electricity providers on the east coast and electricity providers in Western Australia. I wonder! Could it be because they privatised their electricity services and we did not? Although, there was a government that promised to privatise electricity. Which government was that? Oh, that is right! It was the Barnett government that we are obsessed with! That is who that was. As a consequence of that decision, our electricity prices are lower than any on the east coast. That is part of the reason why more than 1 000 a week—more than 1 000 a week—are moving to live here.

I want to touch on the important announcement made today by the Premier and the Minister for Corrective Services about a purpose-built youth detention facility to replace unit 18. That is a very significant announcement and I would have thought we could have had a little bit of grace from the other side, which has been calling for this. I know there was not any. I heard; I listened carefully. I know there was no grace. It was a very important announcement and a very important decision to build a new high-security, therapeutic youth detention facility to accommodate some of our most challenging youth offenders. The youth justice infrastructure review confirmed that Banksia Hill Detention Centre cannot safely and securely accommodate that very high-risk cohort, so they recommended a new centre be built adjacent to the existing facility, providing those young people with the level of monitoring, supervision and support that they need to stabilise their behaviour and return to Banksia Hill. There has been a significant difference, for example, in access to very important things that others have called for in respect of time out of cell and access to education since those young people in unit 18 have been moved out of Banksia Hill. Those who are in Banksia Hill have had much greater access to education and time out of cell, for example, since those most challenging have been moved out of unit 18.

I want to touch on a number of other things as well, because it is the case, even though we have 1 000 people a week moving here, that the cost of living is a serious issue for very many Western Australians. That is why we have included \$715 million worth of cost-of-living relief measures in the 2023–24 budget. The household electricity credits have made a significant difference to very many Western Australians, and, indeed, to small businesses, as well. We were able to do that because of not only our strong economy and management of our finances, but also assistance from the federal government. In the past five years, we have spent more than \$2.8 billion on delivering cost-of-living support to Western Australians, including increases to the senior's cost-of-living rebate; the hardship utility grant scheme payments; the fare-free Sunday sessions, with public transport being free for the first Sunday of every month; the very important and highly utilised regional airfare zone cap scheme to support affordable flights for regional residents, for which there was an additional \$20 million in this year's budget; and keeping fees and charges low, with the household basket of fees and charges to increase by just 2.4 per cent from 1 July this year. It is the fourth consecutive year that rises in the household basket of fees and charges have been kept to below inflation. Did the Barnett government that we are so obsessed with manage to do anything like that? No, it did not. It means that the rises are well below the projected inflation rate of 3.5 per cent, compared with up to 25 per cent, for example, in Sydney. In addition, we have the two-zone fare cap on Transperth public transport, which started in 2022.

Those are very important measures, and we have recently announced more, including, for example, \$20 million in rent relief for those at risk of eviction if they cannot afford their rent. I think it is worth noting that the Victorian government has allocated \$2 million to rent relief. How much has this state government allocated? We have allocated \$20 million. I think that is worth noting, as well.

A whole range of things were raised, and I am not going to be able to respond to them all. I want to touch on health. Minister Sanderson has recently reported very significant improvements in trend across time on ambulance ramping, and elective surgery numbers going up, as well, and we have also employed significantly more nurses. I think Hon Louise Kingston mentioned teachers and education. As a former education minister, I know that across Australia, fewer students are choosing to study teaching and more are leaving at an earlier stage. That is not a Western Australian problem; that is a national problem. That is why, nationally, education ministers are working hard on that issue.

However, since last night, there is a group of women who are worse off in Perth in Western Australia. I want to touch on them. I think it is important to talk about this. I find it appalling, not just because I am a woman, but because I am the Minister for Women's Interests, and we are on day 6 of the 16 Days in WA campaign. Apart from the appalling decision made by the Lord Mayor of the City of Perth, Basil Zempilas, and the City of Perth to close that service at a time when there was an offer of another \$3 million on the table from the state government to keep it going, apart from the actual decision itself to close the service in the middle of the 16 Days in WA campaign, what is he saying to those women? The thing about that service is it is unlike any other service. It will take any woman. We need to call it out for what it is. Some of those women present with very challenging behaviours and some of those women would not get through the door immediately in some of the other services. This is the only service.

**Hon Neil Thomson:** You sat on your hands!

**Hon SUE ELLERY:** We did not, my friend. We contributed \$3.5 million out of the Building Better Cities deal.

**Hon Neil Thomson** interjected.

**Hon SUE ELLERY:** I listened to the member in silence, and I had to try hard, because I do not always understand what he is saying, but I listened to him in silence. He can pay me the same respect.

Making that decision to close that service in the middle of the 16 Days in WA campaign, which draws attention to women suffering from the impacts of family and domestic violence, either shows incredible stupidity, or it is the most aggressive decision that is lacking in core values that I have seen. I cannot yet decide whether it is that stupid or it talks to his values. I cannot decide which one it is. What appals me more is that I have heard nothing from Libby Mettam and nothing from the opposition spokesperson on homelessness, who I note is in another position. I have heard nothing from them, and I do not know why that is. Is it because they do not want to offend he who has been tagged as their potential new leader? I do not know. Is that the reason? Why are they not calling it out for what it is? We should all be speaking up and saying, "Let's work together to find a solution for this." Do members know who will be using that venue tonight?

**Hon Lorna Harper:** No-one.

**Hon SUE ELLERY:** No-one will be using it. What is the plan for the future of that site? There is no plan. Who will be using that site next week? Who will be using it next month? No-one will be using it. It will stay empty, because he will not sit down and talk about how we can extend the delivery of that service with an additional \$3 million from the state government. A very well regarded not-for-profit organisation, Ruah Community Services, provided that service, which is one of the most challenging to provide because of the nature of the clients who turn up there looking for a safe space. Do members know where those women will go? Do members know where they went last night, or where they will go tonight, next week and the month after that? They will go into the emergency department at Royal Perth Hospital or they will be picked up and held by the police, kind of turning a blind eye to the fact that they are providing a service that really is not theirs to provide. That is where those women will go.

I think that the decision to close that service in the middle of the 16 Days in WA campaign to draw attention to family and domestic violence, when two-thirds of the women who turn up at that service are victims of family and domestic violence, is appalling. It is either one of the most stupid or the most lacking in value political judgements I have seen. I have seen a few stupid political operators and I have seen a few political operators with no values, but if we read the subtext, this person wants to be in this building. If that is what he stands for, that is a sad reflection. I hope that someone from the other side will say something publicly about that, because if there is a group of people who are devastatingly worse off because of a decision by the City of Perth and the Lord Mayor of the City of Perth, it is that group of women. It is appalling.

I want to move on to talk about other things. In half an hour we are going to be talking about training. I make a quick comment about that to note that in terms of people being better off over the life of this government, there is no better indicator than the number of people who are doing training who could not do it before because the previous government put training at TAFE out of the hands and the reach of ordinary Western Australians by increasing the fees for those courses, some by up to 400 per cent. That is what the previous Barnett government, which we are obsessed with, did. We are a bit obsessed with it because we had to clean up the mess. We had to clean up the finances and then put training right at the heart of our jobs and skills agenda, increasing the number of people who are training and significantly increasing the number of women who, for the first time in their lives, are seeking formal qualifications. We made a record investment in infrastructure in TAFE, with a massive investment in rebuilding and refurbishing TAFE buildings right across Western Australia. We have invested in short and long courses. We have more women than ever undertaking training and more young Western Australians than ever going straight from school into a TAFE course, and we have achieved a greater number of enrolments and completions than ever before through this government's significant investment in training. We have made very significant increases across the board.

Let me see whether I can fit in any more great news. I also want to talk quickly about some of the things that we are putting in place in the building space. I am not going to get time to touch on that other than to say that we have taken a range of measures to assist the construction industry, which is going through a very difficult period post-COVID.

**HON DR STEVE THOMAS (South West — Leader of the Opposition) [11.10 am]:** This is a fairly simple motion before the house today. If I can summarise it in this way, the question before the house is: who is getting the benefit from the boom times that we are experiencing? Is it the people of Western Australia? Have their circumstances improved or worsened over that time? I think we are going to demonstrate it is significantly worse. I was glad to hear the Leader of the House talk about cost of living because I will be doing that a bit myself. Let me say at the outset that the state government does not control interest rates, before we get too excited about laying the blame for everything at the feet of this state government. Members may have heard me say this before, but this state government is the richest state government this state has ever seen. It is the richest state government that any state in Australia has ever seen. It has had higher incomes than any state in this nation's history, and who is the beneficiary of this massive wealth?

The Leader of the House suggested that people are coming here for a range of reasons. They are probably coming here because there is wealth in the system, but this government is sitting on the wealth. This government sits on

massive multibillion-dollar surpluses at a time when people cannot pay their mortgages, cannot pay their rent and are struggling to keep a roof over their heads. That is the simple message that we need to address and this house needs to be aware of. This government remains rich.

I ran the Scrooge McDuck campaign under the previous Premier for a number of years because since February 2019 this state has been in its latest mining boom. As we get to February 2024, we would have been in the biggest boom this state has ever seen for five years. However, the people of Western Australia are not getting the benefit of it. Interestingly, the quarterly financial report came out yesterday. I know many members are very interested in economic figures, so I thought I would bring out a bit of the government's report. How has the government fared in its first quarter of the current financial year, bearing in mind that it has been rolling in wealth and the money bin? Scrooge McDuck may have retired but Donald and Daisy are still very rich. Are there any guesses out there for the higher royalty income? Any guesses how much iron ore income went up for you guys this quarter versus the previous quarter to September? It went up by \$434 million. That is nearly half a billion higher than the first quarter of the previous financial year when the government announced a \$5 billion surplus, which admittedly was only the third-highest surplus it announced over the last three years. Once again, on last year, which was a boom year, iron ore royalties are up by \$434 million. Landholder duty, so stamp duty, is up \$47 million. Licence vehicle duties is up \$30 million. Motor vehicle registrations is up \$17 million.

I acknowledge the document says that land tax is down half a billion dollars, but land tax is down half a billion dollars in a temporary manner because the land tax bills had not been sent out yet. When land tax comes in, in the second quarter, the December quarter of 2023, the government will catch that half a billion dollars back up. Instead of a small \$93 million increase in income because the government dropped half a billion dollars, it is going to be up half a billion dollars in income in the first three months of the current financial year. Once again, this government is rich. It was rich. It is getting richer. It remains rich. A great swathe of the people of Western Australia are still poor. Someone working in the mining sector at the moment is probably doing all right, but a huge part of Western Australia is not—may I suggest, particularly the part that is struggling to pay higher motor vehicle registrations, higher vehicle licence duty and higher landholder duties or stamp duties. It is not only that the government is making a mountain of money out of mining; it is also pushing up taxes.

The Leader of the House said the government handed back money through electricity credits and that is very true. But let me say this: if the government's pre-election budget in 2024 is another cash hand-out of electricity because that is the easy thing, that will be a disgrace. The reason is that the government has had the greatest opportunity of any government in any state in our country's history to reduce the burden of taxation upon people, particularly those who are struggling to keep a roof over their heads and to put food on the table. That is the group. That is the group that we should be looking at. That is the group that is missing out. Yes, it is getting electricity credits, but the government could make more permanent changes. The government could apply more long-term downward pressure. The government could freeze fees and charges. The government could do lots of things to assist that group of people who it is not assisting.

It is all very well and good to say, "Well, today we have announced the extension of Banksia Hill." Congratulations. That is millions and millions of more dollars to a group of people who break the law, are a threat and risk to themselves, other prisoners and the staff; that is great. That is not helping that group of people who are struggling to put a roof over their head out in the community. That is not helping that group of people who are trying to have food on the table. Well done on that announcement, but that is not helping the group of people who we need to target here, the group of people who are struggling with interest rates going up. The interest rate is at 4.35 per cent and most housing interest rates have gone from a couple of per cent to six to seven per cent and maybe a little higher. That group of people is not the group of people who the government is helping. It is not helping the business community that is struggling with not only taxation but also regulation and an overburden of regulation.

The government is insistent upon using this massive wealth to look after its own future not the future of the people of Western Australia. It will have another massive budget surplus this year. I think it will beat last year. It will beat \$5 billion. It will probably hit \$6 billion again. It will be another massive budget surplus. There is no doubt that the iron ore price has been resilient and will probably stay up a bit longer yet. Fees and charges and state taxation continue to rise. The government comes back to the people and says it will give them a bit back in electricity credits because that is the easiest thing because it does not change our long-term bottom line. It does not change our long-term future. We are not going to significantly give it back to the community.

I have a proposition for the government. It is probably a concept that the left wing of politics has always struggled with. Perhaps the government should consider that just possibly taxes and charges and royalties that the state gets are not the government's money; it is the people's money. It belongs to the people. It belongs to the community and it should be used and spent for the betterment of the community, rather than the political aspirations of a government. That is a really odd concept. I suggest that perhaps members leaning to the left of politics have a different view on that. From my perspective, as I sit out here on the right-hand edge of the political sphere, the reality is that it is the people's money. When the government has discovered more money than it knows what to do with, which is what it has done the last few years because of its massive budget surpluses, it should be giving —

**Hon Dan Caddy:** Good economic management.

**Hon Dr STEVE THOMAS:** I love that; it is “good economic management” from the government. The government’s policies have delivered the high iron ore price. The government’s policies delivered COVID so the massive infrastructure spends pushed up the iron ore price. It was government policy that did these things. What an absolute nonsense.

Several members interjected.

**Hon Dr STEVE THOMAS:** In the first two years the deficit and debt level that the government projected was exactly the same as the government that likes to harangue and disparage the one before. This government was taking debt out to \$43 billion, exactly the same as the previous government. In 2019 that changed. Why did that change? It changed because the price of iron ore boomed. Iron ore royalties went up by \$6 billion and the government’s surpluses went up to \$6 billion. I know that that is more than one hand’s worth of counting for members opposite and they have to use their second hand for it, but \$6 billion more is coming in and there will be \$6 billion more at the end. The government’s financial management did not change almost anything. It just claimed credit for what went on, and it continues to claim credit for the accidental boom that it inherited, but the government needs to share it with the people who give it to it.

**HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition)** [11.20 am]: I, too, rise to make a contribution to the motion moved by Hon Peter Collier, although I intend to allow the mover of the motion time to reply at the end of my contribution, so I will not use the full extent of my time.

There are any number of things we could talk about on such a broad motion, particularly the seven years of Labor policies that are having a detrimental effect on our communities. However, I want to focus on a policy announcement made yesterday that will have a definite negative impact on the quality of life for many Western Australians, particularly those who live anywhere near Leach Highway, over the next couple of decades. That is, of course, the wonderful Westport project and the announcement yesterday about a site for a new container terminal in Kwinana.

**Hon Dr Steve Thomas:** What’s that going to cost?

**Hon COLIN de GRUSSA:** Well and truly more than was budgeted for, honourable member.

Over the last couple of years, I have talked in my reply to the budget speech about the fact that there was no way that the government was going to deliver Westport in the time frame or anywhere near the budget it committed to. Of course, yesterday’s announcement all but confirmed that the \$4.2 billion estimate is well below what it will cost and it certainly will not happen by 2032. I have said before in this place, and I will say it again, that it will not happen before 2040. That means that the people who live along the existing freight route from Fremantle port, particularly those along Leach Highway, will endure years of growth in the amount of freight traffic and, as a result, I am sure that they will be very proud to live along what will be Perth’s longest car park. We will have incredible traffic chaos on that highway as people try to take their children to school or get to work, because this government does not have a plan to manage the freight task in the absence of delivering the much-vaunted Westport project. Of course, since it was elected, it has been promising to deliver a business case. We still have not seen a business case, and yesterday’s announcement just kicked that can a little bit further down the road again. The government not only does not have a business case, has spent \$50 million up to earlier this year to acquire land for a project that does not have a business case, has a project that does not have a plan to cope with the additional container traffic between now and whatever mythical year in the next century the project will finish and has to deal with all those issues around traffic, but also has the wonderful problem that the existing users of the port of Fremantle have no idea about whether they will need to invest in very expensive capital works to continue their operations in Fremantle. Of course, they need to update equipment; they need to replace or repair the equipment they have, but they have no idea whether they should do that because they have no idea when or if the government is ever going to deliver the Westport project.

This is just another example of how poorly managed the government’s infrastructure spend has been. There will be massive blowouts in cost and time on this, just as there has been on Metronet. I cannot see much change from \$10 billion for the Westport project and, as I said before, I cannot see it occurring before 2040. That is going to cause massive ramifications for the people of Western Australia, particularly for anyone who lives near those freight routes. They will be deeply affected by the chaos that will be caused through a complete lack of planning and a complete lack of understanding of what is being done. I look forward to the contribution of the mover of the motion in his reply as he addresses some of the issues raised by the minister.

**HON SOPHIA MOERMOND (South West)** [11.24 am]: Even though the subject matter is heavy, it was an absolute delight to hear everyone’s considered points of view for the first time in the chamber. I will speak briefly in support of the motion moved by Hon Peter Collier. It always strikes me how much the honourable member cares.

I also want to acknowledge that although people may want to come here from other states, that does not mean that our standard of living has not gone backwards; nor does it mean that we cannot do better in Western Australia. When I look at our society, I see people in pain. We are living in a time when it is obvious that many people are suffering, and we see this represented everywhere. I acknowledge that global influences also affect that. We can see the dysfunction in particular in the number of homeless people in Perth and the surrounds, the number of people who

are begging and the number of people dealing with substance abuse and sometimes with abusive patterns of behaviour such as porn addiction. We are seeing an increase in that as well, and that is a direct contributor to the increase in violence against women and children. All those things can be addressed with sensible regulation.

On the closure of the centre for women in East Perth, it was noted that Hon Dr Brad Pettitt and I were the only members of Parliament at the protest and the presentation of the e-petition.

One of the things that I have noticed in society is that there is an overall lack of health and wellbeing. We are seeing increases in the incidences of cancer, obesity, autism, allergies and autoimmune diseases, and the obvious causes are simply being ignored. There is zero regulation of the food industry, with non-foods filling the shelves in supermarkets. That is something that could be fairly easily improved. Thank you for listening.

**HON PETER COLLIER (North Metropolitan)** [11.26 am] — in reply: I would like to thank those members who contributed to this debate. It is a pertinent debate because it is at the three-quarter mark of a government's term, so inevitably it is going to get judged. It will not be opposition members who judge the government in about 18 months; it will be the people of Western Australia. If members opposite, particularly the Leader of the House, cannot feel the winds of change out there, they need to get out more. The points that have been raised today were raised because of the very real reason that they exist.

Thank you very much to Hon Neil Thomson, Hon Sophia Moermond, Hon Louise Kingston, Hon Colin de Grussa, Hon Dr Steve Thomas and the Leader of the House for their contributions. Quite frankly, this sort of debate and political dialogue is helpful. In this instance, I will respond almost exclusively to the comments of the Leader of the House. The reason that people are coming to Western Australia is that they have been locked out for the past three years. When the borders opened, of course they would come here, and I have no problem with that whatsoever. The simple fact of the matter is that people out there are really struggling. My electorate office is in Warwick. I am not saying that I am a "Nigel no friends", but if members spent a day in my electorate, they would see the despair that we have to deal with on a day-to-day basis. We deal with homelessness in particular, but we also provide support with cost-of-living pressures. Yes, WA is and always has been a great place to live, but, judging from the comments of the Leader of the House, if members opposite honestly think that everything is just peachy out there, they need to get out more. It is not. I promise members that the winds of the political cycle have shifted. If they look at the federal polling and say that that will not be captured at least partly at the state level, I can promise them that that has happened.

I turn to electricity. The Leader of the House's almost juvenile attempt to explain the cost of electricity shows a complete lack of understanding of the electricity market. She tried to link the potential sale of Western Power to electricity prices. That has actually nothing to do with it whatsoever, and she probably needs to get some advice from the Minister for Energy.

The Leader of the House spent an enormous amount of time talking about Ruah. It is almost as if she has an infatuation with the City of Perth. I feel so much for women who have to endure the scourge of domestic violence. The Standing Committee on Estimates and Financial Operations did an inquiry into this very real issue, and we went to the Ruah facility. We also went to one in my home town of Kalgoorlie, only to find that there was only one facility there, which could accommodate 10 women. I specifically asked what would happen if it was full. I was told that women would have to be turned away. That is heart-wrenching, particularly at the moment when we are dealing with the scourge of domestic violence and doing everything we possibly can to overcome it. I imagine that most of us will go out to the front steps of Parliament House very shortly and show a collective desire to overcome domestic violence. I would like to think we can do something about it. I identified the issues of the number of police officers dedicated to domestic violence. They have been reduced in the last two years, which is disappointing. With regard to the Ruah facility and other facilities for victims of domestic violence, I recommend that members look at the excellent report that the estimates committee did about this very issue and also look at the government response to our recommendations for increased services for crisis accommodation.

**Hon Dan Caddy:** Do you condemn the City of Perth?

**Hon PETER COLLIER:** No, I will not get into that at all.

Several members interjected.

**The ACTING PRESIDENT:** Members!

**Hon PETER COLLIER:** Sorry, I am trying to deal with this in as sensitive a way as I can. I say to members opposite to look at their government's response to this committee's recommendation to increase crisis care in Western Australia. They should look at it and then come back and say they are proud of that response.

**Hon Sandra Carr** interjected.

**Hon PETER COLLIER:** Just look at it.

**Hon Sandra Carr:** Did you miss the announcements this week about investment in prevention?

**Hon PETER COLLIER:** Can I just say —  
Several members interjected.

**The ACTING PRESIDENT:** Members! Please, direct your remarks through the chair.

**Hon PETER COLLIER:** Can I just say, with indignation —

**Hon Sandra Carr** interjected.

**Hon PETER COLLIER:** Do you mind?

**Hon Sandra Carr** interjected.

**Hon PETER COLLIER:** Do you mind?

**Hon Sandra Carr** interjected.

**Hon PETER COLLIER:** Here we go!

As I said with regard to that, members should look at the government's response to the report. Then, I want to see some outcomes.

I stand by every word I said about unit 18 and also about today's announcement. Today's announcement was a nothing announcement. I make it perfectly clear: it was a nothing announcement. The minister said that there would be a discrete, standalone facility, but the government has to work on a business case and funding. At this time next year we will still be talking about this. I add that this is for a temporary facility that should have been closed at the end of 2022. In July 2022 this was going to be a temporary facility. It is still in existence right now. There are still instances of detainees being in those cells for potentially 22, 23 or 24 hours a day. Today's announcement is nothing. It is just cosmetic. As I have said, I do not stand alone in my views on unit 18. I acknowledge that there have been some changes in the attitudes at Banksia Hill Detention Centre, but unit 18 remains a despicable facility. It should never have been created, it should not exist at the moment and most definitely should not continue to exist for potentially another 12 months, if not more.

Motion lapsed, pursuant to standing orders.

#### TRAINING AND SKILLS — INVESTMENT

##### *Motion*

**HON STEPHEN PRATT (South Metropolitan)** [11.34 am] — without notice: I move —

That the Legislative Council notes the Cook government's record investment in training and skills.

I again take the opportunity to speak about the importance of investing in training and skills. As members may recall, in my inaugural speech I touched on these issues and made a commitment to visit all the TAFE centres in the South Metropolitan Region. Over the time I have been in this place and this position, I have had the pleasure of undertaking those visits. Later on in my contribution I will revisit some of the key highlights and takeaways of those visits. I am probably due to check them all out again because this government has had a consistent commitment to investing in these centres, and I am sure that changes have happened in the short while since I have been to them. I note that just a fortnight ago Premier Cook was speaking about training in the other place and he said something that I concur with. He said —

A key ... pillar of a WA Labor government is that everyone should have access to quality education and training opportunities.

I do not think anyone can disagree with that premise. We can look to the previous government, which we are apparently obsessed with. Unfortunately, it is the next nearest comparator, so we have to refer to what the previous government did. There is a clear juxtaposition between the two governments when addressing training and skills. Since coming into office in 2017 this government has been very focused on repairing the damage done to the training sector and investing in training to provide a steady pipeline of skilled workers outside of the boom–bust cycle. Under the Barnett Liberal–National government TAFE course fees soared by 500 per cent, placing training out of reach of the average Western Australian. As I said, referring to that quote from the Premier, we do not want an impediment for people to access training and skills so they can find some level of sound employment in the community, whether it be the range of things at each of the centres I have visited, which I will touch on, we need to encourage that type of thing and we need to make it readily available to anyone seeking upskilling or training in a certain area. In each metric—that is, the number of apprenticeship and trainee commencements, apprenticeships and trainees in training, and apprenticeship and trainee completion, as well as the number of publicly funded vocational education and training total and TAFE course enrolments—levels fell significantly under the previous Liberal–National government. There was never an increase in these metrics under the previous government.

On the positive side, which is what I prefer to talk about, upon coming to government in 2017 we immediately froze TAFE fees to provide students with cost certainty. Then, we slashed fees by up to 72 per cent for 210 courses in key industries, which has made training much more affordable and accessible. We strategically rolled this out as we made improvements to the budget position, because when we came to government, we had a mess to clean up



and we had to make some really difficult decisions and get the finances back on track. We were able to do that and then slowly but surely make improvements in this area, which has a key impact on the economy and getting people into jobs and training.

Our Free in '23 program is providing fee-free training in over 130 courses and skill sets across high-priority areas. We are focusing on the areas in which we need people in certain jobs, and we are providing those courses free to people, so providing incentives so that people will consider going to those lines of work—the care sector; information technology and cybersecurity; agriculture; construction, which we definitely need more workforce in; and hospitality and tourism. We have supported employers to take on more apprentices and trainees through a range of targeted programs, including the jobs and skills employer incentive, the GTO wage subsidy and the adult apprentice employer incentive. We are providing ongoing incentives for employers in the building and construction industry to take on apprentices and trainees through generous employer grants from the construction training fund. Our Rebuild with TAFE program includes a record \$243 million investment to upgrade essential infrastructure across TAFE. As I said, when I go back to visit those TAFEs again, I am sure I will see some of these new buildings and bits of infrastructure at those campuses. This is the largest TAFE capital works program in this state's history. There are 14 major upgrades to TAFE colleges across the state, with over half located in regional areas. Apprenticeship and traineeship commencements are now at their highest level in 10 years, with nearly 4 500 contracts registered in July 2022—the highest monthly total on record. Apprenticeship commencements are almost 50 per cent higher than they were two years ago. That is a really positive story, and something that we should be proud of as a government. I will take great pleasure in speaking more about these great government initiatives.

I also congratulate the Leader of the House for her role as Minister for Training when we came to government, and the current minister, Minister McGurk, who has been able to carry on that momentum. We have some further great initiatives underway to encourage people to reskill or enter their chosen line of work through training at TAFEs and skill centres. It is also worth noting that commencements by female apprentices and trainees has increased by more than 90 per cent on pre-pandemic levels, with almost 12 300 commencements by females in 2022. I had a quick look at the South Metropolitan TAFE website, where I saw its recent announcements and initiatives, encouraging more women to look at doing courses through TAFE.

Commencements by Aboriginal apprentices and trainees are also up by almost 40 per cent compared with pre-pandemic levels. Apprentice completions have also increased by 27 per cent since 2019. I think that is probably the most important one to focus on—the completion rate, which is the number of people who are completing training and entering the workforce, clearly demonstrating that the Cook government has been investing in training over an extended period, and it is working.

I will touch on those key initiatives again in case I have missed any. We froze TAFE fees as soon as we came to government, to give Western Australians certainty on fee prices; slashed TAFE fees for 210 high-priority courses by up to 72 per cent; offered fee-free training in more than 130 courses and skill sets, in partnership with the Albanese government; and reached agreement to extend fee-free training for three more years. The Cook Labor government has funded additional fee-free places to keep pace with demand, which has seen fee-free enrolments across VET soar to more than 36 000 this year.

This is the largest TAFE capital works program in Western Australia's history—\$243.3 million, including a number of regional projects that I have already mentioned. There is \$25 million for new state-of-the-art equipment at TAFE colleges across the state. I must say, one campus that I visited that particularly sticks out for me is the Naval Base campus. I went down to Naval Base and they had virtual reality headsets for practising welding. It takes away the danger and risk when someone has their first go on the oxy. They can use the virtual reality headset and have a few goes in a safe environment and almost perfect their skills using that equipment. It is a great modern facility for people training in that skill set to undergo. We have also secured \$1.34 billion for skills and training in WA as part of the new five-year national skills agreement. That is to be commended.

I return to the negatives. When we came to government, the training sector was in a mess. Under the previous government we saw the trashing of the TAFE system: funding cuts, skyrocketing fees and plummeting enrolments. Between 2013 and 2017 the Liberal–National government increased fees by more than 500 per cent. Annual student enrolments fell by up to 25 000. These are shameful statistics. I remind members that under the Barnett Liberal–National government, TAFE fees soared by 500 per cent, placing training out of reach for the average Western Australian. In each metric that I have mentioned, there was never an increase under the previous government. It wrecked the TAFE sector. The Cook government has been working to fix that damage, and our investment in the TAFE sector is paying off. I commend both the previous Minister for Training, Hon Sue Ellery, and the current minister, Hon Simone McGurk, for their hard work and commitment in this space.

There is a range of things to mention about the fee-free initiative, which I already touched on. We want all Western Australians to have access to affordable training so that they can benefit from our state's strong economic position, low unemployment and thriving jobs market. We have done this in a targeted fashion so that we can encourage people to skill up in the areas where we need more people in the workforce. They can do that for free and then, hopefully, find some sound employment in those key sectors of industry. Off the back of the incredible

success of Free in '23, we are extending fee-free training into 2024. This year, the strongest enrolments in fee-free qualifications—some of my colleagues will be happy to hear this—are in early childhood education and care sectors; aged and disability care; nursing; information technology; and hospitality, adding much-needed skills for these priority industries. Fee-free enrolments in these care sector courses climbed to 19 600 enrolments—that is up by 31 per cent on the same time in the previous year.

I want to talk about some of the visits I made; last time I ran out of time, so I will rush through it. I got around the campuses in South Metropolitan Region, as I had committed to doing in my inaugural speech. People who go to do TAFE courses to learn these new skills really have great facilities and state-of-the-art equipment. The Fremantle campus is right on the water in the maritime area down there. It has state-of-the-art equipment for specialised courses across the areas of maritime engineering and marine industry. I have seen the Minister for Training down there; it is in her electorate. She had a go on the same thing I did: they have a computerised demo facility where you can have a go at captaining a ship under different scenarios. I had a go at trying to direct a ship under the Sydney Harbour Bridge.

**Hon Pierre Yang:** How did you go?

**Hon STEPHEN PRATT:** I think I was sabotaged, because I swear a ship came out of nowhere and cleaned me up! I probably would have failed that course and had to have a few more goes at it.

I also went to the Kwinana campus, which is alongside Gilmore College. That works really well for students who are trying to get the skills to work in the automotive industry. There are some great vehicles in the lobby area. I saw the students in action on the floor and they were all pulling cars to pieces, working out how they worked and gaining the skills necessary to fix vehicles. One of the main things they were doing on the day I visited was air-conditioning systems. As we all know, that is pretty important in the summer months.

The Murdoch campus is also a great facility with both new and old buildings. In the new buildings I witnessed students in the fashion, hair and wellness sectors. Unfortunately, my colleague Hon Ayor Makur Chuot is away on urgent parliamentary business, but I know she went to their fashion catwalk event the other week. That showcased some of the skills that the students there have taken on.

**HON LORNA HARPER (East Metropolitan) [11.49 am]:** I too rise to support this fantastic motion by Hon Stephen Pratt on the Cook government's record investment in training and skills. I went back and had a quick look at *Hansard* the last time we spoke about this to make sure that I did not repeat myself, but I might do that because it is now in my head.

My colleague Hon Stephen Pratt went over a lot of the figures and talked about how much the fees went up under the previous government, the significant drop in apprenticeships and course enrolments, and the impacts, which we are still feeling today. He also spoke about how, when Labor came to government in 2017, it straightaway froze TAFE fees then slashed fees by over 72 per cent. It is really important to look at the history and make sure that we are aware of how much money and investment has been put into training people in WA. It is important that people really comprehend that this Cook Labor government is investing in the future of not only the youth but also WA as a whole. It is looking at all sectors and all industries.

My colleague mentioned and quickly chatted about how many people did qualifications in early childhood education and care. As my colleagues know, part of my background is in early childhood education and care. Going back quite a few years now, I was a TAFE student and did a diploma in early childhood education—children's services, I think; they change the names. I was lucky in that I went to Swan TAFE in Midland at the Yelverton Road campus. It was a very old building but had brilliant service. I got a very good education there, so much so that I ended up being the most outstanding student for a diploma of children's services that year. I thought I would just toot my own horn for that one; I found it quite amusing.

People forget that things like TAFE bring the people that we need into society. The Cook government, in partnership with the Albanese government, is investing to ensure that we get the workforce and skills we need for the future of WA and Australia. This is extremely important because right now we have a crisis in early childhood education and care. The crisis is that we do not have enough staff. It is predominantly female based, which is reflected in the figures of how many women enrol in these courses, and the crisis is because the wages are so low compared with, say, a certificate III graduate working in building and construction.

That is something else in which the Cook government is investing heavily. In fact, if we look back to earlier this month, the Cook Labor government made an announcement about "Free training paving the way for building construction careers". Great! I am somebody who just built a house, and it did not take too long or as long as people think. There was a slight delay when we were looking for roofers, but we were lucky apart from that. We had excellent tradespeople and excellent services. They were well trained, on time and did everything, and we should be really proud that we have those services here in WA. It took a few months extra, but I was in the house in less than a year and a half; it was not three years or more. We should be proud of what we have, and we should be proud of the apprentices coming through and the fact that we have those apprentices. My daughter's partner was an apprentice, and he benefited from some of the investment that the Cook and former McGowan Labor governments

put in. He is now a qualified—I get this wrong—fridge; he does air-conditioning. I think he is a fridge. It is important to make sure that these services continue and everybody is coming through. I lost my train of thought of where I was going.

The Cook Labor government has also recently talked about one of my favourites—we go back to women—announcing “Scholarships for women to break into their dream career”. The scholarships are for women to break into non-traditional female roles. That could be as mechanics, boilermakers or a whole heap of different roles that women traditionally do not go into. The Cook Labor government offers a grant of \$5 000 to assist them to move forward. I was never a daddy’s girl, but my father was a joiner. We call them that, but I think they are called carpenters here. I followed my father around, so I can fix things. I can put certain furniture together. I can put wallpaper up. I can paint, and I can do all those traditionally male things because I followed my dad around and he showed me how. As a young child in the 70s and 80s, I was discouraged from going anywhere near any of those roles. We are in 2023 now, and we are still pushing women towards roles in caring industries, and we are still not valuing the roles that these women do. It is brilliant that we are encouraging women to go into non-traditional female roles, but my view is that as well as supporting the free training to get women—people, anyone—into roles in aged care, disability and early childhood, we should be looking at those essential services and how we as a society can improve them. The Cook Labor government does this on a regular basis, but we cannot forget that roles in female-dominated services are not looked on as highly as, say, somebody in IT. They are not looked on as having the skills that, say, a bricklayer might have. I could argue that somebody working in early childhood education and care is actually building the bricks of the future of WA society by the influence they have on children aged zero to three. They are putting them into roles and helping them learn their pathway into the future for training. Right now, it is quite hard.

We could also look at the fact that, although we have all these people going into training, we unfortunately do not always have places available for women and families to put their children while they study, because of the crisis in early childhood education and care. Again, that is something that we need to look at as a society.

We are very lucky with everything that is happening here in WA in the training field. We are very lucky that we have a Labor government that is investing in the future, especially if we look at the infrastructure development going on. We hear some complaints about Metronet, but I will be highly delighted next year when I am on a train from Ellenbrook and into the city in less than 30 minutes. I might actually be able to go into the city. I do not know whether I will go if Basil Zempilas is still mayor; I might wait awhile. I will go into the city and be able to look at some of the facilities that apparently are there. There will not be any community facilities, because we know that is not what the Lord Mayor of Perth likes to think about.

One reason I can do that, and I will go back to it, is because of Metronet and the investment in the services at North Metropolitan TAFE in Midland, in the wonderful East Metropolitan Region. We have invested \$2.5 million in a trade training centre to provide real operations and signalling training. The fact that we are building parts of trains, working towards building trains and bringing some forms of heavy industry back here to WA is because of the Labor government. It is because we are building Metronet. It will make our lives a lot better. We are investing in training for people for the future, to continue and maintain what we have. Hopefully, we will continue to put more and more money into investing in the future of WA, not just for the young girls but also for the young men.

**HON DONNA FARAGHER (East Metropolitan)** [11.59 am]: I rise to say a few words on the motion. It is somewhat similar to the self-congratulatory motion moved by Hon Dan Caddy on the subject back in March this year. Nonetheless, it is the end of the year and the government has clearly run out of ideas on what to talk about.

The central tenets of the issues I raised in the motion moved by Hon Dan Caddy remain. Although I do not intend to go through all of them in detail because I appreciate other members want to speak to this motion, the fact is I acknowledge that there have been some good initiatives by the government in the training space. However, there is still more that can be done. I always say, whenever there is a motion in this place on training—and I make this as a general statement—the training system remains far too complex. I do not think it is a matter just for this government. It has been a problem for successive governments. The commonwealth’s involvement is also an issue, and there are obviously a range of organisations involved in the training space. As has been mentioned, we have TAFEs. We have registered training organisations, group training organisations, industry associations, unions and schools. Most importantly, we have students and all of them find it complex. Plenty of reports show that.

Whenever we debate or discuss training—I would like to think we can have these debates and discussions in a good way—I think we should all acknowledge that the system is overly complex and creates unnecessary barriers. More work needs to be done, particularly at the state and commonwealth level. To be frank, when I was the shadow Minister for Education and Training, most complaints around the requirements and regulations of training were at the commonwealth level. However, there is obviously a clear role for the state to play.

I will focus on an area that I think is particularly important. I and others have reflected on the need to better advocate for the value of vocational education and training and the VET pathway for young people. For example, I support the government’s Year 9 Career Taster Program. I think that is a really good thing. I think that we need to look at every opportunity to increase students’ awareness—I will mention their parents in a moment—of the options and

opportunities available to them. I think that program is good and I know that there are some other units within the curriculum for the earlier years. I think it is important to start providing even year 6 and 7 students greater knowledge of what those options are and opportunities to think outside the box of what their life could be like. I will always support those types of initiatives.

I ask questions in this house pretty much routinely every year about the Western Australian Certificate of Education. We know that there has been a decline in the number of students achieving their WACE through the VET pathway. There might be a few reasons for that, but I have a concern—I am not the only one—that some of the decline is attributable to the decision taken by the former Minister for Education and Training to introduce a third pathway for students to achieve their WACE. That concern was raised at the time of the minister's announcement and it still remains. The fact is, in 2020, 10 928 students achieved their WACE via the VET pathway. In 2021, that dropped significantly to 9 001. In 2022, it stayed at 9 070. It dropped and now it has flatlined. I raise that we need to be very alive to the fact that the number of students achieving their WACE through the VET pathway has declined. I have also raised before, and say again now, that there are significant concerns that remain about the negative perceptions around the value of VET. The State Training Board released a report in June of this year titled *Mobilising WA's future: Young people in VET*. It is quite a comprehensive report and I will take a couple of points out of it. It states —

There is strong demand for skills gained through a VET pathway in WA. In 2021, the National Centre for Vocational Education Research ... found that 57% of WA employers used the VET system to meet their training needs. In addition, 40% of WA employers had jobs that required vocational qualifications and more than a quarter employed apprentices and trainees.

Despite employers placing a high value on VET pathways, and young people's experience within the sector being overwhelmingly positive, the VET system is still perceived by many as a second rate post-school pathway.

The State Training Board had a number of conversations with young people. The report goes on to state —

Throughout our conversations, young people repeatedly identified poor public perception as a major barrier to choosing VET. The stigma surrounding their choice to undertake a VET qualification left many participants feeling inferior to their peers who chose a university pathway.

Studies show that parents and other family members have the greatest influence on young people's career choices. While students often turn to educators for information on study and career options, it is parents who have the greatest influence on their final choices. Where parents have little or a misconceived understanding of the VET system, they are unlikely to support their children choosing a VET pathway. This is consistent with the experiences of the young people we spoke to.

When considering their post-school options, some roundtable participants found that their parents and schools viewed VET as a second rate option, taken by academically 'low performers'. Some participants reported that they were not advised of their VET pathway options and were counselled away from pursuing a VET pathway because they were academically high achievers.

Members, that should not be happening in 2023, but it continues. This is not something that happened overnight. It has been an issue for a very long time. This report makes a number of findings and recommendations. I do not intend to go through all of them, but recommendations 1.3 states —

Ensure that career development programs and advice also focus on raising awareness of VET and VET pathways among parents.

I agree that it is not just the job of the government to fix this. This is a system-wide community issue. However, government can take a leading role. I had a quick look at the government's response to the very comprehensive report undertaken by the board, and I was a little concerned. If members read the government's response, most of the recommendations, according to the government, have already been addressed or partially addressed. That may well be the government's view, but there remains a significant issue about young people and VET. According to the government, the recommendation I referred to about raising the awareness of parents has apparently already been addressed—it has not. The government states that the Department of Education is undertaking career conversation events and has an online portal. I am sure they are very good, but in my view, that does not mean that the issue has been addressed. If the issue had been addressed, we would not be discussing it, and the State Training Board would not have prepared a significant document; it is not an old one. This report was released only in June this year. Clearly, more work has to be done. I understand it cannot be fixed overnight, but let us not just say that something has been addressed when significant issues clearly remain. I do not want a report like that to just be put on the shelf, say the job is done, tick the box and move on. The government has done some good things in this area, and I encourage it to do more for young people in this state.

**HON PIERRE YANG (North Metropolitan — Parliamentary Secretary)** [12.09 pm]: I want to say from the outset that this is a fabulous motion moved by Hon Stephen Pratt. It is an area in which the government has a proud record of achieving a huge number of benefits for the people of Western Australia. I confirm I am providing the

government response. It has been some 11 months since I was appointed the Parliamentary Secretary to the Minister for Training. I have had the opportunity to meet many industry stakeholders during that time. I am incredibly impressed by the sentiment of people in this industry. It is a sentiment that we all understand. Vocational education and training changes people's lives. That is why the Cook Labor government has been investing heavily in the sector, as Hon Stephen Pratt and Hon Lorna Harper discussed in their contributions. I want to quickly go through a number of major programs that have been put in place by the state government.

When we came to power in 2017, we immediately froze TAFE fees. That was something we had outlined in our Plan for Jobs back in 2016. We said we would do it and we did what we said. We introduced the Job Ready program to provide Western Australians entry-level skills to take up jobs in high-demand sectors, including construction, bricklaying, aged care, child care, truck driving and drilling. We invested \$243 million in the largest TAFE capital works program in the state's history. We invested \$25 million in modern TAFE equipment, which Hon Stephen Pratt talked about seeing during his visits to the TAFE campuses in his electorate. We significantly reduced fees for existing worker traineeships and introduced the WA jobs and skills employer initiatives. We created 17 jobs and skills centres. We now have 19 jobs and skills centres operating across the state, from Kununurra to Albany. Again, that is something we said we would do in our plan for jobs back in 2016. If I may, I would like to touch on that. We also said we would rebrand those institutions as TAFE, after they were changed by the former Barnett government. We said we would transform TAFE colleges into industry skills centres. We not only looked at modernising and providing the hardware of all the training facilities, we also looked at how we could improve the quality of TAFE and vocational education training.

We heard the Liberal–National alliance refer to the Auditor General's report a number of times. I will follow its example and recite a few lines from the Auditor General's report on the Training Accreditation Council from back in the Barnett days. The Auditor General's report *Regulation of training organisations* states that in 2021–22 —

... 60 per cent were non-compliant with the national standards. Thirty-five per cent were significant or critical non-compliance and 22 per cent were minor non-compliance.

When we came into power, we put in all the necessary levers and mechanisms to make sure that the vocational education and training providers are not only of a modern standard, but also comply with national standards. At this point I wish to give a shout-out to one of the two best training ministers that this state has seen—that is, Hon Sue Ellery, who is sitting in the chamber. She has done an amazing job in this space.

**Hon Darren West:** She fixed the mess.

**Hon PIERRE YANG:** That is right. She fixed the mess left by the Liberal–National government when it was in power last time. I think we should acknowledge the amazing work Hon Sue Ellery did when she was the Minister for Education and Training. Of course, I need to give a shout-out to my minister, Hon Simone McGurk, as the other best training minister that this state has seen. Unlike the other side —

Several members interjected.

**THE ACTING PRESIDENT (Hon Dr Sally Talbot):** Excuse me, members. I would really like to hear the speech being made by Hon Pierre Yang. If other members could desist.

**Hon PIERRE YANG:** Thank you, Acting President. The other side had five training ministers during its eight and a half year reign. They were Hon Peter Collier, from 2008 to 2012; Mr Murray Cowper, from June 2012 to March 2013; Hon Terry Redman, March 2013 to December 2013; Hon Dr Kim Hames, December 2013 to December 2014; and Hon Liza Harvey, December 2014 to March 2017. That government was passing the portfolio around like a hot potato. Nobody wanted to hold onto it. Nobody wanted to continue in that portfolio. That tells us something about the other side.

I refer to an online article by Hayley Roman, dated 9 August 2015 from the ABC News. I read it in *Hansard*, so cannot claim credit for finding this article. It is something that was recited by David Scaife, the member for Cockburn, during his contribution on the Vocational Education and Training Amendment Bill 2023 two days ago in the other house. In any event, I would like to quote from the article, which states —

WA Training Minister Liza Harvey defended the State Government's funding for TAFE colleges, saying it had decided to prioritise certain courses under its Future Skills program.

This is interesting; it continues —

“We determined that our best effort and highest level of subsidisation should go into our priority skills area, —

Fair enough —

so we've had a 6 per cent increase in enrolments in the priority skills areas.

...

Ms Harvey said the Government had simultaneously reduced funding to some of the more “recreational-style” TAFE courses.

Let us look at what sorts of recreational-style courses that the previous government cut funding for. Those courses included the advanced diploma of civil and structural engineering. In 2013, the non-concession fee for the course was \$2 504. In 2017, under the Liberal–National government, it was \$8 685. A number of members have spoken about the 400 to 500 per cent fee increase. What about the diploma of building design? It rose from \$1 200 to \$6 100. Such was the attitude of the former government. I think it is important that we remind ourselves that we did not get to this situation fortuitously. We had a plan, we carried out our plan, and that is why we are in such an incredibly strong position. I commend the member for this motion.

**HON SANDRA CARR (Agricultural)** [12.20 pm]: I rise in support of the excellent motion moved by Hon Stephen Pratt and thank him for the opportunity to speak about some of the great things that the Cook Labor government has done in training and skills in Western Australia, and also about some of the great things that has translated into in my own electorate in and around Geraldton, the midwest and Gascoyne.

Both Minister Ellery in her contribution earlier today and Hon Stephen Pratt as he introduced this motion have highlighted some notable achievements. Some of the great things that have happened of late in training and TAFE include free courses and targeted free courses that really are targeted towards the areas of need in skilled workers. We have increased the number of people training and we have contributed record investment into TAFE infrastructure to rebuild and refurbish those facilities to make sure they are at the standard that the industry wants and needs so that students emerge trained and job ready. More young Western Australians than ever are training at TAFE facilities, and it is also fantastic to note that there are more women. That means we are getting more women in skilled work and sometimes less traditional work for women. It is also fantastic to see that women are being supported to enter courses that they may not necessarily have traditionally considered, and people's minds and perspectives are being broadened to the roles and jobs they can undertake. As was highlighted earlier, there is also greater course completion than ever, which is fantastic to hear.

It has already been mentioned, but it bears repeating, that under the former Barnett government, the fees for training went up dramatically. That proved to be incredibly unhelpful. I think even employers will tell us that there were fewer people taking up courses. But it also has a cultural impact in the way TAFE operates, and I can tell members that because I was working at a TAFE during that time. I was doing some project management and was charged with designing some materials for that TAFE. I was asked to design a form that students would have to fill out. I designed the form and handed it to my employers, and they were talking about printing and the costs and that sort of thing. I asked a question that I almost regret asking: "Who pays for this?" The answer from management was that they would pass that cost on to the students. I was horrified. I wished that I had not ever redesigned the form or had any part in it.

It really drove home for me my Labor values. I think it is indicative of the impact on the culture of an institution when we take the attitude that it is okay to charge students a lot for things that we desperately need them to do, but it also has a roll-on impact of people not being mindful of how complicated it is for some people to pay for and participate in TAFE courses and training, because people have complicated lives and the playing field is not level.

I will talk about some of the great results that we have had in my electorate and the electorate of the member for Geraldton, Lara Dalton, and some of the things that I know she has pushed for and put forward to our government to make sure they are achieved to deliver appropriate and targeted training in Geraldton and the midwest.

One great event we recently attended was the major overhaul of Central Regional TAFE's marine training vessel, which was opened by Minister Simone McGurk. The vessel is called *Master Class*. I think that is a really appropriate name, because I think that in this and the last term of government, this government has delivered a master class in how to provide funding and services that allow training and skills to be developed in a way that really works for the state and the community. The vessel was part of a \$2 million upgrade. It is a floating classroom; it is fantastic. Geraldton is a coastal town. We have the Abrolhos Islands on our doorstep, and we have a lot of people engaged in both recreational and commercial marine activities, and a lot of young people who want to harness the opportunities of jobs in that industry. It is a growing industry. We have crayfishing, pearl farmers, an emerging oyster industry and also a tourism industry around the Abrolhos Islands and our beautiful coastline, as well. That first-class learning environment provided by the upgrades to that vessel, the *Master Class*, delivered for our maritime students, has flow-on benefits for employers in the maritime industry.

I refer to the boat builders that did the work of refurbishing and upgrading the beautiful vessel *Master Class*. It was refurbished by local boat builder Dongara Marine, which overhauled the vessel with things like new engines, gear boxes, hydraulic systems, electrics, air conditioning and navigational systems, so it really made sure that the vessel is at tip-top level for the students. It is modern and really can service their needs. It has places where students can sleep and cook, so they can really participate in the real experience of jobs that involve being on the water. It is an incredible classroom. I went and had a look and went down into the hull where all the magic happens, where the mechanics of the boat are, and it looked like a brand new vessel. It is fantastic and I know that the students that I had the opportunity to speak to are really excited about the opportunity to learn on this amazing floating classroom.

The local boat builder that completed the major overhaul of that vessel, Dongara Marine, has recently moved to Geraldton. The company itself identified a need within our region and then approached our Minister for Ports at the time, Minister Saffioti, and they worked together to establish a Geraldton Fishing Boat Harbour boat-building

precinct. Our government then contributed \$3.6 million to that precinct for a new heavy haul road, utilities, fire-fighting equipment and that sort of thing. We can see how that training and skills feeds into real, on-the-ground experience and opportunities and continues to perpetuate those opportunities for young people. Dongara Marine received a contract to deliver the new fishing—what are they called?—department of fisheries patrol vessel, so it has also secured a contract for that, but it has done a lot of great vessel-building work in our region and beyond.

I will talk about that funding, because the funding to build the *Master Class* was part of our state government's \$243.3 million to rebuild TAFE—for rebuilding, refurbishing and all those really important capital works. It also funded a \$4 million visual arts and creative industry hub at the Central Regional TAFE, which is also in Geraldton. That was officially opened last year by the minister at the time, Minister Sue Ellery. It is a really great facility that looks at some of the broader opportunities for young people and people across the age spectrum, I should say, because the arts are for everybody—just ask Minister Templeman! That gives opportunities to our budding artists and fashion designers, media specialists and all the other dynamic and creative industries that emerge around the region, as well. Pearl farmer Pia Boschetti lives in Geraldton. She runs a couple of creative activities that I know TAFE students and students from across the region get involved with every year. We have an incredible jewellery design and thriving arts community in Geraldton, as well. That facility was designed by Geraldton architect firm Eastman Poletti Sherwood Architects and built by local builders Crothers Construction.

I also had the opportunity to see the on-the-ground outcomes of these things when I attended the Vocational Education and Training Delivered to Secondary Students awards in October this year. I would quickly like to get these names out, and hopefully I can. Congratulations to student of the year, Chelsea Routledge; Aboriginal vocational student of the year, Navaeh Bell; trade-based training student of the year, James Browne; vocational student of the year, Kalirra Tesling; and higher vocational student of the year, Adelle Lang. I got through them all! Well done. Employer of the year was Turtle Cove Early Learning Centre. Just one last thing: all those students bar one came from Champion Bay Senior High School, so I really congratulate Champion Bay Senior High School on obviously putting a lot of time and effort into supporting those students.

Lastly, I thank the TAFE staff, the teachers and the employers who support the students involved in the VET Delivered to Secondary Students program in the regions. They are crucial and the collaboration between the different groups is what makes the program successful for students and supports training and jobs in our region.

**HON PETER FOSTER (Mining and Pastoral)** [12.30 pm]: I note there are only about four and a bit minutes left, so I will try to do my best to get in as much content as I can in that time.

I start by acknowledging Hon Stephen Pratt. I thank him for moving the motion because it has given members of the chamber a really good opportunity to talk about skills and training and in particular the Cook Labor government's investment in training and skills. I acknowledge the comments of Hon Lorna Harper. She is a champion for the early childhood education community. I also acknowledge the comments of Hon Pierre Yang. He is doing a great job as Parliamentary Secretary to the Minister for Training. I acknowledge the comments of Hon Sandra Carr, who is a strong advocate for the midwest.

As a lot of honourable members have talked about today, I think the free courses and the frozen course fees are a really good outcome. As we have heard today, a lot more people are getting upskilled and receiving training. We have talked about the cost of living. This is a perfect way that people can save some money and get skilled at the same time. I think it is really great that we are both freezing fees and also offering free courses. We have also talked a lot today about the investment in upgrading not only TAFEs, but also TAFE equipment. It is really pleasing that a large proportion of that investment is in regional WA. We have heard about some of the investments in the midwest. I want to talk briefly about the investments in the Pilbara and the Kimberley.

Earlier this year, a \$6 million health and hospitality trade training centre opened in Kununurra. The opening was attended by the member for Kimberley, Divina D'Anna, MLA. She is a strong advocate for trades and training up in the Kimberley. Work is also underway for the \$11.8 million hospitality and student services centre at North Regional TAFE in Broome. In the Pilbara, we have a \$7.9 million investment in North Regional TAFE at the Minurmarghali Mia campus in Roebourne. A major upgrade is also taking place at the North Regional TAFE facility in South Hedland. These TAFE facilities, especially in the Pilbara, are really, really important for us. We have a lot of mining industry at home in the Pilbara, and so it is great that our TAFEs are operating and providing the skills and training that we need to keep our workforces up in the Pilbara highly trained.

We often talk about Carnarvon in this place and we do not always share some positive stories, so I want to talk a little bit about some of the skilling and the training that is taking place in Carnarvon. I want to particularly acknowledge Real Futures. Real Futures is an organisation in Carnarvon that deals with mostly First Nations people but also a lot of people in Carnarvon who want to re-enter the workforce or enter the workforce for the first time. It helps people upskill, access training and connects them with jobs. It was announced earlier this year that it will operate the Driving Access and Equity program. A couple of years ago, I attended a number of the skills summits and one of the issues that came up quite frequently was that people were struggling to get a licence. They needed a licence to get a job. It is really great that Real Futures in Carnarvon is now providing that service. It is very, very busy. Now people in Carnarvon can get their drivers' licences.

One of the programs that I am quite proud of is the café in Carnarvon called Jardilunji Mia, which is based at the cultural centre. People at the cultural centre can do a certificate II in hospitality. There is an article about it in the *National Indigenous Times*, but I will not have time to read it. A number of students have now completed their certificate II in hospitality and they are working in the Carnarvon community. These people either left school early or had never held a job before and a number of them are now working in full-time employment as a result of doing the certificate II program.

Noting there are only 10 seconds left, I thank Hon Stephen Pratt for moving this motion today. It was really great to hear members' contributions around investment in skills and training, and I commend the motion to the house.

Motion lapsed, pursuant to standing orders.

### SELECT COMMITTEE INTO CHILD DEVELOPMENT SERVICES

#### *Extension of Reporting Time — Motion*

Resumed from 28 November on the following motion moved by Hon Dr Sally Talbot —

That the reporting date for the Select Committee into Child Development Services inquiry into child development services be extended from 31 December 2023 to 18 April 2024.

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [12.35 pm]: This order of the day deals with an extension of time for the Select Committee into Child Development Services' interim report. We are seeking the house's agreement for an extension of time from 31 December 2023 to 18 April 2024.

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [12.35 pm]: The opposition supports that motion. That committee is doing great work. It is a great piece of work instigated by Hon Donna Faragher, who deserves credit for this. The opposition is undoubtedly going to support a motion that allows the committee to do that work for longer.

Question put and passed.

### PLANNING AND DEVELOPMENT AMENDMENT BILL 2023

#### *Committee*

Resumed from 29 November. The Deputy Chair of Committees (Hon Dr Sally Talbot) in the chair; Hon Jackie Jarvis (Minister for Agriculture and Food) in charge of the bill.

#### **Clause 11: Parts 11B and 11C inserted —**

Progress was reported after the clause had been partly considered.

**Hon NEIL THOMSON:** We are up to proposed section 171R. We were in further discussion on that element of clause 11. Proposed section 171R(1)(a) does not require proof that an application be of state or regional significance, but rather the application raises issues of the same. I think just a general observation that we have made before in this place as part of discussions is that those subsections under proposed section 171R are extremely broad and open to interpretation. I am trying to envisage a situation in which there might be an appeal to the State Administrative Tribunal. Normally, appeals occur in the development application process when there is an argument of procedural fairness not having been applied by the decision-maker. Normally, if a developer was not given approval by a development assessment panel, they might take the matter to SAT. I am arguing here that these provisions are extraordinarily broad; I cannot see a situation in which someone is going to challenge whether the state applied the test of regional significance. If members could just bear with me a second. It is possible that the applicant may say, "Well, on what grounds was my application refused?" Then the grounds of it might be that it was not considered to be of state or regional significance or one of those other aspects in relation to the additional part of that approval process and it is inconsistent with the applicable planning instrument.

Because these are so broad, my question is: to what extent will the commission be required to provide evidence of any matters to do with state or regional significance or any of the other criteria outlined in proposed section 171R for a State Administrative Tribunal appeal?

**Hon JACKIE JARVIS:** The member initially asked whether decisions could be challenged. Yes, they could still go to SAT through the normal process, so there will be no change there. With regard to an application that raises issues of state or regional importance or is in the public interest, the onus will be on the applicant to outline the reasons why they believe the application is of state or regional significance or in the public interest. If the Western Australian Planning Commission refuses the application on that basis, it will have to provide a body of evidence and the reasons for that. Again, SAT could be invoked to review the decision.

**Hon NEIL THOMSON:** If the reason for refusal is that it is not in the public interest, will the commission apply a framework of a public interest test or will there just be a subjective determination by the WAPC about the public interest? I note that conventional public interest tests are applied to a whole range of matters under both federal and state governments. I wonder whether a public interest test as such would be applied, particularly in the case of a refusal.



**Hon JACKIE JARVIS:** The WAPC will develop a policy fact sheet or a framework, if you like, about what is in the public interest and it will use the broad expression of public interest. Case law outlines the concept of public interest. It is deliberately broad. Further factors from existing case law in which public interest is likely to arise include when broader benefits are public and are not merely in the private interest; when it promotes the objects of the enabling act, which in this case is the Planning and Development Act, which provides for an efficient and effective land use planning system in the state; when it promotes the sustainable use and development of land in the state; and when it promotes any negotiated planning solutions. Conversely, factors that are not in the public interest include when the benefits are to a private person only or when it is inconsistent with the Planning and Development Act. As I said, the onus will be on the applicant to show why it is in the public interest.

Examination of other jurisdictions also provides some guidance on issues of state or regional importance, which is covered under proposed section 171R(1)(a). Issues of state or regional importance could include the nature, scale and/or geographical area of influence; the potential contribution to the delivery of physical, community or other infrastructure; and the potential contribution to the economic wellbeing of the state or the region. For example, it could be a project that facilitates local employment opportunities. As I said, the WAPC will have a framework and a fact sheet to provide guidance on that.

**Hon NEIL THOMSON:** Could there be a situation in which the proponent has been given approval but there could still be an appeal? I think there could be, but I think it might be to do with the conditions only. Could the minister confirm that?

**Hon JACKIE JARVIS:** An applicant might get approval and it might have 50 conditions. They could appeal a condition or several conditions on that approval and still go to SAT. Was that the question?

**Hon NEIL THOMSON:** Yes. As I said, only the proponent can appeal. There will not be provision for a third-party appeal whatsoever.

**Hon Jackie Jarvis:** Correct.

**Hon NEIL THOMSON:** It highlights the scrutiny of the commission in the exercise of the public interest assessment or the assessment of state or regional significance, unless there is some sort of negative approval or there are excessive conditions on the proponent or a refusal by the proponent. There will be absolutely no scrutiny whatsoever in the approach that the commission will take. What other mechanism will a member of a local government or a member of the community have to at least scrutinise and assess whether the criteria listed in proposed section 171R have been applied in an objective manner?

**Hon JACKIE JARVIS:** There will be a couple of avenues. The member is talking about a serious objection by a third party. There will be a judicial review process, so a third party could go down that track. Proposed section 171ZA provides that the Governor may amend or cancel an approval granted by the commission. That would be done via a request to the minister. There will be a legislative instrument whereby the minister can request that the Governor amend or cancel an approval granted. I would not think that that would be used very often, but there will be an ability to do that.

**Hon NEIL THOMSON:** I was going to get on to proposed section 171ZA, so I thank the minister for that. That helps my line of questioning. If we could just digress a little to refresh my memory, does the judicial approval process apply right across the board for approvals under the Planning and Development Act? That is just a general approach, is it not?

**Hon Jackie Jarvis:** The judicial appeal process, yes.

**Hon NEIL THOMSON:** I move to proposed section 171V, “Enforcement powers of Commission in relation to conditions”. I note that this is a prelude to further discussion later this afternoon. There will obviously be significant inspection powers provided to officers in the agency. That is maybe what proposed part 10 refers to. There are a lot of moving parts to this legislation and I am trying to keep my head around them all. The important thing here is that I understand why the commission might want to enforce conditions of development because it now gets involved in the business of development approvals in a way other than the part 17 process. I think there are some exceptions on crown land for which the commissioner has had an approvals process for decades for some developments. They have always had those powers over some of those crown land approvals. My question raises the fact that this provision is now in this bill. Is this in response to some concerns that the conditions applied under part 17—those COVID-inspired provisions—might not have been able to be managed appropriately, or have there not been any concerns about conditions applied to those part 17 approvals?

**Hon JACKIE JARVIS:** Proposed section 171V was created because the Western Australian Planning Commission stands in the shoes of the normal decision-maker—that is, the local government—so it was considered that there might be some confusion about who is responsible for enforcing significant development approval. The intent of this proposed section is that because the WAPC makes the decision, it should be responsible for it. This is different from development assessment panels or the State Administrative Tribunal, which make a decision and then essentially send it back to local government to enforce. It was considered fairer that the WAPC should spend its own time and resources enforcing its own decisions.

**Hon NEIL THOMSON:** I totally understand that. That was very ably presented in the explanatory memorandum. As I said, I totally understand why this would be needed. It is also a fact that the WAPC not only stands in the shoes of the local government or the decision-maker, but also stood in the shoes of the decision-maker under part 17. Was there a deficiency with part 17 that motivated this provision?

**Hon JACKIE JARVIS:** There was simply a lack of clarity, and so this will hopefully clear that confusion up.

**Hon NEIL THOMSON:** That is very interesting. I suppose lack of clarity has real-world impacts. Obviously, proposed part 11B will supersede part 17, notwithstanding that part 17 will be retained and effectively grandfathered in the future. Were there any concerns by the commission about the failure of proponents and developers with respect to those part 17 approvals that might have been developed and built in a way that did not conform with the conditions applied by the WAPC?

**Hon JACKIE JARVIS:** Not that we are aware of.

**Hon NEIL THOMSON:** Can we move on? We are just stepping through clause 11. I turn to proposed section 171W, “Substantial commencement of development approved under s. 171P(1)”. This issue has been raised. I might have been overly generous in saying earlier that I thought maybe some of these proposed part 11B provisions might have been tighter than the part 17 provisions. There may be better clarity, which is probably the right word, and it tightens things up in some respects. For the record, I state that I do not find these provisions sufficiently robust in some respects. I have said many times that there is scope for outcomes that will not necessarily be sufficiently “scrutinisable”—if that is a word, but the minister knows what I mean. I would like to get a bit more understanding of this provision. I believe there was an example under part 17 arrangements in which a development was approved on the Cottesloe foreshore, with a couple of extra storeys being added over and above the local planning scheme. The local planning scheme had been designed through a very extensive inquiry and design process, which had involved local community input. Although people could argue the merits of that approval, the fact is that that block was later on sold without any development or substantial improvement. I understand that development has not yet progressed to this day.

My point is that part 17 doubles the default period. It was said that two years was too short. What evidence did the commission have for coming up with this four-year process?

**Hon JACKIE JARVIS:** Obviously, part 17 applications preceded the writing of this bill. It was discovered during that part 17 application process that the two-year time frames were too short and not practical. It should be noted that a proponent cannot begin construction straightaway after planning approvals. There still needs to be further approvals from other approval agencies such as for building permits and road access. There needs to be preparation and obtaining of further plans from management, and on some occasions finance. That is why this bill has the default time line of four years. However, the WAPC can still impose a shorter or longer period if appropriate, depending on the development.

**Hon NEIL THOMSON:** So the commission could put a 10-year period if it so chose to?

**Hon Jackie Jarvis:** Yes.

**Hon NEIL THOMSON:** That seems quite extraordinary. I suppose it would have to provide reasons for that.

**Hon Jackie Jarvis:** Yes.

**Hon NEIL THOMSON:** We are getting there. Is this expansion of the time frame an admission that the part 17 provisions, which were designed to stimulate the economy, did not work?

**Hon JACKIE JARVIS:** No.

**Hon NEIL THOMSON:** There was a nice, short answer. It gives me the impression that maybe there were a lot of challenges with materials and a dearth of construction workers and so forth. I guess the whole need for this part 17 in the first place was that it would somehow stimulate that the economy.

*Sitting suspended from 1.00 to 2.00 pm*

**Hon NEIL THOMSON:** I want to finish off with proposed section 171W. There seemed to be a need to make some changes related to part 17. Given the very generous approach here with respect to the proponent and given the objectives of proposed part 11B, was any consideration ever given to prescribing the onselling of property prior to commencement?

**Hon JACKIE JARVIS:** Planning approvals come with the land regardless of who the owner is. If the ownership of a development changes hands during that time, the planning approvals stay with the land.

**Hon NEIL THOMSON:** Just to finalise that point, as the minister knows, the Land Administration Act, for example, contains certain conditions that apply to only the holder of that particular title—notwithstanding that sometimes it may be a leasehold title. Given that the objective here is to create opportunities for urban infill and housing, and that there is the potential for very long lead times on these approvals, I would have thought that some incentive could possibly have been put in place.

I might just leave that one there and go to proposed section 171Z, “Ministerial call-in of application for review under s. 171Y”. The call-in powers here are a little different to the call-in powers that I understand currently exist in the Planning and Development Act. Is there any variance at all in terms of their broader application from the existing call-in powers in the Planning and Development Act?

**Hon JACKIE JARVIS:** I am advised that proposed section 171Z clarifies the call-in powers. If the Premier has, in the first place, authorised a project as being of state or regional significance, which is why the application has gone to the Western Australian Planning Commission, and an appeal is made on any of the approvals or the conditions, the minister’s call-in powers will automatically come into play. It will still go to the State Administrative Tribunal for a review.

**Hon NEIL THOMSON:** I may have misread that. I did not know it was restricted to projects of state or regional significance and that the call-in power in proposed section 171Z does not apply to the other matters outlined in proposed section 171R.

**Hon JACKIE JARVIS:** I am advised that under the current act, the minister already has call-in powers for those projects of state and regional significance. A power currently exists under section 246 for the Minister for Planning to call in applications from SAT if it raises issues of state or regional importance. Under this proposed section, the Premier will be given the power to authorise the lodgement of applications to be determined by the WAPC, which I said previously. If the Premier has authorised the lodgement of an application, which is of state or regional importance, it logically stands that that application is also worthy of being called in for any application to SAT. I think the heart of the member’s question was “What’s changed?” As far as I can see, the minister already has call-in powers. The change in this bill is that call-in powers will become automatic if there is an appeal after the Premier has initially referred an application.

**Hon NEIL THOMSON:** I think I know what the minister is saying. Basically, the process under proposed section 171R states that the commission may make a determination for a whole range of reasons, including public interest and state significance. In that case, if there is an appeal, is there an ability for the minister to call that in under all those provisions? The minister can correct me if I am wrong. I am a bit confused. Proposed section 171Z only talks about call-ins and the application of state significance. It has to be past that threshold. I am probably confusing the member, because I am confused.

**Hon Tjorn Sibma:** I am confused also.

**Hon JACKIE JARVIS:** The member’s confusion is not my issue.

**Hon Tjorn Sibma:** It is a serious issue for myself!

**Hon JACKIE JARVIS:** I will let the member deal with his own condition.

Proposed section 171Z just outlines the process whereby if the application is originally determined by the Premier to be of state or regional significance and therefore goes to the Western Australian Planning Commission at the Premier’s request. It then automatically gives power to the Premier to have a call-in if an application was made to the State Administrative Tribunal. There were already call-in provisions for the minister. That does not change. This is literally just to deal with call-ins by the Premier when the Premier initially put the project to WAPC.

**Hon NEIL THOMSON:** I was interested in that last point, too. Is it fair to say that the Premier’s ability to call-in a matter is only if it is to be considered of state significance?

**Hon Jackie Jarvis:** By interjection, yes.

**Hon NEIL THOMSON:** Would state significance be in accordance with other definitions of state significance? That maybe seems like a higher threshold than what might be required for decision-making on those matters under proposed section 171Z. Would it be fair to say there is a standardised definition of that?

**Hon JACKIE JARVIS:** It is the same definition that we discussed earlier. It has a broad meaning but is likely to include matters of social, economic and environmental importance to the state or the region. Some examples might include a children’s hospice, community housing or a childcare centre in a regional area with a lack of facilities. It is when the nature and scale of the geographic area of influence is considered to be significant to the state or the region.

**Hon NEIL THOMSON:** I have one last question on this. I do not know of any other matters under the Planning and Development Act in which the Premier can call-in a matter. We already have the minister, who is a member of cabinet. What was the logic to insert the Premier into a call-in? I would have thought that the cabinet would have made the decision or that there would at least be a conference in cabinet about a matter that might have gone to SAT. I would have thought that the minister would be more than capable to undertake that review. Is there some sort of orchestration here by the government in order to try to give the perception of the independence of the minister?

**Hon JACKIE JARVIS:** I am advised that when the term “Premier” is used in a bill, it refers to cabinet. My understanding is that the term cabinet is not used in bills and that Premier is the term for a decision made by government at a cabinet level.

**Hon NEIL THOMSON:** I have another part of my question. Has this Premier or cabinet call-in power been applied in any other legislation?

**Hon JACKIE JARVIS:** Not that we are aware of. The use of the word Premier to represent the cabinet in the draft was on the advice of the Parliamentary Counsel's Office.

**Hon NEIL THOMSON:** Okay. We have clarified that. Proposed section 171ZA states that the Governor may amend or cancel approval granted by the commission. This is a different angle to this. Normally, the proponent appeals a decision of the commission. Up until now, we have had a situation in which a proponent may appeal a position and then there may or may not be a call-in by the minister or just a SAT determination. However, the government may amend or cancel an approval here. We have obviously been talking about the Premier, but we are now talking about the Governor. Under what circumstances would the Governor choose to amend or cancel an approval by the commission?

**Hon JACKIE JARVIS:** I am advised that the purpose of the Governor's oversight is to ensure an additional check and balance for significant development approvals. In practice, reference to the Governor means the Governor acting on the advice of the relevant minister in Executive Council. The Governor's power is by way of subsidiary legislation, meaning that it cannot be easily used. It requires the drafting of formal instructions by PCO, approval and presentation to the Governor by the Minister for Planning, and scrutiny and potential disallowance by each house of Parliament. It is not something that could be used very easily.

The most likely situation would be one in which the WAPC approved a development that resulted in widespread community outrage to such an extent that both the minister and Parliament felt that the decision should be cancelled or amended. It is hard to speculate more broadly on what kinds of scenarios would be contemplated, but I think the important thing to remember is that it provides a check and balance for the significant development approvals pathway.

**Hon NEIL THOMSON:** I have suggested that it is an unprecedented provision, notwithstanding that the title of Governor just refers to the Executive Council and so forth. In another part of the bill, there is a provision to codify or formalise the independence of the commission, so is this provision necessary?

**Hon JACKIE JARVIS:** I answered a question earlier about public interest. This clause will provide a check and balance that requires approval of the minister of the day and both houses of Parliament. There is nothing more to it than that, other than it will provide an additional check and balance when dealing with significant approvals.

**Hon NEIL THOMSON:** Is there any comparable provision in the Planning and Development Act?

**Hon JACKIE JARVIS:** I am advised that this was taken directly from part 17.

**Hon NEIL THOMSON:** I move to proposed section 171ZD, "Regulations", and the proposed part 11C conflict resolution procedure. Can I firstly, at a high level, get a brief explanation? Proposed part 11B is the approvals, appeals and governor role that seems to cover all the matters that are pertinent to a decision. Part 11C seems to deal with the issue of conflict resolution and maybe some other ancillary matters. Is that a reasonable surmised of that process? Can the minister give me a quick overview of the difference between proposed parts 11B and 11C?

**Hon JACKIE JARVIS:** As the member said, proposed part 11C is conflict resolution provisions. They are modelled on existing provisions in part 17. This comes from stakeholder consultation that illustrated that the focus should be on resolving conflicts between planning and transport regulatory agencies. As the member said, proposed part 11C is with regard to avoiding conflict. That is why it exists.

**Hon NEIL THOMSON:** Is it also fair to say, at a quite specific level, that it seems to limit the agencies with which matters can be dealt with under this conflict resolution process to those under the Main Roads Act?

**Hon Jackie Jarvis:** Yes.

**Hon NEIL THOMSON:** In my contribution to the second reading debate I gave a rather lengthy and complex report on a matter of the Kelmscott district centre structure plan. A number of submissions were made to that. Although it was not directly related to matters that might be considered under proposed part 11B—although it could be in the future—the point I am making is that we can often see those referral agencies having a significant imposition, in a broad sense, on the progress of a certain development. I can understand the need for conflict resolution because, in this case under part 11B approvals, the scenario could arise in which matters are approved that might not necessarily accord with the legislative or policy objectives of those other referral agencies. I can understand maybe why there is this requirement.

In the experience of part 17, have there been situations in which approvals have been provided, noting that the educative process of part 17 and its practice has been, no doubt, a factor in the creation and design of part 11C? We could say that the learnings from that process have actually influenced part 11C. Has there been a situation in which decisions have been made under part 17 that have led to a level of legislative conflict with other referral agencies' requirements that has necessitated this conflict resolution process?

**Hon JACKIE JARVIS:** As I said, this came back following stakeholder consultation regarding part 17. The stakeholder consultation reported that there should be a focus on resolving conflicts between planning and transport regulatory agencies. The most common issue was, for example, that a development could be approved but then

there might be conflict with regard to crossovers or slipways for Main Roads. This clause was put in specifically because that was an issue raised by stakeholders. I think that was the most common issue with regard to transport regulatory agencies and planning major developments.

**Hon NEIL THOMSON:** Let us hope it is not counterfactual and that, given the commission's powers to make approvals that do not necessarily conform, it has made an approval with the policy or instruments that might exist under, for example, the Environmental Protection Act, the Main Roads Act or any other act, for that matter. I assume that the commission is bound in every way with regard to law, but I am talking about the policies that might flow from that.

**Hon JACKIE JARVIS:** The impact of this part of the bill is to bring transport into the equation earlier rather than later, which is where conflict was arising. The applicant would submit their development approval and the transport agency, for example, Main Roads, would identify any road or traffic issues up-front. The Western Australian Planning Commission, as the relevant decision-maker, would incorporate transport-related information into the planning decision. This will then provide development approval with the appropriate conditions, so that the proponent knows up-front that they require a crossover or slipway before progressing any further. They would then apply to the transport agency for approval to construct the crossover or slipway. As I said, that was identified by proponents during the stakeholder consultation process as an issue of timing with Main Roads plus development approvals. This will bring the transport agencies front and centre at the start of the process.

**Hon NEIL THOMSON:** Maybe I could go to section 171ZE just to sharpen my line of inquiry on this matter. Regarding the definitions, the proposed section outlines relevant legal instruments being a legal instrument in part 17; however, it will be narrower when applied to the Planning and Development Act and the Main Roads Act 1930. If a decision has been made by the commission under proposed part 11B, will it be possible that prior to any conflict resolution there might be a case under proposed part 11B to make a decision that will contravene matters sitting under the Main Roads Act 1930?

**Hon JACKIE JARVIS:** No, they are separate systems. This will not override the Main Roads Act. All it will do is bring the transport regulatory agency in earlier. When the planning decision-maker approves development of, for example, a crossover, the applicant will still need to apply to the transport agency for approval to construct that. At this point, the transport agency would be prohibited from refusing to allow construction of a crossover or slipway when transport issues were already dealt with during planning approval. There are still separate processes and the applicant will still need to apply. This will fix the issue when someone builds or plans to build a significant development and Main Roads Western Australia says the developer needs a slipway and cannot turn in off the highway to that property because it has not dealt with the transport issues. All it is doing is bringing transport to the table early. The proponent still needs to complete the two approval processes, and if Main Roads declines to have a slipway or a crossover for traffic management reasons, then I guess the developer would need to rethink their access ways.

**Hon NEIL THOMSON:** In the situation that a proponent puts up a proposal, the commission will undertake its assessment under proposed part 11B and then seek submissions from referral agencies. I assume that will still occur under proposed part 11B and is just a normal practice under this process. The officer under the delegation of Main Roads' CEO, as the delegated authority, then says, "We need all these slipways; we need this traffic modelling," and all these other things under—let us say—subsidiary legislation or whatever instrument they are utilising. Under normal circumstances, if we go back to the point at which the commissioner is now standing in the shoes of the decision-maker, I would have thought it would be up to the decision-maker to make a decision based on their obligations under the Planning and Development Act, and the raft of subsidiary instruments that sit under it, with respect to that submission. Why does it necessitate a conflict resolution process? My thought is whether something is happening here that might lead to an ability for the commission to effectively undertake development that does not conform with the requirements under the Main Roads Act.

**Hon JACKIE JARVIS:** No, that is not the case. As I said, they are two separate processes. All that happens is the transport agency identifies any road or traffic issues. The relevant decision-maker incorporates transport-related information into the planning decision. The applicant still needs to go to the transport agency, but they will know up-front what they are required to do.

**Hon NEIL THOMSON:** Is the minister saying here that proposed part 11C effectively codifies in the act a process that might otherwise normally happen if part 11C did not exist?

**Hon JACKIE JARVIS:** This provision will bring transport to the table early, so a planning decision is not made in isolation from what Main Roads may require. It says that the transport agency comes to the table early. The applicant submits the development approval to the relevant decision-maker. At step 2, the transport agency identifies any road or traffic issues, which the relevant decision-maker then incorporates into the planning decision. Once that happens, the applicant still needs to apply to the transport agency for those matters that Main Roads has identified.

**Hon NEIL THOMSON:** I am still very perplexed as to why this is necessary in the legislation, only insofar as the normal practice of any decision-maker, whether it be a development assessment panel or otherwise. I do not think we have comparable provisions for conflict resolution in a DAP. I think the test is really whether there is a comparable provision. There might have been in part 17, but part 17 was put through in a bit of a hurry. Maybe it was put there

because of some nervousness from within government. I do not know the motivation for part 17 to have that more broadly based resolution, because this is what statutory decision-makers do. They are required to broadly consult, engage and seek submissions. I would have felt more comfortable if there was something outlining that process, but instead we have this conflict resolution. I am trying to work out why we have a conflict when someone in the shoes of the decision-maker would already be engaging with Main Roads around policy. I would have thought the views of Main Roads were very important, given the real-world impact of not getting that right. Ultimately, the decision-maker, the commission, has to make a balanced decision on the basis of all the factors it is privy to and then assess it. I am confused why we need this and I wonder to what extent it is necessary. I am trying to ascertain whether I am missing something as to whether it is only necessary because of the broad powers under proposed part 11B. That is my question, but the minister may not have a response to it.

**Hon JACKIE JARVIS:** As I said, this will bring transport to the table early. The member is saying he does not understand why proposed part 11B is here. It is here because clearly stakeholders advised that, in the past, there have been conflicts between planning and transport regulatory agencies. My understanding is it has been possible for a development to be approved without paying due regard to whether there should be a crossover or a slip-road. All this does is bring transport front and centre so it can get clarity for the proponent and everyone else. This was based on substantial feedback from stakeholders who used part 17, which quite often resulted in conflicts in the process. All it does is make sure that the Western Australian Planning Commission speaks front and centre to the transport agency to incorporate any transport-related information into the planning decision so that any conflict is resolved up-front rather than down the track.

**Hon NEIL THOMSON:** Are there any comparable provisions that apply to the exercise of decision-making within the joint development assessment panels?

**Hon JACKIE JARVIS:** It is worth remembering that the particular clause we are talking about is for complex and significant developments. Quite often, we are talking about large developments, and that is why it was thought to go with this process based on stakeholder feedback. DAPs consider transport as part of their normal decision-making process, but it is not as up-front and early on in the stage. This is a specific clause that will avoid conflict between transport for major, significant and complex developments.

**Hon NEIL THOMSON:** I remain unconvinced. As I said, I have not necessarily been satisfied with proposed part 11B as a general process. I think the government is yet to demonstrate that it will result in decisions around some of those complex and difficult areas, given the whole range of other instruments available. I think it is simply wrong to suggest that JDAPs do not consider complex and difficult projects—they do. They have a lot of conflict with not just transport, but also other referral agency recommendations, which then have to be weighed up and considered. Maybe this will be a model for something. Maybe it is important and necessary and, therefore, might be added as a model to JDAPs at some point. As I said, from the information I have been given, I am unable to ascertain whether this will provide better decision-making, and I remain concerned, given the massive challenges we already have. I refer to the information I have been given about the approval for the redevelopment of the Princess Margaret Hospital for Children site and the traffic modelling data provided to me through questions in Parliament. The traffic modelling data was restricted to ingress and egress to the site and the delays that will occur with motor vehicles entering and exiting onto Roberts Road and Thomas Street. For me that seems entirely unsatisfactory, given the aggregate effect of development across our city and the impact that has on the total traffic burden for our state. Those very important issues should be more transparently provided to the community as we move forward to achieve the higher levels of density we are seeking.

I am unconvinced as to why we need this provision. It may be that we do need it, but my concern is that this is merely defined as a “conflict resolution process”, but it will go beyond the normal expectation of submissions and decision-making based on the evidence provided. It seems to me that the Western Australian Planning Commission might have a process by which it could effectively strongarm Main Roads Western Australia or vice versa when Main Roads might take a particular position. The Water Corporation, Department of Water and Environmental Regulation and a whole range of other agencies are a source of frustration to developers, sometimes for very good reasons and sometimes not so much. They have a job to do to ensure that all their objectives are achieved, so I remain unconvinced as to why it is necessary and to what effect it will have within the context of any non-scheme conforming development. I will leave it there because I feel I will not get a particular response today.

I will leave that as a comment and move to proposed section 171ZN. Proposed section 171ZN, “Direction is disallowable subsidiary legislation”, is to do with conflict resolution. I have asked why it is necessary to insert proposed part 11C in the first place, and the minister said that it was necessary to bring in early—I am paraphrasing—collaboration and engagement between Main Roads and the commission. Why is it necessary for that direction under this process to be disallowable if it does not go beyond what the minister said was early engagement?

**Hon JACKIE JARVIS:** This disallowable instrument is based on drafting advice from the Parliamentary Counsel’s Office. If a planned decision has been made, incorporating the advice of transport, and down the track, say a year or two afterwards, there is a whole-of-government reason for changing that decision, the Minister for Planning and Minister for Transport can obtain agreement from the Premier, which as we have discussed means cabinet, to ensure a whole-of-government solution if they need to disallow the previously agreed transport provisions within

the development approval. For example, planning approval for a slipway may need to change because some other major roadworks or development is going on. This order will give the power to give direction to a government agency to do something that may not otherwise be considered appropriate. Essentially, it will ensure that there is a whole-of-government solution if a complicated development problem arises after the approval.

**Hon NEIL THOMSON:** Therefore, this disallowable instrument at proposed section 171ZN will apply to the direction at proposed section 171ZK. Is that correct?

**Hon JACKIE JARVIS:** As stated in the bill, it will apply to a direction under proposed sections 171ZK or 171ZM.

**Hon NEIL THOMSON:** Thank you, minister; I had not read that. I am refreshing my memory as we go through the bill. I will circle back to an issue around conflict resolution. Proposed section 171ZK, “Direction to decision-maker by Minister on notification of proposed performance of function”, is specifically about conflicting functions. I have sort of had a crack at asking this before, in one way or another. If the commission wants to make a decision that will conflict with a function of Main Roads—I think the legislation will be limited to only Main Roads, from what I can gather—or, say, if the Minister for Planning wants to make a decision that will conflict with a function of the Minister for Transport, will this provision cover those situations?

**Hon JACKIE JARVIS:** The conflict resolution provisions will not deny any other non-planning government agency its role. The provisions are to encourage any identified problems or challenges to be identified up-front in the planning approvals stage and therefore the provisions are to encourage integrated decision-making. If a conflict is later identified, the conflict resolution provisions seek to have that conflict resolved in a whole-of-government manner.

**Hon NEIL THOMSON:** The minister said earlier that conflict resolution was early engagement. Is she now saying conflict resolution is after an issue has been identified?

**Hon JACKIE JARVIS:** No, member. The member asked about the disallowable section. Earlier, I identified that the conflict resolution provisions are to encourage problems and challenges to be identified up-front in the planning decision. We are now dealing with proposed section 171ZN, which provides that if a conflict is later identified, that conflict can be resolved in a whole-of-government manner. Earlier, we discussed the fact that transport will be brought in early. The member asked why a direction will be disallowable subsidiary legislation; that is because if a conflict is later identified, this provision provides a way that the conflict can be resolved in a whole-of-government manner.

**Hon NEIL THOMSON:** That has provided some clarity. It can be used to bring together, in layman’s terms, early engagement, prior to the decision being made. I question whether that is necessary. I personally do not think it is. I think it is an unnecessary provision, because I would have thought that it would be a matter of course for any decision-maker to do that. We then have the second piece. If we break it into two, one is when there is a disallowable provision after the decision is made, and that reflects the structure of proposed part 11B. I think there is a level of sympathy in the process of 11B, if you know what I mean. I am trying to think of the circumstances of the second part, in which conflict resolution may be applied to a decision after the event. That raises a few issues; for example, we may have had a decision made by the commission and 12 months later an issue has been identified. Has there been advice received on potential implications for a proponent that is seeking a compensation decision that may be restricted after initially gaining approval?

**Hon JACKIE JARVIS:** It is the opposite. This provision is aimed at preventing proponents being trapped between two conflicting approval systems. The whole idea is to integrate planning and transport. Currently, a major proposal could be approved and they could find when they go to transport that they cannot get access off the main road or the road is not wide enough, for example, and they have to construct a slipway. It is identifying issues early. The member seems to be dwelling on the disallowable. I imagine that there would be a very small number of circumstances. The main role of the proposed section we are talking about will be to assist major developments to have integrated approval whereby transport and planning are on the same page.

**Hon NEIL THOMSON:** If a developer received approval under proposed part 11B and then found at a later stage that approval was either difficult or impossible to deliver because of the decisions under the Main Roads Act 1930, what will the process be to trigger the direction by the minister under proposed sections 171ZK or 171ZM?

**Hon JACKIE JARVIS:** I am a little confused, because the whole point of this is that the developer would not find out that there are issues with transport down the track. When there is a significant development, they would know up-front, at the time of the approval process, because we are integrating planning and transport. The member’s question was: what if someone got development approval and then down the track found out that the Main Roads component was too onerous? We are saying we are putting it up-front so that will not happen. It will be integrated, so they will know the transport provisions that are required, whether it is a slip-road or a crossover. They will know that because that will be included as part of the development approval process.

**Hon NEIL THOMSON:** Under what circumstances would the directions under proposed sections 171ZK and 171ZM, which could be disallowable under proposed section 171ZN, be triggered after a decision is made by the Western Australian Planning Commission?

**Hon JACKIE JARVIS:** Hopefully never. This approval might last for two or three years before they start construction. If there are major roadworks or some other unforeseen realignment of the road—that was not foreseen

in the original approval—under the provision we are discussing, proposed section 171ZN, two ministers can come together and make an amendment to the original planning approval to facilitate what needs to happen. It would be a very rare circumstance and it is there under the advice of PCO. Although the idea is that it may be used in very rare circumstances, I do not think it is outside the realm of possibility that there could be major roadworks. There could be a reason to have to realign a road and there could be a tweak needed to the original approval so that Main Roads and planning stay on the same page.

**Hon NEIL THOMSON:** We use language like “tweak” and things like that. I do not think I am going to get any further clarity on this, other than what has been stated so far. I will not pass judgement on the clarity of any responses, minister; I am only saying that the provision in proposed part 11C raises more questions than it answers, particularly because it is limited to Main Roads. I do not think we have had a clear response to date about why it has been restricted from part 17, where it was much broader, other than that the PCO has provided advice that it is necessary. I am not going to gain much by continuing in that vein. On that basis, I will move to another clause.

**Clause put and passed.**

**Clauses 12 to 20 put and passed.**

**Clause 21: Section 257C inserted —**

**Hon NEIL THOMSON:** We are making progress and I have no doubt we will have completed this by question time; that is my aim, given the number of questions I have. The opposition made it quite clear that we had the most challenges with clause 11. We hope that clause 11 delivers the outcomes that have been sought by the government and we look forward to reports on that in due course.

Clause 21 is to do with the performance of development approval functions for, in the main, single dwellings and some other configurations for approvals and delegations through to local government CEOs, from what I understand. My first question is: did the agency undertake an analysis of the need for this particular clause, given that my understanding is that a large percentage of local governments already have this delegation function in place?

**Hon JACKIE JARVIS:** This proposed section is to provide uniformity across all local government areas.

**Hon NEIL THOMSON:** That did not answer the question. It is a provision that the opposition supports in principle. We said there were some elements in this bill that we thought were more meritorious than others. In saying that, there are always unintended consequences of any uniformity that is applied across the board. Does the minister know which local governments are going to have different processes? Which local governments currently do not have these provisions?

**Hon JACKIE JARVIS:** I do not have a comprehensive list. Different local governments have different levels of delegation. It is quite a broad range of different delegations. As I said, the function of this proposed section is to provide uniformity across all local governments.

**Hon NEIL THOMSON:** Has the government received any feedback from the Western Australian Local Government Association or any local governments raising any concerns with this provision?

**Hon JACKIE JARVIS:** The Local Government Planners’ Association is supportive. WALGA noted the change and noted that many local governments already had this provision but did not provide a strong view either way.

**Hon NEIL THOMSON:** Will the department be undertaking any analysis of the outcomes of this provision?

**Hon JACKIE JARVIS:** I would not have thought so.

**Hon NEIL THOMSON:** On any exemptions that might apply, under what circumstances would there still be a possibility for council to consider any single-dwelling approvals under a planning arrangement?

**Hon JACKIE JARVIS:** Heritage protected places, including houses on the state heritage list, on local heritage lists or within local heritage areas are where councils can determine the applications for a single house. It is if they are within one of those heritage protected places.

**Hon NEIL THOMSON:** Would that apply to any modification or demolition of any part or whole of anything that is on a heritage register? As a subsidiary to that question, does that include the local government heritage register?

**Hon JACKIE JARVIS:** Yes. As outlined, “structure” means “a building, structure, fixture or feature, that is ancillary or incidental to a single house”, or a single house. Yes, as I said, it covers local heritage lists and local heritage areas, as well as the state heritage register.

**Hon NEIL THOMSON:** Is there any risk that it might encourage some local governments to include more dwellings on their local heritage register in order to somehow claw back planning functions?

**Hon JACKIE JARVIS:** My understanding is that there is quite an onerous process to classify somewhere as a heritage area. Local governments would need to go through that process and show that there is a genuine reason for something to be listed as a heritage area.

**Hon NEIL THOMSON:** I have a final question. As I said, in principle we support this provision. We think it is welcome in some ways having planning powers for a single dwelling, especially when they conform with the R-codes



and the planning restrictions. In some ways, it may be unnecessary. That might be a subjective view, which not everyone shares. Because we will now have the delegation to the local government CEO effectively to make that decision based on the codes and within the process, was any consideration given at all to a complete exemption from decisions in relation to planning given that all developments will still require a building approval?

**Hon JACKIE JARVIS:** I am advised that many single houses are already exempt from planning approval. This provision is just to capture those dwellings that are not exempt already.

**Hon NEIL THOMSON:** That —

**The DEPUTY CHAIR (Hon Sandra Carr):** Hon Neil Thomson.

**Hon NEIL THOMSON:** Sorry, chair. I was a bit keen there! We must be getting towards the end of the year. Can the minister clarify whether that will apply only when the scheme specifically requires planning approval for a single dwelling? Is that correct?

**Hon JACKIE JARVIS:** It is in relation to the R-codes, member.

**Hon NEIL THOMSON:** Is the minister saying the R-codes require planning approval for single dwellings?

**Hon JACKIE JARVIS:** I am advised that it is when a house does not satisfy the deemed-to-comply provisions in the R-code. It might be a minor setback variation or something else that does not fit the stock-standard deemed-to-comply provisions within the current scheme's R-codes.

**Hon NEIL THOMSON:** Would this apply in every local government regardless of whether or not there was a requirement for planning approval for a single dwelling? Is that explicitly outlined in the scheme?

**Hon JACKIE JARVIS:** Every local government already incorporates R-codes, which has the deemed-to-comply provisions. This proposed section will apply only when a building is outside of that normal deemed-to-comply process.

**Clause put and passed.**

**Clause 22: Act amended —**

**Hon NEIL THOMSON:** This clause relates to the planning codes. I note that there was a very fulsome description of it in the explanatory memorandum. I convey to the officers present and those who are watching that I think the explanatory memorandum for this bill has been of exceptional quality. Please convey that via the minister.

**Hon Jackie Jarvis:** If we are moving on to planning codes, I may need to swap advisers.

**The DEPUTY CHAIR (Hon Sandra Carr):** Member, take a seat for a moment and we will cease proceedings until we have swapped the advisers.

**Hon NEIL THOMSON:** I will not spend too much time on this issue. I will pick up on the point in the notes for clause 22. The notes provided for the divisions for the planning codes, which is part 5, are useful. It was quite useful having that overarching information. That is some additional feedback. Sometimes when we have notes provided just for individual clauses, they do not necessarily make sense because of the challenges of the interactions between the various clauses and the part. We have to look at the part as a whole and try to understand the intent. That is elaborating on the feedback that I am providing to the staff at the department.

**Hon Jackie Jarvis:** If it is easier, I am happy to take questions on part 5 as a job lot.

**Hon NEIL THOMSON:** That might be the easiest way to deal with this. My questioning on this will not be particularly long. It seems that there was a requirement to tidy up some anomalies that are referred to in the explanatory memorandum that relate to section 32B and the commission referring planning code amendments to the Environmental Protection Authority. My understanding from reading this is that all codes at the present time must be referred to the EPA.

**Hon Jackie Jarvis:** Yes.

**Hon NEIL THOMSON:** All codes are referred to the EPA. I am paraphrasing the explanatory memorandum. Under what circumstances might that duplication have occurred?

**Hon JACKIE JARVIS:** My understanding is that when R-codes are written, they are required to go to the EPA. The R-codes are then put into local planning schemes, which require a scheme amendment. When the R-codes are put into a local planning scheme, the scheme amendment also triggers a referral to the EPA. That is the duplication. It goes to the EPA when the R-codes are written and also when the R-codes are inserted into the local planning scheme through a scheme amendment. This looks to fix that anomaly.

**Hon NEIL THOMSON:** Is the minister saying that every scheme amendment effectively gets referred to the EPA?

**Hon Jackie Jarvis:** Yes.

**Hon NEIL THOMSON:** Given that we are looking at trying to find ways of streamlining the process, was consideration given to exempting certain R-codes and whether or not scheme amendments, or both, could be exempted? The EPA probably has enough to do already. I am sure that the good minds at the Western Australian Planning Commission, if they had a provision that required them to do at least a preliminary assessment of an environmental impact, could undertake an assessment to further reduce red tape if they had the capacity.

**Hon JACKIE JARVIS:** I am advised that the 2020 act contained provisions for exemption by the Environmental Protection Authority for scheme amendments. However, an anomaly was picked up during the drafting process of the regulations and this clause will fix that anomaly.

**Hon NEIL THOMSON:** I trust that some work has been done. From what the minister said and from what I am reading, this is sensible reform. A level of duplication with EPA referrals occurs in a number of areas, so we have to trust the experts who have gone through this in detail.

I have one last question about this. Is it correct that without this amendment, every time a regulatory amendment is made to the R-codes, it will have to be referred to the EPA?

**Hon JACKIE JARVIS:** Yes, the member is correct. Without this amendment, every change to the R-code will have to go to the EPA.

**Hon NEIL THOMSON:** I note that part 7 of the 2020 amendment act dealt with the planning codes. The minister made the comment that that was yet to be proclaimed because these provisions have been drafted on the premise that they will be proclaimed before that legislation's provisions take effect. Is it necessary to make these amendments in order to proclaim that change?

**Hon Jackie Jarvis:** By interjection, yes.

**Hon NEIL THOMSON:** I have one last question. Sorry; I always have one last question. I must stop saying that because I end up with multiple last questions. We will take these questions as a collective. Will any codes other than the residential design codes be affected by this provision?

**Hon Jackie Jarvis:** By interjection, no.

**Hon NEIL THOMSON:** Thank you.

**Clause put and passed.**

**Clauses 23 to 26 put and passed.**

**Clause 27: Section 48C amended —**

**Hon NEIL THOMSON:** We are now really churning through this and getting close to hopefully that deadline of 4.30 pm. We move to the improvement schemes. On face value, these changes may be —

**Hon Jackie Jarvis:** Sorry, by interjection, are you referring to clause 28, because clause 27 comes under part 5?

**Hon NEIL THOMSON:** Yes, sorry. I will sit down.

**Clause put and passed.**

**Clause 28: Act amended —**

**Hon NEIL THOMSON:** The excellent drafting by the agency caught me out, because the very comprehensive advice and explanatory memorandum prior to the clause number just tripped me up a little there. I will now refer to part 6 of the bill. We may again attempt to deal with part 6 as one part, if that is possible.

**Hon Jackie Jarvis:** Yes.

**Hon NEIL THOMSON:** Let us see whether we can roll it through on that basis. Part 6 deals with nonconforming uses. The explanatory memorandum states —

... s.122C precludes the use of an improvement scheme to extinguish any non-conforming use. A non-conforming use means a use of land which, though lawful immediately before the coming into operation of a planning scheme or amendment to a planning scheme, is not in conformity with a provision of that scheme.

Although I do not have any specific examples in which an improvement scheme has a nonconforming use, I am certainly aware of instances in which local planning schemes, structure plans and a whole range of other instruments have resulted in some level of conflict. My questions will apply those sorts of examples to a hypothetical scenario in which an improvement scheme is applied. For example, industrial use was mentioned. I am thinking of a rather infamous chicken farm that existed, or a piggery—I am not sure—at a time when urban development was occurring. There were long and protracted negotiations with the owner of that property in order to achieve a more conforming use of land around urban development. Those negotiations can be quite onerous and expensive. In saying that, they also provide a level of fairness, I suppose, to the person who is being encroached upon by the urban front or, in the case of an improvement scheme, might already be within the urban front. It might be that the development potential of a brownfield site is being uplifted and somebody might be operating within the urban environment in a perfectly legitimate way, but then finds that due to densification, that legitimate operation is no longer wanted in that area. I guess this goes to the heart of the issue of property rights, the payment of fair compensation and for those persons to be given the appropriate level of time and business continuity. Those issues come to mind, particularly for medium and small businesses that might be required to relocate at an expense.

There is scope in this provision for the introduction of what is referred to as “injurious affection”, which is a process that I am probably more familiar with through past experience when somebody effectively has the scope of their

land use reduced. They have gone from a rural land setting to a parks and recreation setting. A lot of that work was done in the last couple of decades as the Perth and Peel regions were developed under the metropolitan region scheme and the Peel region scheme in which considerable areas of land have had their land use reduced. Injurious affection seems to be quite a simple calculation in that case because the person affected is effectively allowed the quiet enjoyment of that land within the concept of the new zoning, but they get compensated and paid the difference between the value of the land for parks and recreation use and the value of the land for rural use.

That was, and remains, a contentious issue for people who own rural land. Some of those people have the particular view that if not for the introduction of parks and recreation zoning, they might have been able to increase the zoning of that rural land. I just want to ask about the application of injurious affection for land that has effectively had an uplift in value. By definition of an improvement scheme, the land might have gone from R20 to mixed use and may allow for light industrial or some other use. That change has allowed a significant improvement in density and the landowner has to be effectively compensated. The normal situation that I have laid out—the one that I am familiar with, at least—is one in which there is a reduction in the potential use of that land for environmental purposes. How will injurious affection be applied to a landowner who has a lower land use that has been overlaid by an improvement scheme? I suppose, as part of that answer, will that landowner be compensated to the value that the improvement scheme might then bestow upon that land?

**Hon JACKIE JARVIS:** The member is correct. This section does deal with nonconforming land use. The member gave the example of a factory on land that used to be industrial, but has been rezoned to residential. The fact that the owner was there first gives them the right to keep using the land. However, if a planning authority decides to extinguish that nonconforming land use, the landowner can apply for compensation. I am advised that the normal principles for compensation would apply and nothing will change under this bill. I do not have that information on hand because this bill will not change anything there. The member asked about the compensation trigger in which the land use is going to a higher value land use. I am advised that in most circumstances, the owner of that land would normally elevate that land to the higher value land use. For example, if a factory block was now available for residential land use, I would think that the landowner would just convert their property to that land use and sell their property off as residential land and reap the benefits. The member is asking about them wanting to exit the property and be compensated. I have been told that there are normal compensation triggers and valuation processes. However, those will not be changed under this bill, so I do not have those details at hand.

**Hon NEIL THOMSON:** This is clearly going to be a situation in which some duress will be applied. It is not a situation of voluntary exit. If someone was operating a factory on a property that they owned and the improvement scheme applied to that property and increased the land value, they could clearly sell that property. They are always at liberty to sell it at the increased value. However, the only reason that injurious affection is included is for situations in which duress is applied and the rights of the landowner to operate on and enjoy that land have been extinguished. Up until now, there was not that capacity. My understanding is that the current arrangements under the act are that the rights granted prior to the introduction of the improvement scheme have effectively been grandfathered to enable a person to continue operation until such time as they choose not to.

We are saying that we are going to change that. Under what circumstances will this new provision be triggered to extinguish the rights of a landowner? Assuming that a landowner is not seeking to have their rights extinguished, will they be fully compensated to the uplifted market value of their land?

**Hon JACKIE JARVIS:** It is quite a complicated issue. I have been told that compensation triggers and evaluations are already outlined in section 174 in part 11 of the Planning and Development Act. That will not change. There is very detailed information about how that evaluation is worked out. It is not actually dealt with in this bill. Does the member want me to repeat what is already in the existing act? As I have said, nothing has changed. As I understand, the member is talking about the betterment provisions when the value of the land goes up. Is that correct?

**Hon NEIL THOMSON:** Maybe I will ask another question. I have a simple question to ask. Injurious affection usually infers that some injury has been done to a landowner, and compensation is normally paid to the landowner. In many circumstances, it does not result in the forced acquisition of land; compensation is usually paid to a landowner and the landowner retains ownership of the land. We are talking about Metronet provisions. Are we proposing to insert a provision that will relate to a landowner operating within an area to which an improvement plan will apply? Are we suggesting that a landowner will be paid only partial compensation, to the extent that they were injured and injurious affection applies, and that they will retain ownership of the land?

**Hon JACKIE JARVIS:** The member is dealing with matters and using terms that are not included in this bill, and wants to delve into matters that are already dealt with within the existing act that are not changing. I do not have the advisers here to provide that advice.

**Hon NEIL THOMSON:** That response is wholly unacceptable because we will be inserting a new provision to apply to land over which an improvement scheme will be applied for injurious affection. That currently does not exist. There are already provisions within the Planning and Development Act for the acquisition of land by the Western Australian Planning Commission; in fact, it was a major part of my role when I was the secretary of the Planning Commission. On a weekly basis we would purchase, with partial compensation, little parcels of land

within the red zone off roads. This is a regular thing that happens within the Department of Planning, Lands and Heritage as part of an officer's responsibility because that is part of the role. That land was acquisitioned so that in future, the land could be utilised for roads et cetera. We need to get to the bottom of whether we will somehow diminish the rights of landowners who might be undertaking a particular activity that does not conform with the improvement scheme or the wishes of the government, to such an extent that they will be partially compensated but which will not result in full compensation for the land that they might own and operate in a particular area.

**Hon JACKIE JARVIS:** I think the member is asking why these provisions have been introduced. In answer to his question, no, but provisions have been introduced. Improvement schemes exist to help implement projects and infrastructure of state and regional significance. If nonconforming use rights cannot be extinguished, it undermines the ability to effectively implement improvement schemes. When uses that are inconsistent with the purpose of the improvement scheme exist—for example, industrial uses in an area identified for residential development—there needs to be capacity for these uses to cease operation. For example, improvement schemes are currently being used to facilitate appropriate development, including housing, around Metronet stations, as the member noted. Importantly, when a nonconforming use right is extinguished, the landowner is able to be compensated in the manner that exists within the current act. It is a longstanding part of the planning system that nonconforming use rights can be extinguished. Nonconforming use rights provide for land use or structure to continue its ongoing use despite the change in scheme or zoning. The planning act already allows state or local governments to extinguish nonconforming land use rights to allow projects of particular importance to proceed. However, the landowner is compensated under the provisions that are set out, as I said, at sections 174 to 180 under part 11 of the Planning and Development Act. This amendment seeks to extend the ability of the WAPC in improvement scheme areas.

**Hon NEIL THOMSON:** Will the application of injurious affection to land within an improvement scheme mean that a landowner will be compensated merely for the injury that the improvement scheme has been applied and not be given the potential to, effectively, sell that land to the WAPC?

**Hon JACKIE JARVIS:** As previously advised, there are no changes to compensation in the current act. Compensation triggers and evaluation processes are outlined in section 174 under part 11 of the Planning and Development Act, and nothing has changed.

**Hon NEIL THOMSON:** We are just going around in circles.

**Hon Jackie Jarvis:** Indeed, we are.

**Hon NEIL THOMSON:** This is actually an important issue, and the minister is not answering my questions because it is easy to say that nothing has changed in part 11. What is happening is that part 11 will now be applied by a requirement under an improvement scheme. I have not even got to questions about business continuity and all those issues for somebody who is operating a business. Maybe I am wrong, and I will hopefully get an explanation. It is a duty of being in Parliament that we get an answer. Effectively, for someone running a small business, such as a small engineering workshop, in an area where an improvement scheme that says it will now go to nine to 12 storeys, this provision will effectively give power to the commission to say that person's right to operate their small business will no longer exist, effectively, by decree the state, through the commission, but it will give them injurious affection and some sort of compensation. What is not clear to me, which is the answer that the minister owes to the community—she can say she is representing the minister—is to what extent that person or owner will be able to get fully compensated for their business continuity and relocation expenses? They will have to move their business and may choose to divest themselves of that land to seek to sell it. To what extent will that occur? Maybe I am missing something here, but the minister owes that answer.

The government is inserting a new provision and when improvement schemes were put together in the very first instance, thoughtful heads would have got together. That would suggest that that an injurious affection provision did not apply, because there were probably other provisions within the Planning and Development Act that enabled for a full acquisition process and negotiation, a full compensation package that may have been more generous. I do not know. Will this provision apply to landowners within the improvement scheme, and is there any scope for a diminished compensation—whatever form that takes place—by the mere act of introducing this provision for landowners who are currently operating certain businesses within areas that may be affected by an improvement scheme?

**Hon JACKIE JARVIS:** All the things the member talked about with the cost of moving a business et cetera will be part of the valuation process. As I said, a landowner affected by an improvement scheme provision that extinguishes their nonconforming use will have the right to claim compensation in accordance with the existing part 11 of the act and all the matters the member talked about. The member gave a scenario for a small business with a factory on land that is suddenly rezoned to go to nine storeys. If I were that small business owner, I might be inclined to sell my land to a developer at a high profit. However, if the landowner wishes to go through the process and the valuation process—what was the bit about what was diminished?

**Hon NEIL THOMSON:** I am asking for some comfort about the introduction of this provision. Say a business is operating very profitably within the context of some land use that is deemed to be nonconforming and they will have to be uplifted and moved. Let us put aside the fact that we will effectively force that business to move, because that is what this provision will do. It will effectively force that business to be moved to another location if that

business owner chooses to continue their business. To what extent will this provision provide for adequate and fair compensation? I think that is the question I am asking. I think we can live with the fact that in some circumstances there has to be a circuit breaker for government in order to achieve a certain outcome that enables for a wider development to occur, because sometimes there might be a small factory located in a place that might not allow for a development next door due to the nature of that particular business. My question is genuine, because I want some comfort that there will be full compensation, more so than the partial compensation that is normally the case. That is why I gave that other P&R example of a partial compensation normally being the case. Will we get full compensation to the full value of the land, along with other aspects that might be considered in any way injurious to that business?

**Hon JACKIE JARVIS:** It perhaps might assist to go through the valuation process as it exists in the act. This is under “Division 2 — Compensation where land injuriously affected by planning scheme”. Section 182 states —

- (1) A Board of Valuers is established.
- (2) The Board consists of the following members appointed by the Governor —
  - (a) a chairperson nominated by the Commission; and
  - (b) 3 other members nominated by the body known as The Real Estate Institute of Western Australia, an incorporated association under the *Associations Incorporation Act 2015*.
- (3) Each of the persons appointed to the Board is to be an Associate or a Fellow of the Australian Property Institute, an association incorporated under the laws of South Australia.
- (4) Judicial notice is to be taken of the signature of the chairperson on any finding of the Board.
- (5) Schedule 9 has effect.

Section 183, “Valuations by Board”, states —

- (1) The owner of land that is subjected to injurious affection due to, or arising out of, the land being reserved under a planning scheme for a public purpose who gives notice of intention to sell the land and claim compensation is to, unless the responsible authority waives the requirement, apply to the Board of Valuers in the prescribed manner for a valuation of the land as not so affected and the Board is to make the valuation.
- (2) Subject to subsection (4), a valuation made by the Board under subsection (1) is to be communicated to the applicant and to the responsible authority and, for the purposes of this Division, a valuation so made is final.
- (3) Upon receipt of a valuation made by the Board under this section, the responsible authority is to advise the owner of the subject land of the minimum price at which the land may be sold without affecting the amount of compensation (if any) payable to him or her under this Division.
- (4) Where any land with respect to which a valuation has been made under this section is not sold within a period of 6 months from the making of the valuation, the Board may, at the request of the owner of the land, if in the circumstances of the case it thinks it just to do so, review the valuation and either confirm the valuation or vary it.
- (5) Where the Board reviews a valuation under subsection (4), it is to notify the owner of the land and the responsible authority accordingly and upon that notification subsection (3), with such modification as circumstances require, applies to the valuation as reviewed by the Board.

**Hon NEIL THOMSON:** The minister mentioned when land is reserved under a planning scheme. Is that consistent with the approach of the application for an improvement scheme?

**Hon JACKIE JARVIS:** What I did there is read a section of the act that is not changing and therefore is not relevant to this bill. I am happy to take questions that are relevant to this bill. I indulged the member by going through the valuation process. However, I am not sure whether his current question relates to the bill before us.

**Hon NEIL THOMSON:** Likewise, I am not sure whether it does, and that is why I asked the question. The issue here for me is that the minister explained a valuation process, which I explained in layman’s terms earlier, if I could use that term. I explained the valuation process when land is reserved under a planning scheme. What I do not have, and have not yet been given, is any description of how the land might be valued, including how the business arrangements of an owner might be valued under the imposition of an improvement scheme. I think that goes to the heart of my problem. I have that concern on behalf of the community out there in terms of this issue. I think the community requires some level of confidence that this is not some sort of land grab by the government beyond the normal scope of compulsory acquisition. The state has that capacity, and in that situation, land is usually compulsorily acquired with a solatium, which is an additional 10 per cent allowance. My understanding is that an additional amount of money is paid on the valuation when land is compulsory acquired. That is why the Western Australian Planning Commission has been so effective over many years. It had a willing seller–winning buyer arrangement based on market value in which land is transferred for those important road reserves, as people sold off their front yards along Main Street, Guildford Road and so forth. In this case, I am worried, and I want an assurance from the minister that this will not result in the diminishment of people’s

property rights. These are hardworking business people who, in particular, have operated successful businesses and will suddenly find themselves in front of a Metronet station and basically being forced to either move or shut down their business in a way that results in a diminished outcome that might otherwise be achieved.

**Hon JACKIE JARVIS:** To clarify, the purpose of this proposed section is simply to enable improvement schemes to be treated just like normal planning schemes and for the same compensation process to apply. As I said, all this proposed section would do is enable improvement schemes to be treated in the same way. It will fix an anomaly in the act. I read out the valuation process. A claimant may also apply to the State Administrative Tribunal to determine any question about whether the land is injuriously affected. We are going down a rabbit hole here about how valuations are done. Nothing changes. All this part of the bill will do is enable improvement schemes to be treated like normal planning schemes and for the same compensation processes to apply.

**Hon NEIL THOMSON:** Clearly, I do not think I will get a straight answer about whether there will be any disadvantage by introducing proposed part 6. It incorporates a number of provisions, but I think there seems to be no guarantees about its introduction. I put on the record that we are not opposing this bill. We think there are elements of this bill that are good, there are some that we did not really know and others that we had concerns about. This is yet another element that I have concerns about. Only time will tell.

Hopefully, there will not be any situations in the future when some hardworking local business—for example a small engineering workshop or some other business—finds an improvement scheme overarching it and discovers it is a result of what we have done in this place today, and that somehow that business is now going to be a lot worse off. The minister has given absolutely no comfort in respect of that. I do not even know whether the minister is in a position to provide any comfort. As she said, she is the representing minister. Unfortunately, the Minister for Planning is in the other place. Unfortunately, the complexity of this bill is probably to such an extent that this will no doubt at some point play out in either SAT or the courts. No doubt, the law applied here will have an impact one way or another for the future of those persons. On behalf of the opposition, I put on the record that I cannot support this sort of outcome. We are not opposing this in the sense of the broader bill, but this is the government's bill. This is not unlike our position on the Aboriginal Cultural Heritage Act; we said that that was the government's bill. Yet again, this is a complex piece of legislation and I do not think we have necessarily had forthright answers. I hope the outcome will be similar to the Aboriginal Cultural Heritage Act, which was repealed. In this case, probably only a few people will be affected, so I hope the outcome here will be fair, but I am not convinced that it will be.

**Hon JACKIE JARVIS:** The comfort I will give the member is that nothing in this amendment bill will change the compensation processes that exist in the current act. The purpose of this part of the bill is to enable improvement schemes to be treated like normal planning schemes and for the same compensation process to apply, which, as I outlined, will have a board of expert valuers and the ability to appeal to the State Administrative Tribunal. Nothing has changed. The planning minister is in the other place and the member's colleagues had adequate time to ask the same questions of that minister. As I said, the comfort I give to the member is that the purpose of this bill is simply to fix an anomaly and enable improvement schemes to be treated like normal planning schemes. Nothing has changed with the compensation matters.

**Clause put and passed.**

**Clauses 29 and 31 put and passed.**

**Clause 32: Act amended —**

**Hon NEIL THOMSON:** My bad. As I read the bill, part 7 is under clause 31, but I have both clauses open now and I am back onto the bill. Part 7, "Subdivision of land", refers to strata titles. If we could discuss the whole part, that would be useful. The matter here appears to be commendable. From what I can gather, for subdivision applications, there have been some challenges in the termination of strata titles schemes, which can be extraordinarily difficult. My understanding was that reforms went through in relation to the number of owners who might need to consent to a strata title amendment to their tenure. This issue becomes more important into the future because of the legacy strata title developments, particularly those less dense strata title developments that might exist. For example, the smaller, older, walk-up type apartments and small strata developments that were a theme over the last 20 years—developments with three to eight strata units that occurred throughout our city. Going forward, with the intensification of land, they may no longer fit for purpose, so I think this is something we support.

On behalf of people out there who might own strata title units at the moment, can the minister explain to the community to what extent this process might limit the rights of existing strata title owners? My understanding of this is that it will not in any way affect them, but it will simply improve the ability for the Western Australian Planning Commission to undertake a subdivision, given the controls that exist under the Strata Titles Act. I seek some reassurance on behalf of the community. Is there any extent to which the bill might impact on the rights of strata title owners in order to retain or control their strata title units?

**Hon JACKIE JARVIS:** As the explanatory memorandum states —

... this proposal does not impact or undermine existing statutory safeguards (under strata titles legislation) that Landgate oversees in relation to the termination of strata schemes ...

Currently, there is a requirement for proponents who wish to terminate a strata scheme, firstly, to apply to create a freehold lot, which Landgate considers a type of subdivision, and, secondly, to lodge a subsequent application to the commission for subdivision approval. This has created a two-step process rather than a single process. As part of the red-tape reduction, the bill will basically eliminate that two-step process as it is unnecessary red tape and discourages development. This clause will not impact or undermine existing statutory safeguards.

**Clause put and passed.**

**Clauses 33 to 37 put and passed.**

**Clause 38: Sections 10 to 13 replaced —**

**Hon NEIL THOMSON:** Maybe we can deal with this as part 8—it is probably not essential—because it relates to the Western Australian Planning Commission, but it is quite a large clause, so we can probably just proceed with clause 38. Clause 38 will replace sections 10 to 13. If the minister recalls, I raised the issue about the removal of the three directors general from the Department of Transport, the Department of Water and Environmental Regulation and JTSI. I will not try to say what the acronym stands for because I do not know. I think one letter stands for “jobs”, but I will not try because I will probably get it wrong. Anyway, JTSI covers those development areas within the government and has a key role in coordinating major projects. I think the major projects stream sits within JTSI, which has a very important role in that. Google can be a very good thing! Those members who are looking askance can quickly check on their phones. It will be something else to look at in these last dying minutes of the 2023 parliamentary session.

My point is that there was some commentary on this. I appreciated the minister’s response yesterday—I have lost track of time; I think it was yesterday—when we talked about the new group that was being set up to help coordinate specific issues around infrastructure. I cannot remember the title of it, but a new coordination group was being established and I think that is important. The minister mentioned that an infrastructure coordinating committee had been disbanded when Infrastructure Western Australia was established and took over that role. We all know that Infrastructure WA has a more strategic role in major projects. It focuses on things like the Kwinana port, for example, and major infrastructure projects around the state. The role of the infrastructure coordinating committee is to provide advice, to a certain extent, to the commission, on those major developments but it also has an important coordination role. Given the ongoing challenges we have in our state with the delivery of things like wastewater, water, electricity and the transport piece, which we have spoken at length about, within the significant development pathways, that piece is often a form of conflict. From my recollection, there seems to be a decline in participation by those directors general. I think the machinery-of-government changes possibly impacted that to some extent. I recall that the Department of Communities was the other agency that had a representative on the Western Australian Planning Commission. I think there has been a significant workload put on some of the directors general because they now control larger agencies. Prior to that, the department of housing would have been more specifically related to housing delivery. I think the Department of State Development was the agency that was previously there. What was the rationale for the removal of those directors general from the WAPC?

**Hon JACKIE JARVIS:** The decision to remove directors general was done at the request of the WAPC. A restructure of the WAPC board was requested after a review was conducted in 2022. Directors general will still be permitted to attend and participate moving forward, but as observers, not voting members. The feedback was that WAPC was sometimes criticised as being too much of a creature of government. New sections of the bill emphasise WAPC’s impartiality and independence. In line with that, it is better for other government agencies to attend as observers that assist discussion but do not formally vote.

**Hon NEIL THOMSON:** I will put the significant development pathway aside. In a general sense of the planning commission’s duties, would there be a requirement to seek those directors general to come together if there was a stand-off? The minister noted they would be there as observers, but would there be any expectation to invite them? I doubt that any director general would ever attend a WAPC meeting again if they were just invited as observers, unless they were requested to by the chair. That is my view.

**Hon JACKIE JARVIS:** Yes, of course. The WAPC can invite relevant directors general. I remind the member that the state referral coordination unit will be made up of other agencies, including Main Roads, the Public Transport Authority, Western Power, the Water Corporation and the Department of Education, to name a few. Agencies will be able to send representatives, be it the director general or other experts, as required.

**Hon NEIL THOMSON:** The state referral coordination unit is the name that escaped me during my preamble. I think that will provide a potential buttress against any weakness that might occur from the removal of those directors general. It would not be a reform that I would put through if I were a minister. In fact, if I am the minister in 2025, I expect the Mettam Liberal government will have to review the performance of the WAPC going forward. I look forward to that review, along with other things, to make sure that the state is back on track. It is getting to that time, folks, and we are going to end it with a bang. Sorry, I am being a bit disorderly there, chair.

**The DEPUTY CHAIR (Hon Dr Sally Talbot):** I am sure you were about to ask a question, honourable member.

**Hon NEIL THOMSON:** Yes, I am. The minister made the comment that the WAPC is seen as an instrument of government. It is an instrument of government. Which stakeholders lobbied the government for these changes?

**Hon JACKIE JARVIS:** As I stated, a review of the WAPC board was conducted in 2022, which informed this decision.

**Hon Dr BRAD PETTITT:** I have a question that has come from speaking to local governments in the area. There are two parts to the question. Firstly, there was a concern about having a smaller number of members on the Western Australian Planning Commission. Will there be the same number of members for regional development applications versus urban applications? That is noting that there is a sense that there may be different skill sets. There was also a concern around the quorum and how we can ensure that this new, smaller WAPC does not lead to a backlog of approvals.

**Hon JACKIE JARVIS:** There is a requirement that, of the new membership of seven to nine people, at least one has extensive regional experience. I note that the WAPC is able to establish committees to focus on specific issues, so that may be another mechanism. With regard to the quorum, a quorum is set by regulations, but 50 per cent should be achievable. Remember, these are professional board members. There are lots of government boards and agencies that have a similar number. It was thought that the current membership of 17 people was too unwieldy.

**Clause put and passed.**

**Clauses 39 to 41 put and passed.**

**Clause 42: Section 17 amended —**

**Hon NEIL THOMSON:** I think this is a welcome change so there is a bit more clarity around the directions that the minister can give. I will mark that on the record. The long-held view that positions and directions can only be procedural has been pushed around a bit by various ministers. I can say, without outing any particular ministers—I would never do that—that I think this is a good thing to proceed with. Are there any examples of concerns raised or advice provided by the chair of the Planning Commission about the independence of the WAPC?

**Hon JACKIE JARVIS:** This reform merely confirms and clarifies a longstanding view that the minister's directions can be procedural or administrative in nature. It reflects the Western Australian Planning Commission's independence in that the minister cannot give operational direction to the WAPC. It does not interfere with the minister's own independent powers. It just supports changes to section 13, again reflecting the WAPC's independence.

**Clause put and passed.**

**Clauses 43 to 63 put and passed.**

**Clause 64: Part 9A inserted —**

**Hon NEIL THOMSON:** This is another welcome change, potentially, in relation to an extension of time in which to review instruments. There has certainly been some feedback from local government over the years that they are forever reviewing local planning schemes. In some circumstances, at least, five-year reviews are probably not required. Under the proposed 10-year process, if a local government chooses to go through with a review on the tenth anniversary, to what extent will there be any additional vulnerability for that local government? My question is in relation to the significant development pathway. My recollection is there was capacity for a trigger after five years. If a local government were to apply the review only every 10 years on the anniversary, would there potentially be a problem that it would still effectively be open to more, I suppose we could say, interference by the Planning Commission in relation to specific development applications?

**Hon JACKIE JARVIS:** I am not sure what the member's question is. He is saying if someone —

**Hon Neil Thomson:** A local government.

**Hon JACKIE JARVIS:** If a local government —

**Hon Neil Thomson** interjected.

**Hon JACKIE JARVIS:** Yes, so what is the member's question?

**Hon Neil Thomson:** Noting the provisions under the —

**Hon JACKIE JARVIS:** I am going to sit down because I am afraid we do not understand the question.

**Hon NEIL THOMSON:** I understand that, under the significant development pathway provisions, there might be some interaction after five years where there might be particular scope. I see an adviser nodding, so I might be right. Maybe I am wrong, but could the minister explain?

**Hon Jackie Jarvis:** I am still not clear what the question is.

**Hon NEIL THOMSON:** Under the significant development pathway, my understanding is that after five years, there is an additional provision for a level of interaction—it is not the right word—with the commission.

**Hon Jackie Jarvis:** By way of interjection, that will change to 10 years.

**Hon NEIL THOMSON:** Will it change to 10 years?

**Hon Jackie Jarvis:** Yes, we discussed that yesterday.



**Hon NEIL THOMSON:** The clarification is that if a local government strictly adheres to that 10-year period, there will be no additional impact on them in any way from the significant development pathway; is that correct?

**Hon Jackie Jarvis:** That is correct.

**Clause put and passed.**

**Clauses 65 to 70 put and passed.**

**Clause 71: Part 13 Division 4 inserted —**

**Hon NEIL THOMSON:** I am dealing with part 10, “Powers of entry and inspection”. There seems to be an extraordinary amount of powers of inspection. I will try to finish on time because I understand there are other imperatives. My understanding is that there might have been a problem. Given that we have a development assessment and application role, we are standing in the shoes of the decision-maker in some cases. Was it necessary to include these powers of inspection because, in fact, the role of the Planning Commission has fundamentally changed? The role of the commission is such that it now operates more like a super local government in the sense that it now has officers from the Department of Planning, Lands and Heritage who go out and assess conditions that the commission is applying to these developments. Is that the reason we are introducing these new powers of inspection?

**Hon JACKIE JARVIS:** The reason for these new powers of entry is that there are currently no contemporary, fit-for-purpose powers of enforcement for DPLH officers to enforce state planning laws. In fact, local government officers have greater enforcement powers than the state itself, and this will fix that anomaly. These enforcement powers reflect contemporary community standards, including the rights of occupiers and requirements to obtain a warrant. They are based on similar provisions set out in the Heritage Act.

**Hon NEIL THOMSON:** I will keep to my word and make this the last question. Of course, the commission does not have the same powers as local government because the commission did not undertake this sort of process until the introduction of part 17. It was not part of its job to do these development applications in the same way, and it was to a lot more limited extent. As I said earlier, my understanding is that it was only in some cases where there was crown land, for example. For the record, the issue is that the commission’s role has been fundamentally changed. It has gone from having a purely more strategic rule-keeping role as the arbiter of the rules in our planning system and managing those strategic processes across local government, to including a development application and assessment role that had not been previously the case. It still leaves me with a level of concern that there are some opportunities here. In lieu of my contribution to the third reading debate, I will just make my last comment that although the opposition is not opposing this bill, I think it is going to significantly change the working environment of the Department of Planning, Lands and Heritage and the role of the Western Australian Planning Commission.

**Clause put and passed.**

**Clauses 72 to 82 put and passed.**

**Title put and passed.**

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by **Hon Jackie Jarvis (Minister for Agriculture and Food)**, and passed.

### **QUESTIONS WITHOUT NOTICE**

#### **GST DISTRIBUTION — IRON ORE PRICE**

**1556. Hon Dr STEVE THOMAS to the minister representing the Treasurer:**

I refer to my question without notice 13 on 12 February 2019 in which the member’s answer included the following —

A scenario where the average price of iron ore remains at \$90 a tonne has not been modelled, as this assumption is highly unrealistic.

- (1) What was the average iron ore price for each financial year from 2019–20 to 2022–23 inclusive?
- (2) What is Treasury’s latest average estimated iron ore price for 2023–24?
- (3) What was the actual iron ore royalty revenue for each financial year from 2019–20 to 2022–23 inclusive?
- (4) For how many days since 12 February 2019 has the iron ore spot price been under \$US90 a tonne?

**Hon STEPHEN DAWSON replied:**

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

- (1) The average annual iron ore price is published in the state budget, the *Annual report on state finances* and the *Government mid-year financial projections statement*.
- (2) Treasury updates its iron ore price biannually as part of the state budget and *Government mid-year financial projections statement*.

- (3) Annual iron ore royalty revenue actuals are published in the state budget, the *Annual report on state finances* and the *Government mid-year financial projections statement*.
- (4) The iron ore spot price has been under \$US90 a tonne for 170 days since 12 February 2019.  
The government conservatively forecasts the iron ore price due to its inherent volatility. This approach is in contrast to the previous Liberal–National government, which did not account for this volatility, resulting in very large debt and deficits.

#### GREEN ENERGY DIRECTORATE

**1557. Hon Dr STEVE THOMAS to the parliamentary secretary representing the Minister for Environment:**

One answer out of four.

I refer to the Cook Labor government’s establishment of the Green Energy Directorate on 1 July 2023 to deliver timely approvals for green energy projects.

- (1) How many green energy projects since 1 July 2023 until 30 November 2023 has the directorate assessed?
- (2) How many green energy projects since 1 July 2023 until 30 November 2023 have received approval?
- (3) How many green energy projects since 1 July 2023 until 30 November 2023 have been rejected?
- (4) What was the time frame associated with all approved projects from their lodgement with the Green Energy Directorate to final determination?
- (5) What is the directorate’s definition of “timely approvals”, and what constitutes a fit-for-purpose assessment pathway?

**Hon DARREN WEST replied:**

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

- (1)–(4) The Green Energy Directorate has been establishing the criteria for and pipeline of projects in scope of the green energy approvals initiative. The first set of green energy projects are due to start assessment in the second week of December.
- (5) Delivering a faster and more consistent approvals process is essential to meeting the Western Australian government’s decarbonisation goals. The approvals reform approach will be informed by feedback from the independent review and latest actions under Streamline WA.

#### WATER CORPORATION — MUNGLINUP — EMERGENCY WATER SUPPLY

**1558. Hon COLIN de GRUSSA to the parliamentary secretary representing the Minister for Water:**

I refer to the Water Corporation’s storage assets located at Munglinup in the Shire of Ravensthorpe.

- (1) Can the minister confirm that temporary access to the water stored in those assets has been provided to the local bush fire brigade for the purposes of firefighting?
- (2) Can the minister confirm that the Water Corporation will provide longer term access in the future?
- (3) If yes to (2), can the minister please advise whether the necessary approvals for the installation of permanent infrastructure for access to water from those assets has been provided to the Shire of Ravensthorpe; and, if not, when they will be provided?

**Hon PIERRE YANG replied:**

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

- (1) Firefighters currently have access to water held in the non-potable dam for firefighting purposes.
- (2)–(3) The Department of Water and Environmental Regulation, the Water Corporation and the Shire of Ravensthorpe are working through options to install water tanks, pumps and pipes, which will provide an appropriate access location for emergency water supplies. Appropriate approvals will be sought and provided in due course, as will engagement with stakeholders.

#### MARIGINIUP BUSHFIRE

**1559. Hon TJORN SIBMA to the Minister for Emergency Services:**

I refer to the recent Mariginiup bushfire.

- (1) At what time did the Department of Fire and Emergency Services become aware of the bushfire and how?
- (2) At what time were resources first deployed to the reported fire?
- (3) What were those resources deployed for?
- (4) At what time did DFES task aerial units to attend the incident?

- (5) When did the aerial resources arrive?
- (6) Was there any delay between the notification of the incident and the arrival of the aerial units; and, if so, what caused the delay?

**Hon STEPHEN DAWSON replied:**

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

The Department of Fire and Emergency Services has provided the following advice.

- (1) At 1.09 pm a 000 call was placed with the DFES communications centre.
- (2) At 1.10 pm.
- (3) The information is in tabular form.

I seek leave to have the response incorporated into *Hansard*. It is a list of the various tankers that were used.

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

Ellenbrook CFRS Pump and Light Tanker Ellenbrook CFRS 3.4 Urban Tanker
Quinns Rock Bush Fire Brigade 3.4 Tanker,
Quinns Rock Bush Fire Brigade Light Tanker 1
Quinns Rock Bush Fire Brigade Light Tanker 2
Two Rock Bush Fire Brigade Light Tanker
Two Rock Bush Fire Brigade 3.4 Tanker
Wangara CFRS Pump and Light Tanker
Wanneroo Central Bushfire Brigade Light Tanker 1
Wanneroo Central Bushfire Brigade 3.4 Tanker
Wanneroo Central Bushfire Brigade Light Tanker 2
Wanneroo Central Bushfire Brigade 4.4 Tanker and CESM Wanneroo

- (4) At 1.12 pm.
- (5) The first Helitaks arrived at the incident at 1.33 pm.
- (6) DFES is not aware of any delay in the arrival of the Helitaks.

## HEALTH — CHILD HEALTH NURSES — FUNDING

**1560. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Health:**

I refer to the answer provided to question without notice 897 asked on 12 October 2022 regarding existing funding agreements between the WA Country Health Service and non-government organisations to provide child health nurse services, which expire on 31 December 2023.

- (1) Have new funding agreements between WA Health and the non-government organisations referred to in that answer been completed?
- (2) If yes to (1), can the minister please advise when the new agreements will expire and the total amount of funding allocated to each association?
- (3) If no to (1), why not?

**Hon SUE ELLERY replied:**

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

- (1)–(3) The WA Country Health Service is in the final stages of extending the service agreements with contracted service providers.

## POLICE — TEMPORARY HOLDING CATEGORY

**1561. Hon PETER COLLIER to the minister representing the Minister for Police:**

- (1) How many police officers are currently in temporary holdings?
- (2) How many police officers were in temporary holdings on 1 January 2023?
- (3) Do police officers in temporary holdings continue to be included in the total police numbers?

**Hon STEPHEN DAWSON replied:**

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

- (1)–(3) The Western Australia Police Force advises that there are currently 187 police officers in temporary holdings, which include medical transfers, leave without pay, parental leave, deferred salary, career break

leave, police officers undertaking special projects and other officers in portfolio temporary holdings for reasons such as leading up to retirement and sick leave. On 1 January 2023, there were 165, and these serving police officers are included in the number of police.

PLASTIC WASTE — MANAGEMENT

**1562. Hon NEIL THOMSON to the parliamentary secretary representing the Minister for Environment:**

I note that hundreds of tonnes of plastic waste are exported from Western Australia to countries like Vietnam, Thailand and Indonesia.

- (1) What mechanism does the minister have to ensure that the waste is being recycled?
- (2) Does the minister have any reports from the companies that exported the waste that provide evidence of the recycling of that waste?
- (3) If yes to (2), will the minister please table the reports?

**Hon DARREN WEST replied:**

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

- (1) The Australian government introduced export controls on plastics in 2020. Since 1 July 2022, only plastic that has been sorted into single resin or polymer type and further processed—for example, flaked or pelletised plastics—can be approved for export by the Australian government. Single resin plastics are high quality and highly sought after to provide feedstock for plastic manufacturing.
- (2) No.
- (3) Not applicable.

ALBANY RING-ROAD — DEVELOPMENT ENVELOPE

**1563. Hon BEN DAWKINS to the minister representing the Minister for Transport:**

I refer to the advice provided to the Legislative Council that the Albany ring-road was built within the proposed development area as publicly advertised in December 2019.

- (1) Can the minister confirm that a section of the Albany ring-road was indeed built outside of the development area, resulting in a family home now being only 43 metres from the construction site?
- (2) If yes to (1), can the minister confirm whether Main Roads Western Australia knew as early as May 2021 that the road was not built within the development envelope?
- (3) Can the minister explain why Main Roads sent a letter to the landholders in May 2021 confirming that the road was built outside of the proposed development area?

**Hon STEPHEN DAWSON replied:**

I thank the member for some notice of the question. Just to confirm, I represent the Minister for Transport, not the Leader of the House.

- (1)–(3) The Albany ring-road project is being built on land within the ownership of Main Roads.

POLICE — CLIMATE ACTIVISTS

**1564. Hon Dr BRAD PETTITT to the minister representing the Minister for Police:**

I refer to an article in *WAtoday* of Tuesday, 28 November titled “WA Police slammed for ‘unlawful’ seizure of WA campaigners’ phones”.

- (1) Can the minister confirm that five mobile telephones were seized from climate campaigners during a traffic stop on Tuesday morning in Karratha and provide the reasons for the seizure?
- (2) Will the personal phones be returned to the campaigners they were seized from?
- (3) If no to (2), given that these devices are essential for the employment and personal lives of the individuals that they were seized from, will the police refund the purchase price?
- (4) According to the article, the only specific ground given for stopping and searching the vehicle, the seizure of the devices and the move-on notices was that one of the individuals in a vehicle was wearing a “Disrupt Burrup Hub” T-shirt; therefore, can the minister please outline which legislation gives the police the power to prohibit the display of insignia relating to this group?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following information has been provided to me by the Minister for Police. The Western Australia Police Force advises as follows.

- (1) Karratha Police seized five mobile phones from the occupants of a vehicle on Tuesday morning. The phones were seized as part of an ongoing criminal investigation.

- (2) Arrangements are being made to return the mobile phones to the owners.
- (3) The mobile phones were seized lawfully utilising the Criminal Investigation Act.
- (4) WA police have taken no action to prohibit the display of any insignia in this matter.

#### RESIDENTIAL RENT RELIEF GRANT SCHEME

#### 1565. Hon WILSON TUCKER to the Minister for Commerce:

I refer to the recently announced Western Australian rent relief program.

- (1) To date, how many expressions of interest have been received by the Department of Mines, Industry Regulation and Safety?
- (2) How many grants does the government expect to issue through the initiative?
- (3) Has a precise date for the commencement of the initiative been determined?

#### Hon SUE ELLERY replied:

I have just had the death of my file. I thank the honourable member for some notice of the question.

- (1) The Department of Mines, Industry Regulation and Safety is not receiving expressions of interest for the rent relief program. The community service organisations responsible for delivering the program have reported that the number of expressions of interest received is currently 838.
- (2) It is anticipated that at least 4 000 households will be supported by rent relief payments through this initiative.
- (3) The program is expected to commence in mid-December 2023.

#### METHAMPHETAMINE

#### 1566. Hon SOPHIA MOERMOND to the Leader of the House representing the Minister for Health:

I refer the minister to research linking methamphetamine use and increased risk for the early onset and development of Parkinson's disease and parkinsonism.

- (1) Is the minister aware of the research linking methamphetamine use to Parkinson's disease and parkinsonism?
- (2) How is the risk to methamphetamine users developing these conditions and other diseases included in current education programs about methamphetamine use?

#### Hon SUE ELLERY replied:

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

- (1) The state government continuously monitors national and international research and data related to the impact of alcohol and other drug use on individuals, families and the broader Western Australian community.
- (2) The Mental Health Commission's Drug Aware program has developed a range of resources that outline the health risks associated with methamphetamine use.

#### BIOSECURITY, CONSERVATION AND ATTRACTIONS — PRESCRIBED BURNS

#### 1567. Hon LOUISE KINGSTON to the parliamentary secretary representing the Minister for Environment:

I refer to concerns of a severe bushfire season this summer and the Department of Biodiversity, Conservation and Attractions' fire management strategy.

- (1) Has DBCA completed the development and implementation of regional fuel management plans for the department's nine regions?
- (2) How many prescribed burns were undertaken by DBCA in 2023?
- (3) How many hectares does this equate to?
- (4) What percentage of DBCA's prescribed burning program was completed?

#### Hon SAMANTHA ROWE replied:

I thank the honourable member for some notice of the question. I provide the following answer on behalf of the parliamentary secretary representing the Minister for Environment.

- (1) The Department of Biodiversity, Conservation and Attractions' regional fuel management plans are currently in draft form and will be finalised and approved by 30 June 2024.
- (2) DBCA carried out 117 prescribed burns in its three south west forest regions and 56 prescribed burns in its other six regions for the 2022–23 financial year.
- (3) DBCA achieved 175 414 hectares of prescribed burning in its three south west forest regions and 4 789 922 hectares of prescribed burning in its other six regions for the 2022–23 financial year.
- (4) DBCA aims to maintain a fuel age of less than six years since the last burnt at least 45 per cent of the landscape across the department's three south west regions. At 30 June 2023, 43.35 per cent of the landscape had a fuel age of less than six years.

## FIREARMS ACT — REFORM

**1568. Hon NICK GOIRAN to the minister representing the Minister for Police:**

I refer to the answer to my question without notice 1491 asked on 16 November 2023 that informed the house of the six dates that the health assessment working group involving the Western Australia Police Force met regarding proposed reforms to firearms laws.

- (1) Will the minister table the six sets of minutes for the period from 6 February to 27 June?
- (2) If no to (1), will the minister undertake to give notice without delay to the Auditor General pursuant to section 82 of the Financial Management Act 2006 of his decision not to provide this information to Parliament?
- (3) Does it remain the case that the working group is expected to provide advice to government in early December?
- (4) Will the minister undertake to make that advice publicly available, including by tabling it when Parliament resumes in February 2024?

**Hon STEPHEN DAWSON replied:**

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

- (1)–(4) As the honourable member would be aware, a working group does not report to Parliament and has no legislative requirements. The working group has been established to assist with the formation of policy consideration as part of the new Firearms Act. My previous answer remains current in relation to anticipated time frames.

## SHORT-TERM RENTAL ACCOMMODATION INCENTIVE SCHEME

**1569. Hon STEVE MARTIN to the Minister for Commerce:**

I refer to the short-term rental accommodation incentive scheme. How many expressions of interest have been submitted to the scheme as of today?

**Hon SUE ELLERY replied:**

I thank the member for some notice of the question.

As at 30 November 2023, 147 expressions of interest have been submitted to the Department of Mines, Industry Regulation and Safety for the short-term rental accommodation incentive scheme for a total of 173 properties.

## AGRICULTURE — DECLARED PEST RATE

**1570. Hon Dr STEVE THOMAS to the Minister for Agriculture and Food:**

I refer to the collection of the declared pest rate for the 2022–23 financial year.

- (1) What was the total of the declared pest rate collected from landholders from each of the state's recognised biosecurity groups for the year?
- (2) What detail of landholder refusal to pay the DPR has RevenueWA provided the minister this year?
- (3) Will the minister table in the house RevenueWA's breakdown of payment refusal numbers associated with each recognised biosecurity group in Western Australia for the 2022–23 financial year?
- (4) If no to (3), why not?

**Hon MATTHEW SWINBOURN replied:**

I thank the member for some notice of the question. I provide the following answer on behalf of the Minister for Agriculture and Food, who is absent on urgent parliamentary business.

- (1) An amount of \$3 008 165.82 was collected from landholders in the areas of operation below—that refers to a table that I will get to. No funds are collected from recognised biosecurity groups. A breakdown of rates collected has been provided in tabular form. I seek leave to have that incorporated into *Hansard*.

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

Biosecurity Area	Rates collected
Blackwood Biosecurity Area	234,298
Carmanvon Rangelands Biosecurity Area	366,064
Central Wheatbelt Biosecurity Area	200,045
Eastern Wheatbelt Biosecurity Area	169,681
Esperance Biosecurity Area	50,067
Goldfields Nullarbor Rangelands Biosecurity Area	320,111
Kimberley Rangelands Biosecurity Area	306,743
Leschenault Biosecurity Area	177,343

Meekatharra Rangelands Biosecurity Area	237,369
Midlands Biosecurity Area	168,692
Northern Biosecurity Area	207,269
Peel Harvey Biosecurity Area	267,169
Pilbara Region Biosecurity Area	213,797
Southern Biosecurity Area	89,516
<b>Total:</b>	<b>3,008,166</b>

- (2)–(4) Not applicable. RevenueWA manages the collection process for the declared pest rate on behalf of the state. The Commissioner of State Revenue has the authority to pursue any unpaid rates.

#### COURTS — AVAILABILITY

**1571. Hon TJORN SIBMA to the parliamentary secretary representing the Attorney General:**

I refer to delays in the provision of justice.

- (1) Will any additional courtrooms be made available to conduct criminal trials in 2024?
- (2) If no to (1), why not?
- (3) If yes to (1), how many and by what means?

**Hon MATTHEW SWINBOURN replied:**

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

- (1)–(3) The government is continuing to progress further work in relation to a feasibility study for cabinet's consideration into the expansion of criminal trial facilities in the Perth central business district. Addressing this issue remains a priority for government.

#### EDUCATION — PRE-SERVICE TEACHER RECRUITMENT POOL

**1572. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Education:**

I refer to applications for limited registration on behalf of a pre-service teacher in their final year of study for employment through the Department of Education's pre-service teacher recruitment pool.

- (1) How many applications for limited registration were received by the Teacher Registration Board of Western Australia in 2023 to date?
- (2) Of those applications for registration referred to in (1), how many have been granted?

**Hon SUE ELLERY replied:**

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

- (1) As at 28 November 2023, there were 520 applications.
- (2) Of the applications received, 469 have been granted.

#### POLICE — STAFF

**1573. Hon PETER COLLIER to the minister representing the Minister for Police:**

- (1) How many police officers have resigned in November to date?
- (2) How many police officer retirements have there been in November to date?
- (3) What is the current total number of police officers?

**Hon STEPHEN DAWSON replied:**

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

The Western Australia Police Force advises that as at 30 November 2023 —

- (1) Twenty-six police officers have resigned.
- (2) Six officers have retired.
- (3) There are currently 6 923 police officers.

#### ABORIGINAL LANDS TRUST — NYAMBA BURU YAWURU — MORRELL PARK

**1574. Hon NEIL THOMSON to the Leader of the House representing the Minister for Aboriginal Affairs:**

I refer to the long-awaited divestment policy of the Aboriginal Lands Trust.

- (1) Has a tenure model been finalised with Nyamba Buru Yawuru in order to protect residents and provide certainty about the future occupation of their homes?

- (2) When will residents of Morrell Park in Broome be given any certainty about the future right to —
- (a) own their lots; or
  - (b) continue to occupy their lots?

**Hon SUE ELLERY replied:**

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

- (1) No.
- (2) Residents of Morrell Park holding leases from the Aboriginal Lands Trust are entitled to occupy their lots for the term of the lease.

VACCINE SAFETY SURVEILLANCE SYSTEM — ANNUAL REPORT

**1575. Hon BEN DAWKINS to the Leader of the House representing the Minister for Health:**

I refer to the *Western Australian Vaccine Safety Surveillance: Annual report 2022* that has now been published by the Department of Health.

- (1) Can the minister address the concerns raised in Parliament on 15 November 2023 by Hon Brian Walker, MLC, that the reporting of COVID-19 vaccination adverse events was impeded and discouraged by the Australian Health Practitioner Regulation Agency during the 2022 calendar year?
- (2) In light of these concerns raised by Hon Dr Brian Walker and others, how can the minister assure this Council that the rate of adverse event reporting described in the WAVSS report is not misleading or inaccurate?
- (3) Will the minister commit to releasing all the raw data collected or collated by the Department of Health about adverse events following COVID-19 vaccination in Western Australia?
- (4) If no to (3), why not?

**Hon SUE ELLERY replied:**

- (1) The Department of Health is not aware of any evidence to suggest that reporting of adverse events by doctors following COVID-19 vaccination was impeded or discouraged during the 2022 calendar year. From the *Western Australian Vaccine Safety Surveillance: Annual report 2022*, adverse event reporting remains higher compared with the period prior to the COVID-19 vaccination program.
- (2) The *Western Australian Vaccine Safety Surveillance: Annual report* contains both passive and active surveillance to ensure a comprehensive and complete picture of adverse events in WA is captured.
- (3) No.
- (4) The Western Australian Vaccine Safety Surveillance raw data contains confidential and potentially identifying patient health information.

HAKEA PRISON

**1576. Hon Dr BRAD PETTITT to the minister representing the Minister for Corrective Services:**

I refer to Hakea Prison.

- (1) What are the monthly out-of-cell hours for prisoners during the months of —
  - (a) August;
  - (b) September; and
  - (c) October?
- (2) On how many occasions have prisoners spent more than 20 hours in their cells during the months of —
  - (a) August;
  - (b) September; and
  - (c) October?
- (3) At any time since 1 September 2023, has water to prisoners' cells been cut off?
- (4) If yes, on how many occasions and for how long each time?

**Hon STEPHEN DAWSON replied:**

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

- (1) (a) It is seven hours and 13 minutes.
- (b) It is seven hours and 57 minutes.
- (c) It is eight hours and four minutes.



- (2) It is not possible to provide an answer within the required time frame and it is requested that the honourable member place the question on notice.
- (3)–(4) It was on three occasions, for 1.5 to three hours on each occasion, for the purpose of performing necessary maintenance on water supply to cells.

## CANNABIS — METHAMPHETAMINE USE

**1577. Hon WILSON TUCKER to the Leader of the House representing the Minister for Health:**

I ask this question on behalf of the good doctor who is away on urgent parliamentary business. I refer the minister to a recent paper published in the *Addictive Behaviours* journal based on Canadian research that suggests that cannabis can be an effective tool to manage stimulant cravings, not least among those trying to break an addiction to crystal methamphetamine, also known as ice.

- (1) What impacts is the ongoing ice epidemic having on our public health system here in Western Australia?
- (2) What is the Cook government doing to tackle this scourge?
- (3) Will the minister share the data presented in this paper with her cabinet colleagues as a practical example of how cannabis can help, rather than hinder, our attempts to tackle methamphetamine use here in WA?

**The PRESIDENT:** Just to be clear, honourable member, you are asking that question on behalf of Hon Dr Brian Walker?

**Hon WILSON TUCKER:** Yes.

**Hon SUE ELLERY replied:**

I thank the member for some notice of the question.

- (1) Alcohol and other drug problems, including methamphetamine use, result in health, social and economic impacts. In 2022, 2.1 per cent of Western Australians reported using methamphetamines. There is a reference to that as a footnote.
- (2) The state government implemented an across-government methamphetamine action plan to address issues relating to demand, supply and harm. The state government committed over \$600 million to implement the methamphetamine action plan initiatives from 2017–18 to 2026–27.
- (3) The state government continuously monitors national and international research and data related to the long-term impacts of cannabis decriminalisation and legalisation on use, harm and other social outcomes.

## ENVIRONMENT — SOFT PLASTICS RECYCLING

**1578. Hon SOPHIA MOERMOND to the parliamentary secretary representing the Minister for Environment:**

I refer to the fact that 13–19 November 2023 was National Recycling Week and note that on the Woolworths website, one of the members of the national Soft Plastics Taskforce stated that an in-store collection pilot will be rolled out in selected stores in late 2023 provided that REDcycle's existing stockpiles can be cleared prior, and that the new program will be gradually rolled out in 2024.

- (1) Has the stockpile of soft plastics in WA been cleared?
- (2) Does the government have any updates on plans for pilots or the rolling out of soft plastics recycling in supermarkets in WA?

**Hon DARREN WEST replied:**

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

- (1) Yes.
- (2) There have been in-supermarket and kerbside bin collection trials of post-consumer soft plastics in the eastern states. These trials considered collection systems, material contamination and traceability issues. Western Australia is able to draw upon these learnings. The WA government is aware that members of the national Soft Plastics Taskforce may be considering further trials.

## FOREST PRODUCTS COMMISSION — REGENERATION

**1579. Hon LOUISE KINGSTON to the Minister for Forestry:**

I refer to the *Forest Products Commission: Annual report 2022–23* and its key performance indicator results regarding the “Effectiveness of forest regeneration”. In particular, I refer to jarrah, which the FPC reports achieved only 69 per cent regeneration completed within a 30-month period.

- (1) Given the target KPI is 90 per cent of areas cutover for regeneration completed in 30 months, why has the FPC only achieved 69 per cent?

- (2) How does the FPC intend to make up for lost regeneration in the future, given the FPC also did not meet this target in 2021–22?

**Hon MATTHEW SWINBOURN replied:**

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

- (1) Forest regeneration in Jarrah forests is achieved through prescribed burning carried out by the Department of Biodiversity, Conservation and Attractions as weather conditions allow.
- (2) The Forest Products Commission will continue to work with DBCA on the regeneration of areas cutover.

VACCINE SAFETY SURVEILLANCE SYSTEM — ANNUAL REPORT

**1580. Hon NICK GOIRAN to the Leader of the House representing the Minister for Health:**

I refer to the *Western Australian Vaccine Safety Surveillance: Annual report 2022* that the minister informed the house was anticipated for release in July, yet was inexplicably released only in November.

- (1) Was the minister briefed on the report on 7 November 2023?
- (2) What documents did the minister receive as part of that briefing?
- (3) Did the minister or her staff take any notes as part of that briefing?
- (4) Further to (2) and (3), will the minister table those documents?

**Hon SUE ELLERY replied:**

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

- (1)–(4) The Minister for Health was briefed via a briefing note. I table the annual report.

[See paper [2886](#).]

PRESCRIBED BURNING — PRIVATE CONTRACTORS

**1581. Hon STEVE MARTIN to the parliamentary secretary representing the Minister for Environment:**

I refer to the practice of prescribed burns to mitigate bushfire risks.

- (1) Does the Department of Biodiversity, Conservation and Attractions use private prescribed burning contractors directly?
- (2) What is the extent of the private use of prescribed burning contractors across the state?
- (3) Does the department monitor the average costs of insurance premiums for these contractors?
- (4) Is the minister concerned that high insurance premiums risk undermining the state's bushfire preparedness?

**Hon DARREN WEST replied:**

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

- (1)–(4) The Department of Biodiversity, Conservation and Attractions does not use contractors to undertake prescribed burning.

PERTH CHILDREN'S HOSPITAL — MENTAL HEALTH UNIT

*Question on Notice 1675 — Answer*

**HON SUE ELLERY (South Metropolitan — Leader of the House) [4.58 pm]:** I have an answer to a question on notice asked by Hon Steve Martin on Tuesday, 10 October. I seek leave to have that incorporated into *Hansard*.

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

- 
- (a) 78 Full Time Equivalents (FTE).
- (b) 33.97 of 66 nursing and allied health authorised FTE are filled by permanent staff, with a total headcount of 49. The WA Health System — Medical Practitioners — AMA Industrial Agreement 2022 does not currently provide for permanency as a mode of employment. Figures do not include those on fixed term contracts.
- (c) Three medical staff have resigned in the past 3 financial years.
- (d) No senior nurses have resigned in the past 3 financial years.
- (e) 15 nurses have resigned in the past 3 financial years.
- (f) A total of 41.03 Full Time Equivalents (FTE) are not permanently filled in Ward 5A as follows:
- (i) 7 FTE Medical
- (ii) 27.16 FTE Nursing
- (iii) 4.87 FTE Allied health
- (iv) 2 FTE Admin/Clerical.
- (g) One.
-

**TEACHERS — STAFF**  
**OLDER ADULT MENTAL HEALTH UNITS**

*Questions without Notice 1509 and 1554 — Answers*

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [4.59 pm]: I would like to provide answers to Hon Sophia Moermond’s question without notice 1509 asked on Tuesday, 28 November, and Hon Dr Steve Thomas’s question without notice 1554 asked yesterday, both of which I seek leave to have incorporated into *Hansard*.

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

**Question without notice 1509 —**

(1)–(3) This morning the Minister for Education announced the first instalment of initiatives to reduce red tape, ease workloads and bring about changes in schools to free teachers up to teach.

These initiatives have been informed by the review into Red Tape instigated earlier this year and also the findings of two other independent reports and early research on the effective use of AI tools to overhaul policies and processes.

Recommendations from the Department of Education’s “Understanding and Reducing the Workload of Teachers and Leaders in Western Australian Public Schools” review and the State School Teachers Union’s “Facing the Facts” report and findings have informed some of the initiatives announced this morning.

Both reports identify the increasing complexities of teaching and the major drivers of workloads for staff, school leaders and schools.

The immediate red tape and workload reductions are:

1. Testing Artificial Intelligence tools to see how greatly they can reduce workload and improve learning.
2. An immediate investment of \$2.26 million to trial 16 Complex Behaviour Support Coordinators to work with school leaders to ensure students with disabilities get tailored programs that best suit their needs.
3. An innovative pilot project jointly funded by State and Federal Governments to cut red tape by digitising paper-based school forms, providing consistent, accessible and efficient ways to share information online.
4. Simplification of the process in relation to the exclusion of students and strengthening support to schools to assist them to manage these situations when they arise.
5. An expansion of the Connect and Respect resources released earlier this year, to include resources for staff to use, such as template out of office email replies, which set limits on when it is acceptable to make contact with teaching staff out of hours
6. A new online solution to the Department’s current paper-based Police and security screening process has been created. This new online system will reduce the processing time and allow staff to be in schools teaching and supporting students sooner.
7. A new financial reporting tool that simplifies and summarises key information for principals, school boards and councils.
8. From January 2024 changes to key financial rules also will come into effect to improve processes, reduce red tape and empower local decision-making.
9. Delaying Departmental non-essential policies that were due to arrive in schools next year. This will ensure no new additions to workload for teachers and principals having to address new policies and will allow time during 2024 to further scrutinise all policies and reduce to the absolute minimum required.

**Question without notice 1554 —**

(1) Nine.

(2)

Older Adult Mental Health Inpatient Unit	Location	Year commenced operations
St John of God Mt Lawley Hospital: Ursula Frayne Unit	Mount Lawley	2018
Armadale Kelmscott District Memorial Hospital: Banksia Ward	Armadale	1985
Bentley Hospital: Older Adult Mental Health Service	Bentley	1985
Fremantle Hospital: Alma Street Older Adult Mental Health Services Older Adult Mental Health in the Home	Fremantle	1994 2023
Joondalup Health Campus: Mental Health Unit	Joondalup	2023
Osborne Park Hospital: Osborne Park Lodge Osborne Park Hospital in the Home	Osborne Park	1985 2013
Rockingham General Hospital: Mimidi Park Mental Health Unit	Rockingham	2010
Selby Lodge	Shenton Park	1985
St John of God Hospital Midland: Older Adult Mental Health Service	Midland	2015

(3) Nil. Older adults requiring inpatient mental health care in regional Western Australia may access adult inpatient mental health beds or general medical beds locally.

The WA Country Health Service provides Community Older Adult Mental Health Services in regional areas, and older adults can also be transferred to the metropolitan older adult inpatient units if required.

(4) N/A

**POLICE — MEDICAL RETIREMENTS***Question without Notice 1545 — Answer*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services)** [4.59 pm]: I would like to provide an answer to Hon Peter Collier's question without notice 1545 asked yesterday, which I seek leave to have incorporated into *Hansard*.

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

The Western Australia Police Force advise:

- (1) (i) Nil
- (i) 36
- (2) 30 — As at 29 November 2023

**CHEVRON AUSTRALIA — GORGON CARBON CAPTURE AND STORAGE  
WESTERN POWER — SINGLE RESIDENTIAL CONNECTION APPLICATIONS**

*Questions without Notice 1450 and 1526 — Answers*

**HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary)** [4.59 pm]: I would like to provide answers to Hon Dr Brad Pettitt's question without notice 1450 asked on 15 November, and Hon Steve Martin's question without notice 1526 asked on 28 November. I seek leave to have both answers incorporated into *Hansard*.

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

**Question without notice 1450 —**

- (1)–(2) These questions should be asked of the relevant Minister, the Minister for Environment.
- (3) Carbon dioxide injection rates at Gorgon are managed by Chevron in accordance with the risk management strategy as part of the Gorgon carbon dioxide disposal management plan (CDMP) approved under the *Barrow Island Act 2003* and revised from time to time. The *Environmental Protection Act 1986* Ministerial Statement conditions require Chevron to implement all measures to achieve injection of at least 80 per cent of reservoir carbon dioxide. The Department of Mines, Industry Regulation and Safety is currently assessing proposals from Chevron, submitted under the Gorgon carbon dioxide project pipeline licence for increasing the number of pressure management wells, which when implemented will potentially increase carbon dioxide injection rates to a level that would meet the injection targets.
- (4) The Intergovernmental Panel on Climate Change considers carbon capture and storage (CCS) technology as a critical carbon dioxide mitigation option for the power sector, along with cement and chemical production. Currently, 30 commercial scale CCS facilities are in operation worldwide with a capture capacity of 42.5 million tonnes per annum (mtpa), and about 165 projects in various stages of development with a capture capacity of about 200 mtpa.

**Question without notice 1526 —**

- (1) The following table lists the single residential connections by suburb for FY 2022–23:

Suburb	# of new applications	Suburb	# of new applications
<b>Total</b>	<b>896</b>	KONDININ	1
ABBEY	2	KOONDOOLA	1
ALBANY	1	KOORDA	1
ALFRED COVE	1	KULIN	1
ALKIMOS	3	KULIN WEST	1
ALLANSON	1	LAKE CLIFTON	2
AMELUP	1	LAKE GRACE	1
APLECROSS	5	LANCELIN	3
ARDROSS	2	LANDSDALE	1
ARMADALE	4	LATHLAIN	4
ARTHUR RIVER	1	LEEDERVILLE	2
ASCOT	5	LEEMING	1
ASHBY	1	LESCHENAULT	3
ASHFIELD	1	LEXIA	1
ATTADALE	1	LITTLE GROVE	3
AUGUSTA	3	LOWER CHITTERING	4
AUSTRALIND	4	MADDINGTON	2
BAKERS HILL	1	MADORA BAY	2
BALCATT	2	MAHOGANY CREEK	1
BALDIVIS	3	MAIDA VALE	2
BALGA	3	MANDURAH	4
BALINGUP	2	MANJIMUP	1
BALLAJURA	4	MANNING	1
BANJUP	1	MANYPEAKS	1
BANKSIA GROVE	2	MARANGAROO	1

BARRAGUP	1	MARANUP	1
BASSENDAN	3	MARDELLA	2
BATEMAN	1	MARGARET RIVER	3
BAYONET HEAD	2	MARMION	3
BAYSWATER	6	MARTIN	2
BEACONSFIELD	4	MARYBROOK	1
BECKENHAM	1	MAYLANDS	2
BEDFORD	3	MCKAIL	3
BEDFORDALE	1	MELVILLE	2
BEECHBORO	6	MERREDIN	3
BEELIAR	1	MERU	1
BEJOORDING	1	METRICUP	2
BELHUS	1	MIDDLE SWAN	3
BELLEVUE	1	MIDDLETON BEACH	3
BELMONT	3	MIDLAND	1
BENNETT SPRINGS	1	MILLENDON	2
BENTLEY	2	MINDARIE	4
BERESFORD	1	MINIGIN	1
BEVERLEY	2	MOOLIABEENEE	1
BICTON	3	MOONYOONOOKA	1
BIG GROVE	1	MOORA	1
BINDOON	2	MORAWA	1
BINNINGUP	1	MORESBY	4
BLUFF POINT	1	MORLEY	12
BLYTHEWOOD	1	MOSMAN PARK	7
BODDINGTON	2	MOUNT BARKER	3
BOORAGOON	2	MOUNT CLARENCE	2
BOULDER	2	MOUNT HELENA	3
BOYANUP	1	MOUNT LAWLEY	1
BREMER BAY	2	MOUNT PLEASANT	5
BRIDGETOWN	7	MOUNT RICHON	1
BRIGADOON	1	MUCHEA	5
BROADWATER	2	MUCKENBURRA	1
BROOKHAMPTON	2	MUNDARING	3
BROOMEHILL	1	MYAREE	1
BROOMEHILL WEST	1	NANNUP	2
BULL CREEK	2	NAREMBEEN	3
BULLARING	1	NARRIKUP	3
BULLER	1	NEDLANDS	5
BULLFINCH	1	NOLLAMARA	2
BULLSBROOK	2	NORANDA	2
BUNBURY	3	NORNALUP	1
BUNICHE	1	NORTH BEACH	3
BURNS BEACH	1	NORTH BODALLIN	1
BURNSIDE	1	NORTH BOYANUP	1
BURRACOPPIN	1	NORTH COOGEE	3
BUSSELTON	2	NORTH DANDALUP	4
BYFORD	2	NORTH FREMANTLE	2
CANNING VALE	1	NORTH PERTH	7
CAPEL	7	NORTHAM	3
CAPEL RIVER	1	NORTHAMPTON	2
CARDUP	1	NOWERGUP	1
CAREY PARK	2	OAKFORD	2
CARINE	2	OGILVIE	1
CARLISLE	3	ORANGE GROVE	1
CARMEL	1	OSBORNE PARK	1
CARNAMAH	1	OSMINGTON	1
CAVERSHAM	1	PADBURY	3
CHIDLOW	1	PALGARUP	1
CHITTERING	3	PALMYRA	2

CHURCHLANDS	1	PARKWOOD	2
CITY BEACH	6	PEARSALL	1
CLACKLINE	1	PEMBERTON	1
CLAREMONT	2	PEPPERMINT GROVE	1
CLOVERDALE	3	PEPPERMINT GROVE BEACH	1
COLLIE	4	PERTH	7
COLLINGWOOD PARK	1	PERUP	2
COMO	6	PIARA WATERS	1
COODANUP	2	PIESSE BROOK	1
COOGEE	2	PINWERNYING	2
COOKERNUP	2	PORONGURUP	2
COOLBELLUP	3	PORT DENISON	1
COOLBINIA	2	PORT KENNEDY	1
COOLOONGUP	1	QUAIRADING	1
COOLUP	2	QUEDJINUP	2
COOMBERDALE	1	QUEENS PARK	1
COONABIDGEE	1	QUINDALUP	2
COONDLE	1	QUINNINUP	6
CORRIGIN	1	QUINNS ROCKS	3
COTTESLOE	5	RANGEWAY	2
COURTENAY	1	RAVENSTHORPE	1
COWALLA	1	RAVENSWOOD	3
CRAIGIE	1	RED HILL	1
DALKEITH	8	REDMOND WEST	1
DALWALLINU	2	RIVERTON	1
DALYELLUP	1	ROCKINGHAM	6
DANDARAGAN	1	ROELANDS	1
DARCH	1	ROLEYSTONE	3
DARDANUP	1	ROSA BROOK	2
DARDANUP WEST	1	ROSSMOYNE	3
DARLING DOWNS	1	SAFETY BAY	5
DARLINGTON	1	SALTER POINT	1
DAYTON	2	SAN REMO	2
DEEPDALE	1	SCARBOROUGH	5
DEEPDENE	1	SCOTSDALE	1
DENMARK	6	SERPENTINE	4
DEVILS CREEK	1	SHACKLETON	1
DIANELLA	7	SHADFORTH	2
DONNYBROOK	2	SHELLEY	1
DOUBLEVIEW	5	SHOALWATER	2
DOWERIN	1	SINGLETON	2
DUDLEY PARK	4	SOMERVILLE	1
DUMBARTON	1	SORRENTO	4
DUMBERNING	1	SOUTH BUNBURY	1
DUNCRAIG	4	SOUTH PERTH	8
DUNSBOROUGH	5	SOUTH YUNDERUP	1
EAGLE BAY	4	SOUTHERN RIVER	1
EAST BUNBURY	4	SPALDING	3
EAST CANNINGTON	1	SPEARWOOD	1
EAST FREMANTLE	3	SPRINGFIELD	1
EAST PINGELLY	1	STAKE HILL	1
EAST VICTORIA PARK	3	STIRLING	1
EAST WICKEPIN	1	STIRLING ESTATE	1
EDGEWATER	2	STONEVILLE	1
ELABBIN	1	SUBIACO	5
ELLENBROOK	1	SWAN VIEW	2
EMBLETON	1	SWANBOURNE	3
ENEABBA	1	TAKALARUP	1
FALCON	6	TARCOOLA BEACH	1
FERNDALE	1	THE LAKES	1

FLOREAT	1	THOMSON BROOK	2
FOREST GROVE	2	THORNLIE	2
FORRESDALE	1	THROSSELL	1
FREMANTLE	9	TOODYAY	1
GABBADAH	1	TORNDIRRUP	1
GELORUP	4	TREETON	2
GEOGRAPHE	1	TRIGG	2
GERALDTON	2	TUART HILL	1
GIDGEGANNUP	2	TWO ROCKS	2
GIRRAWHEEN	2	UDUC	1
GLEDHOW	1	UPPER CAPEL	1
GLEN FORREST	1	UTAKARRA	2
GLEN IRIS	1	VASSE	1
GLENFIELD	2	VICTORY HEIGHTS	2
GOLDEN BAY	1	VIVEASH	1
GOOSEBERRY HILL	2	WAGGRAKINE	2
GOSNELLS	2	WAGIN	4
GREEN HEAD	1	WAIKIKI	3
GREENOUGH	1	WALGOOLAN	1
GREENWOOD	3	WALLISTON	1
GUILDERTON	1	WALPOLE	1
HALLS HEAD	5	WANDERING	3
HAMERSLEY	1	WANDI	1
HAMILTON HILL	8	WANDINA	1
HARRIS RIVER	1	WANNANUP	1
HAY	1	WANNEROO	4
HAZELVALE	1	WAROONA	1
HEATHRIDGE	2	WARRALAKIN	2
HERNE HILL	3	WARWICK	1
HERRON	1	WATERMANS BAY	1
HIGHGATE	1	WELLARD	1
HILBERT	2	WELLINGTON MILL	1
HILLARYS	5	WEMBLEY	1
HOPELAND	1	WEMBLEY DOWNS	2
HORROCKS	1	WEST BUSSELTON	2
ILLAWARRA	1	WEST LEEDERVILLE	2
INNALOO	3	WEST SWAN	1
JALBARRAGUP	1	WEST TOODYAY	1
JANDAKOT	2	WESTMINSTER	1
JARRAHDAL	1	WESTONIA	2
JENNACUBBINE	1	WHITE GUM VALLEY	3
JENNAPELLIN	1	WHITE PEAK	1
JINDALEE	1	WICKEPIN	1
JINDONG	1	WILGOYNE	1
JITARNING	1	WILLAGEE	1
JOONDALUP	1	WILLETTON	8
JOONDANNA	2	WILLIAMS	1
JULIMAR	1	WILSON	1
JURIEN BAY	1	WILYABRUP	2
KALAMUNDA	1	WINNEJUP	1
KALGAN	1	WITCHCLIFFE	1
KALLAROO	4	WITHERS	1
KAMBALDA WEST	1	WOKALUP	1
KANGAROO GULLY	2	WONGAN HILLS	2
KARAKIN	1	WOODANILLING	1
KARDINYA	2	WOODLANDS	2
KARNUP	2	WOODRIDGE	4
KARRIDALE	2	WOODVALE	2
KARRINYUP	4	WOORREE	1
KATANNING	1	WUNDOWIE	1

KELMSCOTT	1	WYALKATCHEM	2
KENDENUP	8	YABBERUP	1
KENSINGTON	4	YALLINGUP	10
KENTDALE	1	YALLINGUP SIDING	2
KENWICK	1	YANCHEP	3
KEWDALE	3	YANGEBUP	1
KEYSBROOK	1	YARLOOP	1
KING RIVER	1	YATHROO	1
KINGSLEY	2	YOKINE	4
KOJONUP	3	YORK	6
KOKEBY	1	YOUNDEGIN	1

- (2) 55 applications have been completed, and 513 cancelled. The majority of applications received are for regional sites that are a significant distance from the existing network. The scope of the network expansion required can result in customer reassessing their power connection options leading to cancellation of the application.
- (3) The average delivery time for the 55 completed applications was 317 calendar days, reflecting the scale of the network build required to deliver these connections.

### QUESTION ON NOTICE 1715

*Paper Tabled*

A paper relating to an answer to question on notice 1715 was tabled by **Hon Pierre Yang (Parliamentary Secretary)**.

### LEGAL DEPOSIT AMENDMENT BILL 2023

*Returned*

Bill returned from the Assembly without amendment.

### PLANNING — BINNINGUP GOLF COURSE

*Petition*

**HON BEN DAWKINS (South West)** [5.00 pm] — by leave: I present an e-petition containing 16 signatures couched in the following terms —

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

1. refer you to Parts IV, V and VI of the Shire of Harvey's Town Planning Scheme No. 12 Lakewood Shores Guided Development Scheme (TPS 12) which requires the developer from time to time (Developer), as conditions of the development, to: (a) carry out development of a "Golf Course" (as defined by TPS 12) (Golf Course); (b) vest (Vesting Obligation) the "Community Open Space" (as defined by TPS 12) (Community Space) in the "Community Association" (as defined by TPS 12) (Community Association); 2. Note that TPS 12 requires the Golf Course to be at least an 18-hole international standard golf course; 3. Note that the Developer constructed only 9 holes of the Golf Course, and although the Developer cleared the area for the remaining 9 holes, the Developer has not constructed the remaining 9 holes and the Shire of Harvey has not sought to enforce the obligations of TPS 12 relating to the Golf Course (Golf Course Obligations); 4. Note that the Shire of Harvey has sought to have the Developer vest the Community Space to the Shire of Harvey instead of the Community Association contrary to the Vesting Obligation (before this transfer can go ahead lawfully, permission must be sought from the Community Association prior to this transfer and terms of ongoing maintenance agreed/fixed); and 5. Note that under section 211 of the Planning and Development Act 2005 (WA) (Section 211), a person aggrieved by the failure of the Shire of Harvey to enforce TPS 12 may make representations to the Minister for Planning who then may take action to enforce TPS 12 or refer the representations to the State Administrative Tribunal (SAT) for SAT's report and recommendations, and we, as persons aggrieved under Section 211 making representations in this petition to the Minister for Planning of the failure of the Shire of Harvey to enforce the Golf Course Obligations and the Vesting Obligation, call upon the Legislative Council to urge the Minister for Planning to take action to enforce the Golf Course Obligations and Vesting Obligation or direct the Shire of Harvey to do so or otherwise refer these representations to the SAT for SAT's report and recommendations.

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

[See paper 2888.]

### BUSINESS OF THE HOUSE — MEMBERS' STATEMENTS

*Motion*

On motion by **Hon Sue Ellery (Leader of the House)**, resolved —

That members' statements be now taken.



**COMPLIMENTARY REMARKS**

**The PRESIDENT:** It is convention in this place to use members' statements time on our final sitting day of the year for complimentary remarks from party leaders and those members of the crossbench who wish to do so. Continuing with that convention, I give the call to the Leader of the House.

*Statement by Leader of the House*

**HON SUE ELLERY (South Metropolitan — Leader of the House) [5.04 pm]:** Some people are in the mood for Christmas and some people might be being grinchies; that is all I will say.

As you know, President, it is customary for party leaders to make a few comments and to wish everybody associated with the Parliament well over the Christmas season. I begin by thanking parliamentary staff right across the precinct; their service is exemplary and appreciated.

**Members:** Hear, hear.

**Hon SUE ELLERY:** I particularly recognise the staff connected to this chamber under the leadership of the Clerk, Sam Hastings, and Deputy Clerk, Paul Grant, whom we rely upon every day for assistance and advice.

President, I also want to thank you for the role that you play in chairing this house, showing great judgement, helping when required and admonishing when required. I am sure that you and your team have found it perhaps slightly less stressful this year, which has constituted a return to normalcy after recent years of trying to conduct a Parliament in the middle of a pandemic.

I thank the Leader of the Opposition, Hon Dr Steve Thomas, with whom I continue to have an excellent working relationship, such that some of you may have observed earlier this afternoon that we stood in unison as I gave the death stare that I normally reserve for people on this side to somebody on the other side, because it looked like we were not going to get to —

**Hon Neil Thomson:** And how long you went!

**Hon SUE ELLERY:** Yes. I thank Hon Dr Steve Thomas for his assistance and the way in which he approaches the business of the house. We do not always agree, but he shares with me a commitment to getting the business done in the most efficient way for everybody.

I thank the opposition Whip, Hon Colin de Grussa, the Leader of the National Party in this house, for his assistance and our good working relationship this year as well. To all members of the Liberal–National alliance, thank you on behalf of the government. From our side, I also extend our welcome and best wishes to the newest member of the National Party in this place, Hon Louise Kingston.

To the members of the crossbench, thank you for your ongoing assistance and patience, and for the way in which you carry out the work that you do to represent your constituencies. I know that it is not easy. I thank you for the professionalism that you show in the job that you need to do, focusing your attention on the areas in which you can exercise influence. True to form, I am advised that the Legalise Cannabis WA Party has been able to ask a question about cannabis to every minister, which would not be as easy as it sounds given some of the portfolios. I appreciate that we generally have been able to approach the management of the business of the house in a collegiate way, and I thank everybody for their role in that.

To members of the government team, thank you for another year of flexibility, reliability and continued outstanding effort every day. As I have said before, being a government MP often means a life of servitude to the greater good. They are given jobs to do on behalf of the government, have limited opportunities to contribute and often have to put up with three ministers giving them angry stares when they rise to make a member's statement on a Thursday evening. They are a brilliant bunch of people who perform their roles professionally. I thank them for their work this year.

I know everyone is excitedly waiting to hear that, this year, we had the great Legislative Council Labor caucus Christmas bake-off. I am very pleased to put on the *Hansard* record that the winning dish was a pumpkin pie baked by Hon Shelley Payne. The bake-off was organised by the one who is not here today—the mullet man himself, Hon Kyle McGinn—and included a trophy. Truth be told, there were a few failures. Baking is a science and cannot be rushed, but such is the life of MPs that sometimes we had to rush. There were a number of failures, perhaps even including Hon Kyle McGinn's pavlova. It tasted great—not fantastic on the presentation.

**Hon Darren West:** A bit like him!

**Hon SUE ELLERY:** Pay that, Kyle, if you are listening! Congratulations to everybody. I am assured that there potentially is a cookbook in the making, probably on how not to bake.

I thank and acknowledge the role that Hon Stephen Dawson plays as deputy Leader of the House. Sometimes, I think he has the hardest day in terms of allocation of chamber duty on a Wednesday, not that I want to be disrespectful of those who make comments on committee reports at all, but I thank him for his service. I also acknowledge our newest minister in this house, Hon Jackie Jarvis, who has excelled in her first year as a minister, as demonstrated in the bill we just completed today. I also thank our parliamentary secretaries, Hon Darren West, Hon Samantha Rowe, Hon Matthew Swinbourn and Hon Kyle McGinn, thank you, and of course not to forget our newest parliamentary secretary, Hon Pierre Yang, who has had an eventful final week, reading in his first bill and responding to a motion today.

Finally, I thank the government Whip, Hon Peter Foster, and his deputy, the award-winning Hon Shelley Payne. He has just completed his first year in the role. I thank and acknowledge him and Shelley for their support.

To the team in the ministerial office here at Parliament House, to Chris, Jacob and Alaa, for them, the term “other duties as required” is most fitting. They are the ones who chase the Legislative Assembly ministerial officers to get the answers to parliamentary questions and do all the running around to get the three ministers looking like the well-oiled, laser-sharp professional team that we present as.

We have successfully reached the end of another parliamentary sitting year. I take this opportunity to wish everyone a very peaceful, joyous festive season. Enjoy time with your family and friends, rest, recharge and stay safe. Next year is an election year. It is the funnest year of the electoral cycle. I wish everybody a Merry Christmas.

Members: Hear, hear!

**HON DR STEVE THOMAS (South West — Leader of the Opposition)** [5.11 pm]: I thank the Leader of the House for that great contribution. It has been a particularly interesting year. I, too, would like to thank at the outset on behalf of the opposition alliance all the staff who are associated with both the Parliament and the chamber, obviously well led by the Clerk, Sam Hastings, and the Deputy Clerk, Paul Grant, and all the staff who assist us so well around this chamber. They do a magnificent job. I thank you, President, for your leadership this year. I note this year you did not have to write to me once to reprimand me for pressing the borders a bit, so I thought that we have got a bit close.

**The PRESIDENT:** The year is not over.

**Hon Dr STEVE THOMAS:** True, I have yet to finish my address, and we might get there yet. I thought that was a significant improvement on previous years. I thank you for the work you put in and your dedication to being bipartisan.

I thank obviously the Leader of the House and the Deputy Leader of the House. We work as collegiately as possible. We do not always agree, as the Leader of the House said, and as I have always said, I have become very comfortable in my old age at letting other people be wrong, but we work out to have a good and positive working relationship and I appreciate the manner to which both the Leader of the House and Hon Stephen Dawson come to the table in those discussions.

I also thank my deputy, Hon Colin de Grussa, who puts in a huge effort and is also the Whip as well as the Deputy Leader of the Opposition on this side. He gets thrown a bottle of wine every time he loses a division, so it is looking like a particularly good Christmas party for the opposition this year, I have to say. I also thank the Deputy Leader of the Liberal Party, Hon Tjorn Sibma, whom I might discuss in a little more detail a little further down; he has also been a great assistance to me.

We learnt a few interesting things this year during debate. I want to jump to my very good friend Hon Martin Pritchard, who last year told us that he obtains his inspiration and philosophy of life from the reality TV show *Survivor*. I thought that would be pretty hard to beat this year, until he made a contribution a bit earlier on in which he disclosed that in his younger life he was a low-level dealer of cigarettes in the playground. I am not sure how he rose from that level to the powerbroker of the shoppies that he currently is, but I thought he has obviously had a more difficult and varied upbringing than I ever had. I congratulate Hon Martin Pritchard on rising to the heights that he has. But, of course, that was not the only reality TV show revelation this year. I noted with a little surprise that Hon Klara Andric apparently gets her inspiration from *Gogglebox*. I am not sure how that helps. There is a theme developing amongst the Labor Party; reality TV is obviously a formative component of its strategy. I am just still waiting for someone to tell us that it is *Love Island* that actually drives them forward.

**Hon Stephen Dawson** interjected.

**Hon Dr STEVE THOMAS:** Was the Minister for Emergency Services saying that was him?

**Hon Stephen Dawson:** No, that was your side, member, a few years ago.

**Hon Dr STEVE THOMAS:** I thought you were about to acknowledge something for that.

We also had from Hon Darren West a reference to drop possums on the Bunbury Outer Ring Road and I thought that was noteworthy as well. For those who are not aware of drop bears, they are the large and carnivorous version of the koala, which is in fact not a bear. The drop bear is a bear and carnivorous. Drop possums was a fair extension even for Hon Darren West. I am not sure what sort of native wildlife the member has in those northern climes towards Geraldton but I thought that was good.

**Hon Darren West:** They’re delicious!

**Hon Dr STEVE THOMAS:** I am sure they are, but not the endangered version of them.

In his absence because he is away on urgent parliamentary business, Hon Dr Brian Walker has convinced us all that cannabis will cure anything at all, which I thought was quite surprising. I am yet to find a disease that Hon Dr Brian Walker cannot phrase into a question about the benefits of cannabis. I look forward to more of that in 2024. I think we should probably start a competition to try to find a disease for which it does not have an effect. I was thinking that we could play one of those bingo-type games and distribute a range of diseases to all members and when someone had filled their card out, they could call bingo. I will work on that over the Christmas break. I think the prize will be some of the wine stock that has been owed to us by Hon Colin de Grussa.

There was some serious business in the house this year. I thought I saw some manipulations around the Labor Party, I must admit. It is good to see that the Labor Party is baking, so it is still cooking something up; we are just not sure what it is! I refer to the competition for the fastest bill through Parliament. I think we have been reasonably productive this year, to be honest. Some of the bills took a bit longer than others, some of which I may have been responsible for but anyway let us not go there. But members might remember that the standing record was held by the man, the myth, the mullet, Hon Kyle McGinn, who I noted, just quietly, was in a *Kalgoorlie Miner* story for being attacked in Parliament for having a mullet. I think they sort of missed the humour of the situation. I think if we put it to the vote and a division on whether he should change his haircut, I would be pretty confident that —

**Hon Stephen Dawson:** Aye!

**Hon Dr STEVE THOMAS:** Hon Colin de Grussa would probably win that one. It is the first time he would not owe us a bottle of wine. He held the record with a fisheries bill passing through the house in 26 minutes. The members might note that fairly recently he was under threat and he was nearly knocked off by Hon Darren West with the Reserves Bill. He was at 24 minutes, so Hon Darren West was two minutes in front, but because the member does not have the appropriate haircut we were not having that, so I did a four-minute third reading debate contribution to make sure he was stretched out and we hit 29 minutes, so I am sorry that he did not quite get there.

**Hon Darren West:** I am not bitter.

**Hon Dr STEVE THOMAS:** He is not bitter at all. It was not just me who was engaged in this protection racket for Hon Kyle McGinn because the Legal Deposit Amendment Bill managed by Hon Sam “Rowdy” Rowe, was looking to take the record. It took 31 minutes in the end, but that included a 15-minute contribution from Hon Dan Caddy, from your own side. Therefore, Hon Samantha Rowe would have had an unbeatable 16 minutes were it not for Hon Dan Caddy! What is the deal between Hon Dan Caddy and Hon Kyle McGinn? I have not quite worked out yet whether there is a factional alignment or something, but it was obviously designed to protect that particular lead.

I have also noted the let us call it a bromance between Hon Dan Caddy and Hon Tjorn Sibma who like to tease each other a little. I like to refer to them as the Waldorf and Statler of the Legislative Council, and I am happy to let the President choose which one is Waldorf and which one is Statler!

**The PRESIDENT:** For the purpose of *Hansard*, the Leader of the Opposition is holding a picture of Waldorf and Statler.

**Hon Dr STEVE THOMAS:** I seek leave to table Waldorf and Statler, President.

[Leave granted. See paper 2889.]

**Hon Dr STEVE THOMAS:** The difficult part is that neither of them has a lot of hair, so I am not quite sure which one is which, but the interaction between the two is quite interesting to watch.

A few other things happened this year. I note that the government was so frightened of the work of Hon Steve Martin that it did not put a single bill to the Standing Committee on Legislation until after he left. The government was so terrified of his potential contribution, but as soon as he was gone a bill went in. The bill will probably spend longer in committee than in debate, but anyway that is what happened.

There were a couple of other quick changes. We have not yet noted that there was a birth—not in the chamber!—from a member of the chamber. We congratulate Hon Ayor Makur Chuot, and over the last couple of years I have got better at saying her name. We obviously wish her well because I think she is still unwell at the moment. We wish her well and congratulate her on the birth of her child.

We had a couple of other changes of course. We lost James Hayward, but in return we got a magnificent member in Hon Louise—call me Ishmael—Kingston, who perhaps —

**A government member:** Call me what?

**Hon Dr STEVE THOMAS:** Call me Ishmael. The member will have to look that one up! For those who did not have a classic education, they will have to look that one up.

We also lost Hon Alannah MacTiernan at the end of last year. I know that Hon Jackie Jarvis has done a great job, but I miss the Thursday morning banter and patter. Hon Jackie Jarvis is a bit more conciliatory than Hon Alannah MacTiernan. That might change in the fullness of time as we get to next year. It really might.

Finally, can I say that one of the benefits of promotion of members of the government, of course, is that it shifts who it is that stands up and takes points of order. We have seen the dropping off of Hon Pierre Yang and Hon Jackie Jarvis on points of order now. They have been well and truly replaced by Hon Shelley Payne, Hon Lorna Harper and Hon Sandra Carr, so there is this rolling form of points of order. Still none of them have ever been upheld, but keep going! You just go and turn these ones over. The members opposite have done very well.

President, I will just say this before I take my seat. Next year is a pre-election year, and I know the Leader of the House said that they are probably the most fun years. I actually think that they are probably the most difficult years. I find that tempers get short. I find that members get snippy with each other. There is a very easy path to go down to shift into anger and a bit of hatred at times. Can I just suggest to us all: go away and have a good break. But when

we come back, it will turn a little bit nasty. It will turn a little bit difficult, and we will dig at each other much more than we previously have, but, just remember, let us maintain our dignity as we do so. Let us remember that we are dealing with human beings, for the most part! Even during that period, let us try to maintain that basic level of decorum, for which the Legislative Council is somewhat famous. I will do my best, next year, as I did this year, not to receive a letter from the President telling me to do things slightly differently.

On behalf of all the opposition, we wish you a good break, a merry Christmas, and we will see you in March, when it will get a little bit serious.

**Members:** Hear, hear!

**HON WILSON TUCKER (Mining and Pastoral)** [5.24 pm]: Members, I have asked ChatGPT to see how many time and sun references it can fit into a couple of paragraphs of an end-of-year speech, so here we go!

I think members will agree that time certainly flies when you are having fun. As we head into the end-of-year break, I sincerely hope everyone here has a warm and sun-filled holiday period. May members' end of year break be as sunny and relaxed as the day is long, which could admittedly be longer if we had daylight saving. Working with members has certainly had its highs and lows and, much like the summer sun in WA, at times seemed repetitive and unrelenting. Together, we have weathered the storm and basked in those sunny moments. As we scatter to the winds of time for a well-deserved break, I encourage members to take the time to unwind, relax and recharge those batteries. I hope the passage of time is a gentle reminder to savour the lighthearted moments, and I am personally looking forward to seeing everyone back here in the new dawn of 2024.

**HON SOPHIA MOERMOND (South West)** [5.25 pm]: I will be short. I wish everyone a merry cannabis and a happy new year, and, for those who are inclined, happy holidays.

**THE PRESIDENT (Hon Alanna Clohesy)** [5.26 pm]: Thank you, members. Let me conclude our complimentary remarks in members' statements by adding a few myself. Here we are at the end of the penultimate year of the forty-first Parliament. It is quite amazing to think about how quickly the last few years have gone.

As all members have mentioned and, I am sure, are feeling, this year has seen an increase of activity which otherwise would have been curtailed because of the COVID-19 prevention measures. They are also part of the usual maturing of any Parliament, I think, too. In terms of the chamber, together we have sat for 19 weeks—I am not counting how many days that is, because it will feel too long! We considered and passed approximately 30 pieces of legislation; asked and answered over 1 500 questions without notice and over 560 questions on notice. We changed our sitting hours slightly on a Tuesday by starting and finishing earlier. I, for one, have certainly noticed the positive effect of that in the chamber on a Wednesday. We welcomed two new members into this place: Hon Ben Dawkins and Hon Louise Kingston. Our parliamentary committees have also been very active this year, with an increase in the number of inquiries and venturing out more into the state, nationally and internationally, for evidence gathering and community engagement.

Outside the chamber and committees, we have participated in a lot of activities, including those related to parliamentary friends groups. We have held information seminars, participated in the Commonwealth Parliamentary Association, and national and international conferences, some of them held here in our Parliament. We welcomed over 30 diplomatic and parliamentary leaders to the Parliament, specifically to the Legislative Council. For all of this work, we acknowledge and thank the Parliamentary Services Department and all who comprise her, including Hansard and broadcasting; catering including kitchen staff, dining room and bar staff; building services; security officers and PSOs; the gardening team; cleaning services; HR and payroll; education team; reception and admin; library and information services; and last but not least, information technology. I hope I have not left anyone out, because I will not be getting their services next year! Thank you for everything that you do for every single member in this place, and especially for me. On that special note, I thank Deb Kapoor for her work. None of us could do our work without the whole of the Department of the Legislative Council behind us. The department consists of the committees team, the administration office, the procedure team and the executive management team under the valued leadership of our Clerk and Clerk of the Parliaments, Mr Sam Hastings, and our Deputy Clerk, Mr Paul Grant. To each and every one of you in the Department of the Legislative Council, thank you for your commitment and professionalism.

I would also like to acknowledge the important contribution to the chamber work of the Deputy President and the deputy chairs. Thank you for carrying out your chairing roles with diligence and fairness. You make it seem so easy, and we all know it is not.

To the Leader of the House, the Leader of the Opposition, the leaders of other political parties and members of the crossbench, thank you for working, pretty much on the whole, very well together to make our chamber function extremely well and efficiently.

Finally, to all of you, thank you for all your contributions in this place and for your, on the whole again, collegial attitude towards our Parliament. It has made it a great success. I wish you all a wonderful, peaceful, relaxing time, if that is your thing, and a bit of fun as well. I look forward to seeing you back here next year, refreshed and ready to go.

*House adjourned at 5.31 pm*

**QUESTIONS ON NOTICE**

Questions and answers are as supplied to Hansard.
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**PERTH CHILDREN'S HOSPITAL — MENTAL HEALTH UNIT****1675. Hon Steve Martin to the Leader of the House representing the Minister for Health:**

I refer to Perth Children's Hospital Ward 5A, and ask:

- (a) what is the current staffing for Ward 5A;
- (b) how many of the medical, nursing and allied health staff positions are currently filled by permanent staff – not contractors, locums or casuals;
- (c) for each of the past 3 years, how many medical staff have resigned from the Child and Adolescent Mental Health Service (CAMHS);
- (d) for each of the past 3 years, how many senior nurses have resigned from CAMHS;
- (e) for each of the past 3 years, how many nurses have resigned from CAMHS;
- (f) as of 10 October 2023, how many vacancies (not permanently filled) are in CAMHS for each of the professions, medical, nursing, allied health; and
- (g) how many locum doctors are currently employed at CAMHS?

**Hon Sue Ellery replied:**

- (a) 78 Full Time Equivalents (FTE).
- (b) 33.97 of 66 nursing and allied health authorised FTE are filled by permanent staff, with a total headcount of 49. The WA Health System – Medical Practitioners – AMA Industrial Agreement 2022 does not currently provide for permanency as a mode of employment. Figures do not include those on fixed term contracts.
- (c) Three medical staff have resigned in the past 3 financial years.
- (d) No senior nurses have resigned in the past 3 financial years.
- (e) 15 nurses have resigned in the past 3 financial years.
- (f) A total of 41.03 Full Time Equivalents (FTE) are not permanently filled in Ward 5A as follows:
  - (i) 7 FTE Medical
  - (ii) 27.16 FTE Nursing
  - (iii) 4.87 FTE Allied health
  - (iv) 2 FTE Admin/Clerical.
- (g) One.

**GREYHOUND RACING****1712. Hon Dr Brad Pettitt to the parliamentary secretary to the Minister for Racing and Gaming:**

- (1) I refer to the Western Australian bred Greyhound Sasha Monelli that was recently identified in China on a breeding website, and I ask:
  - (a) has Racing and Wagering WA (RWWA) carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (2) I refer to the Western Australian-bred Greyhound Oleg Monelli that was recently identified in China on a breeding website:
  - (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?

- (3) I refer to the Western Australian bred Greyhound Slava Monelli that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (4) I refer to the Western Australian-bred Greyhound Ruble Monelli that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (5) I refer to the Western Australian-bred Greyhound Igor Monelli that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (6) I refer to the Western Australian-bred Greyhound Gold Gun Warrior that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (7) I refer to the Western Australian-bred Greyhound Gold Gun Warrior that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (8) I refer to the Western Australian-bred Greyhound Kaldren Petroni that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (9) I refer to the Western Australian-bred Greyhound Lovebird that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (10) I refer to the Western Australian-bred Greyhound Miss Blackbird that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) If no to (a), why not?

- (11) I refer to an unnamed Western Australian Black Female Greyhound, DOB 7/11/2013, that was recently identified in China on a breeding website, and I ask:
- (a) has RWWA carried out an investigation on how the greyhound came to be in China;
  - (b) if yes to (a), has RWWA determined that any rules of racing were breached;
  - (c) if yes to (a), what was the penalty; and
  - (d) if no to (a), why not?
- (12) I refer to the Western Australian Greyhound Tommy Shelby, and I ask:
- (a) how many units of semen belonging to Tommy Shelby have been exported from Western Australia;
  - (b) which countries have units of semen belonging to Tommy Shelby been exported to;
  - (c) if units of semen belonging to Tommy Shelby have been exported from a jurisdiction other than Western Australia, please state this jurisdiction or jurisdictions; and
  - (d) on what date(s) did units of semen belonging to Tommy Shelby leave the port of export?

**Hon Darren West replied:**

- (1) (a) Yes.  
 (b) No.  
 (c) N/A  
 (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (2) (a) Yes.  
 (b) No.  
 (c) N/A  
 (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (3) (a) Yes.  
 (b) No.  
 (c) N/A  
 (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (4) (a) Yes.  
 (b) No.  
 (c) N/A  
 (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (5) (a) Yes.  
 (b) No.  
 (c) N/A

- (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (6) (a) Yes.  
 (b) No.  
 (c) N/A  
 (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (7) (a) Yes.  
 (b) No.  
 (c) N/A  
 (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (8) No greyhound with that name on our records.
- (9) (a) Yes.  
 (b) No.  
 (c) N/A  
 (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (10) (a) Yes.  
 (b) No.  
 (c) N/A  
 (d) The greyhound was sold to an Eastern State third party before going to China. Other jurisdictions were made aware of their participants activities. There was insufficient evidence to support any charges against West Australian person under the Rules as they prevailed at the relevant time. A Local Rule was introduced on 1 January 2018 increasing the onus on RWWA registered persons and the exportation of greyhounds directly or indirectly.
- (11) In relation to Question 11, we are unable to identify the greyhound from the information you have provided.
- (12) In relation to Tommy Shelby, Greyhounds Australasia has control of the database that has this information.

#### GREYHOUND RACING

#### 1713. Hon Dr Brad Pettitt to the parliamentary secretary to the Minister for Racing and Gaming:

- (1) If Racing and Wagering Western Australia (RWWA) halts a Greyhound racing meet at any Western Australian Greyhound racing track after that meet has already started, is there a penalty imposed on RWWA by any broadcaster, betting agent or by any other party?
- (2) If yes, do these penalties differ from one race night to another?
- (3) If there are penalties, are there different ones for:
- (a) a greyhound racing meet being delayed;
- (b) a greyhound racing meet that started, but was not finished; and
- (c) a greyhound racing meet that is cancelled prior to it even commencing?



**Hon Darren West replied:**

- (1) No. There is no penalty imposed on RWWA by any broadcaster, betting agent or any other party if RWWA halts a race meet at a greyhound race track after that meet has already started.
- (2) N/A
- (3) N/A

## WATER — MINE WATER CONSUMPTION — PILBARA

**1715. Hon Dr Brad Pettitt to the parliamentary secretary to the Minister for Water:**

I refer to the issue of water consumption in the Pilbara, and I ask:

- (a) for each mine in the Pilbara, by company and location, for 2018, would the Minister please table:
  - (i) the licensed water abstraction amounts, inclusive of mine dewatering;
  - (ii) the licensed aquifer reinjection rates;
  - (iii) the actual extraction rates; and
  - (iv) the actual reinjection rates;
- (b) what is the total water consumption of the Pilbara region, inclusive of mine dewatering but exclusive of aquifer reinjection and residential consumption for 2018;
- (c) for each mine in the Pilbara, by company and location, for 2020, would the Minister please table:
  - (i) the licensed water abstraction amounts, inclusive of mine dewatering;
  - (ii) the licensed aquifer reinjection rates;
  - (iii) the actual extraction rates; and
  - (iv) the actual reinjection rates;
- (d) what is the total water consumption of the Pilbara region, inclusive of mine dewatering but exclusive of aquifer reinjection and residential consumption for 2020;
- (e) for each mine in the Pilbara, by company and location, for 2021, would the Minister please table:
  - (i) the licensed water abstraction amounts, inclusive of mine dewatering;
  - (ii) the licensed aquifer reinjection rates;
  - (iii) the actual extraction rates; and
  - (iv) the actual reinjection rates;
- (f) what is the total water consumption of the Pilbara region, inclusive of mine dewatering but exclusive of aquifer reinjection and residential consumption for 2021;
- (g) for each mine in the Pilbara, by company and location, for 2022, would the Minister please table:
  - (i) the licensed water abstraction amounts, inclusive of mine dewatering;
  - (ii) the licensed aquifer reinjection rates;
  - (iii) the actual extraction rates; and
  - (iv) the actual reinjection rates; and
- (h) what is the total water consumption of the Pilbara region, inclusive of mine dewatering but exclusive of aquifer reinjection and residential consumption for 2022?

**Hon Pierre Yang replied:**

As these questions involve long and detailed answers I table the attached information. [See tabled paper no 2887.]

## ENVIRONMENT — FIRE MANAGEMENT — UNALLOCATED CROWN LAND

**1723. Hon Dr Steve Thomas to the parliamentary secretary to the Minister for Environment:**

I refer to the Department of Biodiversity Conservation and Attraction's on ground lead management of the 91.3 million hectares of unallocated crown land and unmanaged reserves outside the Perth metropolitan area, and the Departments responsibility for the targeted bush fire mitigation and biosecurity on the 91.3 million hectares, and for each of the financial years 2017–18 to 2022–23 inclusive, and I ask:

- (a) what was the total of all budgetary allocation for fir management/mitigation of unallocated crown land and unmanaged reserves within Western Australia (WA);

- (b) what was the actual dollar spend per hectare of unallocated crown land and unmanaged reserves in applying bush fire management/mitigation in WA;
- (c) what was the total of all budgetary allocations for biosecurity of unallocated crown land and unmanaged reserves within WA; and
- (d) what was the actual dollar spend per hectare of unallocated crown land and unmanaged reserves in applying biosecurity in WA?

**Hon Darren West replied:**

- (a) The total of all budgetary allocations for fire management/mitigation of unallocated Crown land and unmanaged reserves within WA is as follows:

Financial Year	Budget
2017/18	\$1,290,475
2018/19	\$1,496,460
2019/20	\$1,871,451
2020/21	\$2,759,512
2021/22	\$3,719,182
2022/23	\$3,443,521

- (b) The actual dollar spend per hectare of unallocated Crown land and unmanaged reserves within WA is as follows:

Financial Year	Actual spend	\$ spent per hectare (91.3M hectares)
2017/18	\$1,015,276	\$0.01
2018/19	\$1,272,630	\$0.01
2019/20	\$1,692,442	\$0.02
2020/21	\$2,324,264	\$0.03
2021/22	\$2,479,135	\$0.03
2022/23	\$3,458,697	\$0.04

- (c)–(d) The *Biosecurity and Agriculture Management Act 2007* enables community-coordinated established pest management at a landscape scale, to which the WA Government contributes over \$3 million per annum. In addition, DBCA has spent:

Financial Year	Budget	Actual spend	\$ spent per hectare (91.3M hectares)
2017/18	\$268,763	\$273,005	\$0.002
2018/19	\$222,303	\$210,398	\$0.002
2019/20	\$168,927	\$191,209	\$0.002
2020/21	\$272,437	\$263,209	\$0.002
2021/22	\$289,139	\$234,364	\$0.002
2022/23	\$294,137	\$290,821	\$0.002

