

GUILDFORD HOTEL — STATE HERITAGE

Motion

MRS M.H. ROBERTS (Midland) [4.01 pm]: I move —

That this house condemns the Premier for failing to protect the Guildford Hotel and for his government's shambolic management of heritage in Western Australia.

In the course of this brief debate—we have another motion listed for private members—I primarily want to deal with the Guildford Hotel. Our shadow Minister for Heritage, the member for Girrawheen, will, I expect, be supporting some of my comments about the Guildford Hotel and raising some other heritage issues upon which the state government and the Premier have been found negligent. I expect that the member for Fremantle will also have something to say about the Warders' Cottages in Fremantle and the government's failure to protect them.

There was some recent cause for optimism when Hon John Day, the Minister for Planning, made some comments that provoked headlines in various media. A headline on the WAtoday website stated "State government considers buying Guildford Hotel". To me, that seemed like excellent news; it seemed that, finally, the Barnett government had decided that buying the hotel was potentially the only option. It had come to that position belatedly; it had not given a firm commitment, but I saw it as progress. Over one year ago, the opposition took the position that compulsory acquisition would need to be considered. In fact, we made it very clear that if we were elected to government and there was no resolution within a reasonable time frame, we would step in and use powers to acquire the hotel. It was certainly my suggestion that one possibility was to use the powers under the Metropolitan Redevelopment Authority to acquire the site.

It is a year later, and I am disappointed. A further winter has come and gone. The hotel fire was on 31 August 2008 during the 2008 election campaign; indeed, it was only one week before election day. At that 2008 election, both sides of politics said they would act to preserve the hotel. We were not elected, so it was up to the Barnett government to show leadership on the issue. Really, it has failed to do so.

I suppose I am less patient than others in the community but the Guildford community certainly took the government at its word—it was genuine and wanted an outcome that would see the Guildford Hotel preserved. The community was prepared to give the developer and the government time to achieve this, although they were not at all happy with the fact that year after year the building continued to fall into further disrepair. From the first year the community was not happy. From September 2008 people began asking questions such as, "How will the hotel be protected for the winter? What will be put in place to stop the building deteriorating further?" Sadly, those questions and requests fell on deaf ears. Indeed, one of the key arguments from those representing the government at that time went roughly along the lines of, "This is private property and the owners need to be given the chance to do the right thing." Meanwhile, the owners were saying publicly, and it appears behind closed doors to various heritage ministers and members of the Liberal Party, that they had every intention of restoring the hotel, putting in for development and so forth.

It is now coming up to the sixth anniversary of that fire and still we see no progress and the hotel is still open to the elements. I will add some colour regarding what has gone on. I quote from *East Metro Matters*, which is an e-newsletter from Hon Alyssa Hayden, MLC, member for East Metropolitan Region. It is dated 9 April 2010 and states —

Dear friends

I had a very interesting visit to the site of the burnt-out Guildford Hotel in James Street, Guildford this week. Frank Alban MLA Swan Hills and I accompanied Hon John Castrilli, Minister for Heritage, where we met with the building owners, Luke and Domenic Martino and representatives of the Heritage Council.

The good news for the local community is that the owners are going to retain the historical site as the well-known Guildford Hotel.

Not just that it would be restored, but that they were going to retain it as the well-known Guildford Hotel. She went on —

The owners advised us of their ideas and concepts for the design of the site and explained the steps taken to make the building safe in preparation for the redevelopment as well as protecting the building

against the elements. The owners are very enthusiastic to redevelop the site and I look forward to seeing the progress on the re-build of this heritage listed Guildford Hotel.

I note that it is dated April 2010—some four years ago. If that is enthusiasm, if doing nothing for four years is enthusiasm, I would hate to know what lack of enthusiasm is.

Interestingly, people have put comments on Facebook on that matter, so I can see how the community responded. On the Facebook page “Save the Guildford Hotel”, it states —

Check out the Hon Alyssa Hayden’s reassurance about the owners’ enthusiasm and her own optimism about “seeing progress on the re-build of this heritage listed Guildford Hotel”.

Wonder if the Honourable Member has any sense of responsibility for the dubious reassurance offered to the local community by her “good news story”, which is now 3 ½years old?

The good news was met with scepticism from a lot of other people who added their comments to the Facebook page. Someone wrote “Agree”. Replying to comments from Phil Strachan and Ben MATT Doom, “Save the Guildford Hotel” wrote —

We are wondering if Alyssa will appreciate that the community has given up listening to the “talk”. We’ve been watching out for the “walk” but the owners are yet to persuade anyone except perhaps Alyssa Hayden and the Heritage Minister that there is any substance behind their wonderful words.

Other people added comments such as: “Really Alyssa?”; “bloody disgrace” and so on. Someone called Vic N Ken Fletcher wrote —

I can fully agree with Alyssa that the owners of the Guildford Hotel site are very enthusiastic to redevelop the site but I am very cynical of any genuine intent to include a rebuilt Guildford Hotel in their plans. I am convinced that the owners are patiently waiting for the elements to take their course so that they can claim it is not practicable to retain what is left of the building.

The comments go on very much in that nature. This has been a very frustrating situation for the community because time and again it has been told, “Wait, be patient; something will happen soon. The developers need time. This is something that can’t happen quickly.” The community has been told that the various heritage ministers and members of the Liberal Party are meeting with the owners and that they are confident that something will happen.

Indeed, I am probably even more sceptical than some of the people who comment on Facebook and other sites. However, I was particularly sceptical when the Liberal candidate for Midland on 27 November 2012 put out a media release, “Progress for Guildford Hotel Development”, which states —

Daniel Parasiliti, Liberal candidate for Midland, understands how passionate Guildford residents feel about the heritage listed Guildford Hotel and the need for the property to be restored to its former status.

Daniel Parasiliti continues to meet with representatives of the Guildford Association and has listened to the concerns of local residents while out door knocking in the area.

“I welcomed the opportunity to accompany Hon Alyssa Hayden MLC, Member for the East Metropolitan Region, to meet with the owners of the Guildford Hotel to discuss progress being made.” said Daniel Parasiliti.

I am not sure what progress he was referring to, but it goes on —

“We were pleased that all approvals have now been given and the owners are now moving forward with their plans to attract tenants to the property.”

Of course, that is a misleading statement because the building approvals, in fact, had not been given. There was a planning approval, but not a building approval.

He said, in November 2012, in the context of the state election —

It is hoped that tenants can be found by the end of February so that construction on the site can commence towards the second half of 2013.

“This is welcome news for ... Guildford residents.” Daniel added.

It would have been very welcome news if, in the second half of 2013, we had actually seen some works happen, but they did not. I now feel that the community of Guildford in my electorate of Midland has really been led down the garden path by the Premier, his ministers and his government because it has been told to wait and be patient. People have been told that something is going to happen and that it will happen soon. In the context of the election they were told, “Don’t take any notice of Michelle, she hasn’t even met with the owners”, which is

true; I have not. I have not sat around and held hands asking them very nicely, like members of the Liberal Party have. I have not told the community that I believe the owners or that I think they are good intentioned or that a development is imminent. However, I have consulted with people in the community and I have asked them time and again, “What would you like me to do at this stage?” At various stages they have said, “Look, we’re engaged in discussions with the heritage minister and other parties and we’re inclined to give them a chance to do the right thing.”

I think, at very long last, everybody in the Guildford community has lost patience. Currently, the government has no credibility on the issue. It is coming up to six years. Nothing has been achieved. The government has done nothing. At an earlier stage I suggested that a conservation order could have been put in place; that has not happened. I also suggested that the government needs to consider acquiring the site. I do not understand why the Premier could go to Albany and say, “This vacant hotel site is unacceptable in the centre of Albany, and, if necessary, we’ll use compulsory acquisition powers to take on that”, but he does not say the same for Guildford. I also do not understand why the government can spend upwards of \$10 million towards relocating Florence Hummerston house, the site of the Chinese restaurant on the foreshore, to the island. Over \$10 million is to be spent there. First, it will involve painstakingly taking the heritage building down, paying out the proprietors of the Chinese restaurant, and then, at a later stage, painstakingly rebuilding and restoring it on an island to be created in the Swan River. It seems that that heritage piece is worth preserving and worth the expenditure of \$10 million, but the Guildford Hotel does not seem to be worth a single dollar to this government.

What are we supposed to make of the Minister for Planning’s comments? I hope that he can be convincing. I hope that the government will consider the compulsory purchase of the Guildford Hotel and restore this historic landmark. However, both I and the community of Guildford will be sorely disappointed if this is yet another false promise by or candle of hope from the Premier and his government to keep people quiet. In the meantime, the hotel deteriorates even further and we effectively see demolition by neglect of this important heritage landmark. I have said in this house before and I will say it again: this landmark is not just important to Guildford. Of course it is important for Guildford; it is probably the most dominant building in Guildford. Nevertheless, it is important to the whole of the Midland and Swan Valley region; it is the gateway to the valley and it is the gateway to the hills. It is in a prominent location. Further, it is in a town that is on the Register of the National Estate—one of only three towns in Western Australia that was established in 1829. The hotel is not that old, but that is the nature of Guildford. It is one of the most historic places in our state and its heritage needs to be preserved and protected.

There may well be hundreds and hundreds of places on the heritage register, but, clearly, some places are of greater heritage significance than others. I put to this house that this is one of the most significant heritage buildings in Western Australia on one of the most prominent corners in Western Australia.

Let us have a look at the actual words of John Day, the planning minister, that have been quoted in the article by Rashelle Predovnik that was on WAtoday and in the *Echo* newspaper. It states —

WA Planning Minister John Day said there was a view developing in government that intervention was needed.

Mr Day has asked the Department of Planning and the Metropolitan Redevelopment Authority to provide more detailed information about available options.

“We need to step in and take effective action, not to benefit the owners of the hotel but to ensure that this important heritage building is actually protected and restored,” he said.

“That’s not about bailing out private property owners, it is about protecting important heritage and it’s very important this location is protected.

“What’s there now is becoming an eyesore and it’s unacceptable.”

That is what Hon John Day had to say recently. He knows the area well because he is in the neighbouring seat of Kalamunda, and he also lives locally in that region. I think that that is his genuine view and that is what he would like to achieve. However, the time has come for the Premier and the government to actually put their money where their mouth is. A few words stringing the community along will no longer wash. I point out that in that same article there are some very disappointing comments by the Minister for Heritage, who is in the chamber today. I hope he will respond to this motion.

The article from the *Echo* newspaper, written by Rashelle Predovnik, states —

Heritage Minister Albert Jacob said the current Heritage Act did enable a building to be compulsorily acquired if the ongoing conservation of the place was in jeopardy.

So far so good, because there is no doubt that the ongoing conservation of this place is in jeopardy. The article goes on to state, sadly, though —

But in the case of the Guildford Hotel, Mr Jacob said it was inappropriate for the state government to consider acquiring the property while the owners still had a valid development approval in place — which expires in June.

I do not think the Minister for Heritage has had quite the experience in either state or local government that I have. I served nearly eight years on the City of Perth, and I sat on the planning committee for just about those full eight years when it was the old greater City of Perth that included Vincent, Cambridge and Victoria Park. I might just know a little more about planning laws in this state than the minister does. This comment that it was “inappropriate to consider while a valid development approval is in place” is a nonsense. How appalling is it for the heritage minister to be saying that. It is absolutely wrong and absolutely appalling. Rather than preserving the heritage interests of this state, he is more interested in preserving the property and development rights of the owners of the property. I think we have seen his true colours and why, perhaps, he should not be the Minister for Heritage.

Perhaps the minister would like to answer this for me: if the developers were able to renew their development application—that is possible because they could apply to the City of Swan and even if they were refused by the City of Swan, they could appeal to State Administrative Tribunal—I expect it would be for a period of two years; would that mean we would have to wait another three years before he will deem it appropriate to even consider the compulsory purchase of the hotel? I think that points out how stupid the minister’s comment is.

Mr A.P. Jacob: Accurate.

Mrs M.H. ROBERTS: It is not only completely stupid, but it is in direct conflict with what the Minister for Planning is actually doing. On the one hand we have the Minister for Planning saying he has asked his agencies to consider compulsory acquisition —

Mr A.P. Jacob: No, that’s not correct.

Mrs M.H. ROBERTS: Does the minister think that is not correct?

Mr A.P. Jacob: No, that’s not correct.

Mrs M.H. ROBERTS: We will go back to the Minister for Heritage’s comments one more time —

... Mr Jacob said it was inappropriate for the state government to consider acquiring the property while the owners still had a valid development approval in place ...

This minister says development overrides heritage. I really think he should not be in the job.

But let us go back because the minister is denying he is in conflict with the Minister for Planning—a very senior minister; a very considered minister. I have already quoted the Minister for Planning, but —

Mr Day has asked the Department of Planning and the Metropolitan Redevelopment Authority to provide more detailed information about available options.

We need to step in and take effective action, not to benefit the owners of the hotel but to ensure this important heritage building is actually protected and restored.

The heading on that article and the heading on the Channel 10 news is “State government considers buying Guildford Hotel”. On the one hand we have a heading “State government considers buying Guildford Hotel”; on the other we have a heritage minister who says it is not appropriate to consider buying it while there is a DA in place. If the owners keep rolling over their DAs, maybe it will never be appropriate to consider purchasing it. That is the logical conclusion of the minister’s argument.

I reiterate that what I and the communities of Guildford, Midland and the whole east metropolitan region—anyone who cares about the heritage assets of our state—want to see is the building restored. We are the opposition; we are not in government. We have not been in government since the hotel burnt down. I could show some leadership, but I am not in government. I do not have the power to do anything. My only power is to raise this issue with the minister, the Premier and the Minister for Planning, and implore them to actually take action to achieve an outcome. That is all I can do. The motion today actually condemns the Premier because there have been successive heritage ministers, and I am condemning the Premier because that is where the leadership is lacking. When he was opposition leader for that week after the hotel burnt down, prior to the September election, he said that they would act to see the hotel restored. My view is that we have seen a broken promise. Sometimes the Premier is cute and says things like, “The promise is not broken yet”, and maybe he can point to the deteriorating building on that corner and say, “We still have a chance to restore it; we could still honour our

promise.” When? I think it is highly unlikely that in three years he will still be the Premier and members opposite will still be in government. Therefore, if he does not get his act together soon, he will have no chance of honouring that promise.

I want to put on the record some sensible comments that have been provided to me by some of my constituents who want to be constructive; they want to see a good outcome. I am not going to name the constituents, but the notes were provided to me in a private capacity and I want to read from them because I think they very succinctly put where the community is at. I think they represent broadly the Guildford Association’s views and the community of Guildford’s views, and perhaps more widely other people’s views. The notes state —

Over the past five years we have engaged with our local members of Parliament to highlight the plight of the Guildford Hotel. The State Liberal party’s position has been that it is the purview of the private landowners and there is no need to intervene while the owners are pursuing development options. This position was held by Alyssa Hayden, Member for East Metropolitan, at a rally in Guildford on 3 February 2013 and appears to also be the accepted position of the Hon Albert Jacob, Minister for Heritage

With respect, we vehemently disagree with this position and submit that the State Government has several avenues to intervene in this matter and indeed the time has come to do so. Section 73 of the *Heritage of Western Australia Act 1990* applies to heritage places on private property which are in jeopardy.

The Guildford community is extremely concerned at the current state of the Guildford Hotel, the refusal by the landowners to undertake basic protective measures of the structure since it was badly damaged by fire in 2008 and inability by the State Government to take a proactive position.

The briefing note goes on to state what a significant state heritage asset the hotel is, and reads —

The Guildford Hotel was built in 1885. It was placed permanently on the Register of Heritage Places under the *Heritage of Western Australia Act* (the Heritage Act) in 1993 by the then Minister for Heritage, Richard Lewis. The building, which is also classified by the National Trust and listed on the Register of the National Estate, is described under the City of Swan Municipal Inventory as requiring a “high level of protection” and being of “exceptional significance”. The site on which the building stands is central to the heart of Guildford.

Guildford is a historic town, recognised by the National Trust with many of its buildings having been entered onto the State’s Register of Heritage Places under the Heritage Act.

I will leave some out because I do not have time to read it all. The notes continue —

The Guildford Hotel site marks the eastern boundary of a continuous precinct of commercial buildings dating back to the gold rush era. This precinct along James Street contributes significantly to the ambience of Guildford and its associated appeal. Ultimate loss of this large federation freestyle building with its classic proportions and impressive belvedere would likely herald eventual destruction of the remaining old commercial buildings within the James Street precinct.

Beyond any loss to the State’s Heritage Register, the loss would also devalue an important State tourism asset. The economic consequences of continuing degradation of elements that contribute to the “feel” of Western Australia that attract tourists will greatly exceed any short-term savings that may arise from decisions to “let nature take its course”.

On the background of the fire, the paper notes —

On 31 August 2008, the Guildford Hotel was damaged by fire. The Arson Squad of the WA Police Service investigated the fire. Their findings have not been released into the public domain, but it is understood that the source of the fire was not pinpointed. For this reason, the Arson Squad file on the case remains open.

There are some further details in the briefing note about the structural engineering reports that are supposed to be provided to the City of Swan every six months and how tardy the owners have been in providing those. The note goes on to state —

Latest advice from the State Heritage Office (April 2013) is that it refuses to commission its own independent report on the structural integrity of the building despite the Guildford Hotel being on the register of Heritage places and the deterioration of the building since 2008.

I think that is a disgrace.

Mr A.P. Jacob: Why?

Mrs Michelle Roberts; Mr Bill Johnston; Acting Speaker; Mr Albert Jacob; Ms Margaret Quirk; Mr John
Castrilli; Ms Simone McGurk

Mrs M.H. ROBERTS: I think that is a disgrace because the minister is charged with protecting the heritage buildings of this state. I do not believe the minister can be properly informed as to how precarious the future of that building is unless he has his own independent report.

Mr A.P. Jacob: Does the member think Structerre is an inappropriate firm to do an engineering assessment?

Mrs M.H. ROBERTS: I think the minister should have some integrity and independence —

Mr A.P. Jacob: Is the member saying that Structerre is not independent?

Mrs M.H. ROBERTS: I am disappointed that the minister's only interjections appear to be to support the owners' position.

Ms M.M. Quirk interjected.

Mrs M.H. ROBERTS: Well said, member for Girrawheen.

It is as if there is a spokesperson for the owners in the chamber in the Minister for Heritage. The community members' briefing note states under the heading "Our View" —

We have urged the previous and current Minister for Heritage and the State Heritage Office to engage proactively with the landowners to ensure that all the written documentation that is required by some of the conditions (Conservation Plan, Heritage Agreement) is prepared at an early stage so that there can be no further impediment to the landowners undertaking the restoration of the hotel building.

However, we submit that that the current landowners are yet to establish their bona fides with regard to preserving the important elements of this Heritage-listed building. Further, we have formed the view that the owner's actions to date are serving to deter the State Heritage Office and the Minister for Heritage from initiating the steps necessary to implement powers of compulsory acquisition under the Heritage Act.

In addition, Mr Luke Martino, despite agreeing at a meeting at the office of Alyssa Hayden on 21 August 2013 to the submission of an application for a heritage grant—prepared pro-bono by the community—has now reneged on that agreement. The purpose of the initial heritage grant would have been to obtain an independent full structural assessment of the building and to recommend a method of protection.

The landowners have indicated that the development must be viable for them to proceed. It is our anecdotal view that the development as proposed may not be viable and thus they will not proceed with it, or the restoration of the hotel building.

Under the heading "Expressions of Interest Campaign", the briefing note continues —

In January 2013, the landowners embarked on an Expression of Interest (EOI) campaign to seek tenants for the proposed new commercial building and the hotel. The EOI closed on 29 March 2013.

Given the records of all of the behind-closed-doors meetings between members of the Liberal Party and the owners, which I as the local member have never been invited to by any Minister for Heritage, or the owners for that matter, it seems to be a little coincidental that this whole process occurred over the course of the election campaign. I have been a vocal critic of the owners and their lack of action, which is why they might not have wanted to include me in their discussions. The Liberal Party, I think, politically was very much hung out to dry on this issue at that point in time. A whole term of government, four and a half years, had gone by—keeping in mind the government was elected in September and the next election was to be in March —

Mr A.P. Jacob interjected.

Mrs M.H. ROBERTS: I am not taking the minister's interjection. He will have his chance to respond.

Mr A.P. Jacob interjected.

Mrs M.H. ROBERTS: Madam Chair.

Point of Order

Mr W.J. JOHNSTON: I note that the minister is interjecting when the member is not taking interjections, and I wonder whether he could be called to order.

Several members interjected.

The ACTING SPEAKER (Ms L.L. Baker): Members, we have a pretty long list here of members who were called during question time. I do not think you want to add to that or start any new names on it. So, minister, can you please not interject. I think the member has made it very clear that she does not want to take interjections.

Mr A.P. JACOB: The member for Midland actually did bemoan that I had not interjected enough about 30 seconds ago, so I thought I would take the opportunity.

The ACTING SPEAKER: That is fine, thank you, minister. I did not hear that. Member, just to warn you, if you do not want interjections—I think we have established you do not.

Debate Resumed

Mrs M.H. ROBERTS: I can only suggest that the Minister for Heritage not be so childish. Perhaps if he was a grown up, he would understand that the winning of a debate is done on the facts of the issue at hand. That is what I intend to stick to.

I think it is more than a little coincidental that in January 2013, in the context of the election campaign, a plan was put forward to put out the expressions of interest. The owners erected a sign on the building calling for expressions of interest, seeking tenants for the proposed new commercial building of the hotel. The sign had an artistic sketch of what the development would look like. The message put out, in my view, jointly by the Liberal Party and the owners of the hotel, was that development was happening. They had been having behind-closed-doors meetings and were looking at a way forward. I think they cooked up a scheme to promote to the community that they were actually doing something; something was happening at the hotel and development was imminent. One way to do that, despite the fact they still did not have a building approval, was to put up a sign asking for expressions of interest from people who might like to be future tenants of the building. Conveniently, the closing date for the expressions of interest was 31 March; a couple of weeks after the state election. The Liberal candidate opposing me said that he fully expected that they would find tenants, and by the end of the year there would be a building approval and development would be underway. Well, this has turned out to be untrue; no building approval is in place, no development is underway and the Guildford Hotel is about to face another winter with no protection whatsoever.

Heritage elements have already been destroyed; they have been destroyed and removed since the fire. Even now, when the Leader of the Opposition came out and had a look with me and community members last week, the fencing down the side of the property was not secure. There was a gap in the fence that people could walk through. I am told that there are squatters routinely in the building. Perhaps the Minister for Heritage is waiting for someone to light another fire or for something else to go wrong so he can just wash his hands of it. That is not acceptable at all. I think it is about time that the Minister for Heritage took his responsibility for this matter seriously. He should stop kowtowing to the developers, and giving them more and more time. If the government is not having secret and furtive meetings, and if it wants to be open and accountable about the future of the Guildford Hotel, why not invite the local member? I noticed in one of its little publicity stunts the government commented that it invited along the member for Swan Hills. It is not in his electorate. He lives in Guildford but the hotel is not in his electorate. Only Liberal upper house members have been invited —

Several members interjected.

Mrs M.H. ROBERTS: Were you the minister then?

Mr A.P. Jacob: No.

Mrs M.H. ROBERTS: I do not think the minister knows what he is talking about!

Last year I said, “Let’s try to put the politics to one side. Let’s start afresh. Let’s see if we can get an outcome here.” I think if I worked with the member for Kalamunda, who is the Minister for Planning, we could get an outcome. I am not convinced that the Minister for Heritage has any bona fides in this at all. He wants to play some petty point-scoring game. He wants to trust the owners some more. He thinks it is okay. Presumably, because Structerre Consulting Engineers’ report does not say that it needs to be protected from the elements, maybe it is okay. If it is okay, minister, for it to be open to the elements this winter—the sixth winter—will it be okay for the seventh, eighth, ninth and tenth winters? When does the Minister for Heritage draw a line in the sand and take the action that the Minister for Planning alluded to? It feels to me that what is happening at the moment is yet another sop to the community, “Let’s keep stringing them along—giving them a bone here and there.” As time goes on, we will eventually see heritage by neglect.

I couched this motion in terms of condemnation of the Premier because in my view, the rot starts at the top. If there is to be any leadership on this, we are clearly not going to get it from this Minister for Heritage, just as we did not get it from the former Minister for Heritage. The Premier needs to intervene. The Premier needs to recognise that this landmark, historic building in Guildford needs protection. It needs action now. It is a state asset. The Premier cannot leave responsibility for it in the hands of a junior Minister for Heritage. We have the second junior Minister for Heritage in a row. They trot out a few lines, they have no authority and they do not do anything. My view is they will not do anything until the Premier shows some leadership. He is prepared to

intervene in some other electorates and show leadership. He is prepared to show a bit of leadership in Albany. He is prepared to show a bit of leadership in Scarborough. The Premier should come out to Guildford and show some leadership. This is a state heritage asset. It is on the national register. It is in one of three towns in Western Australia that was established in 1829. This is a most valuable asset.

Maybe in the first year or two, or three or four, there was an excuse. Maybe the owners could have been taken at their word back then, but the time has come for strong leadership. The leadership needs to come from the Premier. It is certainly not coming from the heritage minister. I will commend the member for Kalamunda, the Minister for Planning, who knows the site well. He knows a lot more about Parliament, the law and planning legislation than the Minister for Heritage. I think that the Minister for Planning is genuine in his attempt but he will be ineffectual unless he gets the support of the Premier. The Premier needs to step in here and show some leadership. He needs to back the proposals and actions that the Minister for Planning comes up with. I can only speak for the Guildford Hotel; I am sure the member for Girrawheen will have other comments on the conduct of the heritage minister in that portfolio. In my view, the Minister for Heritage is in the pocket of the developers. He is not in the corner of the people who want to protect this heritage asset. Unless this government takes some strong and decisive action, nothing is surer than the Guildford Hotel will effectively be demolished by neglect.

MS M.M. QUIRK (Girrawheen) [4.44 pm]: If one wanders out of this chamber and looks out the window to the east about 20 metres, they will see the Barracks Arch. Every time I look at that I cannot help but think of the quote that is used in various contexts: “Those who fail to learn the lessons of history are doomed to repeat them.” The Barracks Arch should be a salutary reminder to us all about how transitory heritage is and how we should respect our heritage and maintain those buildings to the best of our ability. In 1963 or so when this heritage landmark was debated in this house, progress was seen as important and unfortunately the Mitchell Freeway prevailed. I would like to think that in 50 years attitudes are a bit more sophisticated and enlightened. Certainly in my experience as shadow spokesperson for heritage, I am not sure that that is the case.

The member for Midland summed up the issues relating to the Guildford Hotel very well. In fact, I grieved to the minister on this matter in October last year. I will refer briefly to some of his responses at that time. I should at the outset say that the development approval on the Guildford Hotel is due to expire in June this year. Action is now pressing. It is time for the government to act now by putting the wheels in motion. Like the member for Midland, I hope the indications of the Minister for Planning come to fruition, although it may be that it is just a sop to the community to quieten the protest until a later stage. In response to my grievance on 31 October last year, the Minister for Heritage said —

They have until the second half of next year to apply for a building permit. That is agreed, whatever the argy-bargy is; there is only a little bit of time in between. We can certainly agree on that.

The owners must comply with all of the city’s conditions before a building permit is issued.

One of the concerns on this side of the house is that to date the owners have not complied with their obligations. They are required to provide structural reports to the City of Swan on a periodical basis. The last of those reports was required to be furnished in November. It still has not eventuated, although once the matter got to the press a couple of weeks ago, the owners said they would provide that report within a fortnight.

It is concerning that a condition of the development approval was that those reports be provided or it was a requirement under the Local Government Act—I am not sure which it was—but in any event the owners are not playing their part in this whole saga. They are required to maintain the building in such a state that it does not decay beyond repair. Frankly, there is no chance of that as they have failed to provide these reports. Having said that, these reports are limited in their scope. They are about making sure, for example, that bricks do not fall on passers-by who walk past on the pavement. As I understand it, the reports do not look at the broader issues about the state of the building and whether it has deteriorated. That is incredibly relevant because the government is empowered under section 73 of the Heritage of Western Australia Act 1990, irrespective of what the minister says, to compulsorily acquire the land. Section 73(1) states —

Where it appears to the Minister, in relation to a place having cultural heritage significance, that the continued existence of that place —

I stress this —

in a condition suitable to effect conservation of its heritage value is in jeopardy ...

We are seeing a lot of this at the moment. It is head-in-the-sand stuff. It is hear no evil, see no evil. The minister has not had access to comprehensive reports. He could have got the Heritage Council to do a complete structural report, but in recent times—certainly as soon as I raised it and for the year or so before that—there has been no proper investigation of the state of the building, but it is clear from mere observation that it has deteriorated. There is no legal requirement that the minister has to sit on his hands until the development approval expires for

him to be able to act, but it will be a sorry state of affairs if he goes into posterity as being the minister who sat on his hands and did nothing. The minister also says in response to the grievance —

The government and I absolutely share the concerns of the local community and we want to see this landmark site repaired and restored without any undue delay.

Guess what? There has been delay, and if I were the minister, I would get on with it.

I concur with the member for Midland that there has been a lack of bona fides on behalf of the owners, and I give one example of that. Grants are available to private landowners for heritage buildings; in fact, the minister announced some successful applications recently. Members of the Guildford community went to the owners of the Guildford Hotel, saying, “There is no roof. We know it is in disrepair. Why not apply for one of these grants so that you can at least do some remedial work in the meantime?” The owners said that they did not have time to do that. The community members offered to make that application and fill out the forms on the owners’ behalf. They took the time to do that, went back to the owners and presented it to the owners, who said that they were not going to submit it. One really has to wonder about their bone fides in developing the hotel if they are not even prepared to seek a grant so that some remediation can be done to the building in the interim.

What has happened to the Guildford Hotel is part of the impetus for people wanting a new Heritage Act, although I know that the movement for wanting a new Heritage Act predates that. In fact, it is said that the Heritage Act is decades old and needs to be updated. I think people have an expectation that a new Heritage Act will increase the capacity of the government to intervene in these kinds of circumstances and will also cover what is called demolition by neglect. I very much doubt whether it will do either of those things. We have had an indication in the Premier’s Statement that that legislation will be brought into this house later this year, so I will certainly be mindful of the situation of the Guildford Hotel and whether those scenarios are covered in this new legislation.

Mr A.P. Jacob: Will you give us credit if they are?

Ms M.M. QUIRK: I will, but I have had a briefing with the minister’s advisers and they did not fill me with confidence.

Prior to the last election, the Liberal Party’s heritage policy document also promised the allocation of \$8 million over four years to establish a heritage revolving fund. There was no money in last year’s budget, and I suspect there may not be any money in this year’s budget either, so that is yet to come to fruition. The promise of the Liberal Party I particularly like is the promise to complete the redevelopment of the Sunset Hospital site as a precinct for community use. I imagine we will be debating that in a couple of weeks, but the briefing I had informed me that the site restoration will be completed within 15 to 20 years. There was also a commitment to spend \$2 million revitalising Nicks Lane in the Chinatown precinct. That is excellent; however, a press release stated that it would be completed by Chinese New Year 2014, and that did not occur. I make the point that clear commitments made by the Liberal Party are yet to be realised.

Before I refer to a couple of examples—I note that it is a pity that the member for Perth has left the chamber—I would like to say that the Guildford Hotel and the other heritage issues that I am going to raise show a lack of meaningful commitment by the Barnett government to preserve our history, an aversion to following expert advice, a propensity to cut owners too much slack, inertia in dealing efficiently with local government, a tendency to favour commercial interests over the public interest and a lack of urgency in introducing new legislation. As I have said, to date there has been a failure to deliver the \$8 million revolving heritage fund. There is an unwillingness and aversion to consider compulsory acquisition and an unacceptable propensity to tolerate demolition by neglect. We are also seeing—again, this is perfect timing—increasingly blurred lines of responsibility between ministers Day and Jacob, which I do not think helps the government get across its message of a consistent approach.

Mr J.H.D. Day: We do actually talk together, I assure you.

Ms M.M. QUIRK: It is interesting that the Minister for Planning interjects, because in a question without notice in the upper house yesterday concerning Elizabeth Quay and the material that was found there, we asked whether the Minister for Heritage was informed about the material being taken away prior to it occurring. Interestingly, the answer provided was that the Metropolitan Redevelopment Authority advised the State Heritage Office, so it seems as though the Minister for Heritage might not have been informed.

I now go back to the Michelides building in Roe Street that was demolished recently. It was a historic building in Northbridge, and the Heritage Council of Western Australia recommended in unambiguous terms that it be included on the state Register of Heritage Places. For some inexplicable reason the minister ignored that advice, and that was then seen as justification for the City of Perth to consent to the demolition of that building. I am

advised by experts that it was one of the last remaining remnants of what is known as industrial art deco. It was the site of the Michelides tobacco factory, so it was very important in the history of the Greek community in this state. It was a significant reminder of the enterprise and diligence of migrant families such as the Michelides family, and it received National Trust of Australia classification in 2013. I would be pleased to hear the minister's reasons for going against the recommendation of the state Heritage Council. I know that there were additions to the building at various times, so in terms of the purity of the construction there was probably justification to demolish some parts of the building, if not all, but I also know that there was no project waiting to be put on that site and that the demolition occurred so that parking could be provided for a development next door. It is very sad that there was undue haste in demolishing that building.

I am sorry that the member for Perth is not in the room because, as I said, it is a very important reminder of our Greek heritage and the importance of the contributions that migrant families have made to the development of this state. I am curious; can the minister advise whether the member for Perth, who I believe is of Greek heritage, made any representations to him about the building's preservation?

An article in *The West Australian* on 24 January this year reports —

Art Deco Society of WA president Vyonne Geneve urged Mr Jacob to reconsider this decision and save the landmark. "The society is aware that the minister is young and therefore lacks experience in this area," she said.

"There are plenty whose brief is for personal and commercial gain, which is all too obviously on display in the city of Perth."

She certainly has expertise in buildings of that kind and she has expressed some concern about the advice given to the minister. The state Heritage Council in its submission to the minister referred to a number of themes that were present in this building. Namely, that it is about —

- ... Migrating to seek opportunity
- ... Farming for commercial profit
- ... Developing an Australian manufacturing capacity
- ... Developing agricultural industries
- ... Organising workers and work places ...
- ...
- ... Immigration, emigration and refugees
- ... Rural industry and market gardening
- ... Commercial services and industry
- ... Manufacturing and processing
- ... Markets and innovation.

We really need to preserve our history so that our children and our children's children know something about where we come from. The Mayor of Perth often talks about the idea of having an iconic statue in the Swan River to represent who we are. Frankly, a big mini skip bin containing all the heritage stuff we have demolished should be in the middle of river, as that would show who we are. I would really like to hear from the Minister for Heritage whether the member for Perth stuck up for her Greek community and made representations.

[Member's time extended.]

Ms M.M. QUIRK: I now move briefly to the Perth Waterfront project, which has a rich grain of issues associated with it. One was raised in a parliamentary question today by a government member and it related to the article by Anthony DeCeglie and Peter Law in last week's *The Sunday Times* titled, "Historic beams halt quay work", which reads —

Work had to be stopped on Perth's waterfront project this week after a "sizeable wooden beam" was dug up that may have major archaeological significance.

...

Historians and the Opposition have seized on the find to renew calls for tougher measures on-site to protect the history of the esplanade area ...

...

The Metropolitan Redevelopment Authority, who is running the project, confirmed last night the wooden beam "artefact" was located during excavation works at Barrack St ...

Extract from Hansard

[ASSEMBLY — Wednesday, 12 March 2014]

p1095b-1119a

Mrs Michelle Roberts; Mr Bill Johnston; Acting Speaker; Mr Albert Jacob; Ms Margaret Quirk; Mr John Castrilli; Ms Simone McGurk

“Works in the area ceased immediately and Archaeological and Heritage Management Solutions attended ...

The story goes on to relate that some weeks or months earlier 30 wooden pylons were given to a Men’s Shed to use for furniture and they did not seem to have been assessed at all. Needless to say, people who are concerned about the history of Perth in that particular area were somewhat concerned about this lack of oversight. It is probably arguable that these investigations should have been done before the major construction started. There was certainly criticism early on in the development of Elizabeth Quay that there had been insufficient inquiry. Given the nature of the finds—they seem to be part of a wharf or jetty—I am not sure whether they come under the Maritime Archaeology Act 1973. The minister might be able to advise me. Section 4 of the act reads, in part —

- (a) any area in which the remains of a ship, which in the opinion of the Director may have been a historic ship, are known to be located;
- (b) any area in which any relic is known to be located, or where in the opinion of the Director unrecovered relics associated with a ship which may have been a historic ship are likely to be located; and
- (c) any structure, campsite, fortification ...

There are penalties for interfering with those sites. We are yet to get clarification of whether that act applies in addition to normal heritage legislation for that particular site. In any event, there has been a lack of care. As I said, it evidences the general philosophy of this government, which is to bulldoze it and ask questions later. In the meantime, our heritage is very much compromised.

I will briefly mention two other instances. The first is also at Elizabeth Quay—that is, the Florence Hummerston building. Questions have been asked in this place since June 2012 and members will be aware that that issue relates to moving the Florence Hummerston building from near the Esplanade to an artificial island some 100 metres away on Elizabeth Quay. That was not going to be the original site. The initial proposal was to move the building to the Supreme Court Gardens. In any event, it has cost \$1.4 million to take down the building. Presumably there are storage costs, which we are not aware of yet. The owners, who had a lengthy lease plus an option to renew, are in negotiations with the government. We have managed to extract from the Minister for Planning that to date those negotiations have resulted in an interim payment of more than \$7 million being paid to the owners and I think there will not be much change from \$20 million. That is a very expensive exercise. It will be moved on to the island as a kiosk. The government was hell-bent on getting on with Elizabeth Quay. It was under pressure to preserve heritage buildings and so it has expended many times more money than was available in the heritage budget to preserve or assist in the preservation of buildings throughout the state. I am very pleased that the building has been preserved, but it was a foolhardy and kneejerk reaction to pressure. Of course, we cannot forget the many trees that were also taken from that site. We will wait to see what develops in that area. As I said, I suspect it will cost in the region of \$20 million. Compared with the heritage budget, it seems disproportionate.

One of the issues that arises frequently in the heritage area—I was at the opening of Kiara fire station on Monday—is the lack of integration or cooperative work between local government, state government and the Heritage Council. In fact, I saw Mayor Charlie Zannino and asked him whether there had been any developments with the Guildford Hotel. He shrugged his shoulders and said that the ball is not in his court now. Another example from the City of Swan, which I think is most unfortunate, is the recent demolition of Lynwood Homestead. That is the latest casualty, if you like, of demolition by neglect. The City of Swan has been conscientiously trying for many years to preserve Lynwood Homestead. It has had responses from the Heritage Council that, frankly, are not helpful. The Heritage Council said that the city could not get this area demolished and that the Heritage Council did not support that idea, but it has not given any practical assistance. Ultimately, Lynwood Homestead, which was built in 1905 and was on the state Register of Heritage Places, was demolished because it was considered beyond repair. That was after many years of trying to negotiate with the council. One of the issues that arises here, which I hope will be addressed in the new legislation, is that the owners were able to go to the council and assert that it would just be too costly to renovate the building, but the assessment of the costs was not independent. I hope that in years to come the legislation provides the capacity to have independent valuations of such properties. Frankly, it is just unacceptable for buildings of this sort to be allowed to get into such a state that there is no other option but to demolish them.

Perhaps it is the hippy in me, but when I talk about heritage in Western Australia, I am reminded of a Joni Mitchell song that was recently covered by Counting Crows, *Big Yellow Taxi*. The lyrics run —

They paved paradise and put up a parking lot

With a pink hotel, a boutique and a swinging hot spot
Don't it always seem to go that you don't know what you've got till it's gone
They paved paradise and put up a parking lot
They took all the trees and put them in a tree museum
And charged all the people a dollar and a half to see 'em

This is the scenario in Western Australia; this is the state of heritage in this state. It seems to me that the government needs to take a much more sophisticated and serious approach to heritage, including acting quickly and decisively and having a balanced and objective approach when commercial interests are ultimately lobbying it. It should value what we have instead of trying to bulldoze it and artificially create a new heritage.

MR G.M. CASTRILLI (Bunbury) [5.11 pm]: I was not going to speak on this but I have changed my mind somewhat, and I want to make a small contribution to this matter. Obviously, the motion is that the house condemns the Premier for failing to preserve the Guildford Hotel, and for his government's shambolic management of heritage in Western Australia.

I say at the outset that this Liberal–National government has done more for heritage in this state since we came to power in 2008 than what the previous Labor government did, or any other previous government, probably. We introduced the first cultural heritage policy in 2011—the first since the Heritage of Western Australia Act was introduced, I think, nearly 23 years ago or thereabouts. That policy put frameworks around how the government, government departments, agencies, local governments and the community could enhance heritage outcomes in Western Australia. There was quite a lengthy discussion about that, but we got the first heritage policy in Western Australia up and going.

A review of the heritage legislation is underway under this Liberal–National government, but it should have been done a few years before. I am not quite sure of the time frame; perhaps the Minister for Heritage can refresh my memory on when the review should have been done, but it was not done at that time. We actually introduced that review. A lot has been mentioned by members opposite. Hopefully, this review will give this piece of legislation a contemporary outlook for our needs in this day and age, and will provide more teeth—I think all of us agree on this—for the protection of heritage places in Western Australia.

Members might recall that as Minister for Heritage I brought in an amendment that increased the penalties for illegal demolition of heritage places from a paltry \$5 000 to a maximum of \$1 million. That was a huge jump; anyone could destroy a heritage building and cop a fine of only \$5 000. I think everyone would agree that it was a fairly significant jump to a maximum of \$1 million. I cannot quite remember the figures, but —

Mr P. Papalia interjected.

Mr G.M. CASTRILLI: I am just saying that we brought it up to a maximum of \$1 million. I have not been made aware of whether anyone in Western Australia has illegally demolished a heritage building to this point in time. We also, through the planning legislation for local government, increased the penalties to \$250 000, if I remember rightly. Can I also say that for the first time in about 12 or 13 years, we actually increased heritage grants by \$1 million over four years. I think that was quite a significant achievement and I put on the record that I am very proud of that. We also cut a lot of red tape for owners of heritage buildings who have to carry out minor works or maintenance to their buildings. We thought that they should not have to go through the whole palaver of going through the Heritage Council—all that extra work—for minor work and maintenance on their properties.

One of the things I did when I became Minister for Heritage was to encourage a more proactive dialogue, if you like, between the Heritage Council of Western Australia and the owners of heritage buildings. I was very keen to try to get rid of that them-and-us attitude; one of the things I hated was for heritage buildings to be just left there to decay.

Ms M.M. Quirk: It hasn't changed, has it?

Mr G.M. CASTRILLI: It has in fact changed markedly. I kicked off a dialogue, with the Heritage Council of Western Australia being proactive with the owners of heritage buildings and asking, "How can we help you to help us?" That encouraged adaptive re-use, and there are now heritage buildings that are being re-used in that way in Western Australia, which I think is achieving a very good outcome for Western Australia. I have always maintained that the best way to save a heritage building is to use it, and the best way to do that is adaptive re-use. Why would we want to put impediments in the road of the owner of a building and just let the building lay there? Surely, with some common outcomes and common benefits to each other, we can get that building to be re-used, which in turn helps us to actually maintain and preserve the heritage and history of Western Australia. There

were many other initiatives that the Liberal–National government brought about, which I will not go into today, to help outcomes for heritage in Western Australia; maybe the minister can outline some of those in his speech.

In respect of the Guildford Hotel, I must say that that was a very frustrating episode. I share the community's concerns about the length of time it has taken to repair the hotel. As has been explained or identified before, under the current heritage legislation there is no provision to compel the owners to restore that building. After a very lengthy process, the owners got planning approval from the City of Swan, as was alluded to earlier. The member for Girrawheen said that the planning approval is valid until 13 June 2014.

Mrs M.H. Roberts: It's 30 June, I think.

Mr G.M. CASTRILLI: Anyway, June 2014. In actual fact, some action did take place 18 months ago. After going through the State Administrative Tribunal, backwards and forwards, the City of Swan and the owners sat down and agreed to a set of conditions and planning approval was given. That comes to an end in June 2014. I met with the owners several times. I went through the site. It was in a terrible mess.

Mrs M.H. Roberts: You should see it now!

Mr G.M. CASTRILLI: I am telling the member how I feel personally. I believe in heritage because not only am I a former Minister for Heritage, but also my background—where I come from—is all about heritage. The member for Swan Hills was present with me at the time.

Ms J.M. Freeman: You're a national treasure!

Mr G.M. CASTRILLI: I hope Hansard got the fact that I am regarded by the opposition as a national treasure! I thank the opposition for that!

The reality is that the Guildford Hotel is still private property. The owners kept giving me assurances at the time that they wished to retain the hotel building and redevelop the site, and they had gone out for expressions of interest from tenants to take up residency in the proposed development. That has been alluded to previously. I tend to take people at their word when I get assurances that certain things will happen and that they have a determination and an intention to do certain things. We need to give people a chance. As I said, things did happen, and 18 months ago they did get planning approval. I certainly wish that work had commenced already on the site, and I am disappointed, along with the residents, that no work has commenced to date. But at least I met with the owners several times. I also met with representatives of some of the residents. I can tell members that I forcefully put my position to the owners about what my expectations were, given the limited capacity I had under the Heritage of Western Australia Act to force the owners to do anything with the building. As the member for Midland said, she has not met with the owners, but she has obviously met with the community. I met with the owners several times and put my position to them. I have also been told by the owners that they tried to get a meeting with the then shadow Minister for Heritage, and they could not get a meeting, even though they tried several times.

Mr P. Papalia: What year was that?

Mr G.M. CASTRILLI: In the period when I was the minister.

Mr P. Papalia: Which year?

Mr G.M. CASTRILLI: It was 2008 to 2013.

Mr P. Papalia: No, they did not try.

Mr G.M. CASTRILLI: I am telling the member that is what they told me. I can only relate to the member what they told me.

Mr P. Papalia: That's an untruth.

Mr G.M. CASTRILLI: The member can call them liars if he likes, but that is what they told me.

The ACTING SPEAKER (Mr P. Abetz): Member for Warnbro, do not keep interrupting.

Mr P. Papalia: Who knows what you guys say! You make it up most of the time!

Mr G.M. CASTRILLI: Member for Warnbro, one thing I do not do is make things up—unlike the member, sometimes. I thought we were having a very good conversation, until the member for Warnbro came into the chamber.

Mr P. Papalia: You just made an accusation.

Mr G.M. CASTRILLI: The member for Warnbro just made an accusation by calling the owners liars.

I agree with the member for Midland when she says that the Guildford Hotel is a significant heritage building and needs to be protected. My earnest wish and desire was to have this issue resolved a long time ago. I believe

in heritage. Previous to the Guildford Hotel, there were other heritage buildings in the Midland area that had burnt down. It is strange that all those buildings had burnt down. They include the Stockman Hotel, the Council Club Hotel and Midland Inn. That was before my time. Two of those buildings have been redeveloped into modern buildings, and one is still vacant, as I understand it; correct me if I am wrong.

Mrs M.H. Roberts: Yes, it is still vacant.

Mr G.M. CASTRILLI: The point I am making is that none of these buildings was restored. That is very sad. I wonder what the circumstances were and why those buildings were not restored. In my opinion, heritage buildings should be protected and restored whenever possible.

I reiterate that I hope there is a speedy resolution to this matter. I am very sad and disappointed that at this point in time, no work has commenced on restoring the Guildford Hotel.

MS S.F. McGURK (Fremantle) [5.25 pm]: I am very keen to take this opportunity to speak on the motion, in particular that part of the motion that talks about the government's shambolic management of heritage in Western Australia. Contrary to the previous speaker, the member for Bunbury, I could not agree more with the motion. If Fremantle is any indication, this government has a very poor record when it comes to managing heritage. I refer in particular to the warders' cottages in Fremantle. I completely understand the frustration of the people of Guildford at the way the Guildford Hotel has been treated, not only by its owners, but overall by this state government in overseeing it as a heritage asset. It is not only the people of Guildford but also the people who drive past that hotel every day who are expressing their frustration and despair at the state of the Guildford Hotel. I am sure members can imagine how people feel about the warders' cottages in Fremantle, which have been under the ownership of the state government since 1991–92. Those warders' cottages are of significant heritage value. They date back to the 1850s. The warders' cottages are a row of continuous terraces. Terrace houses were not common when a lot of land was available, but at the time those terraces were built, the warders needed to be in close proximity to the prison, and that is why they were built in a continuous row. This row of terraces has heritage significance not only for Western Australia but around the country.

I have raised this issue a number of times in the 12 months that I have been in this house, but still we see no action. I was particularly concerned to see the press release from the Minister for Heritage of 5 March in which he announced the finalists for the state heritage awards. The press release quotes the minister as stating —

“The WA Heritage Awards is an opportunity to convey that ‘heritage’ is about so much more than conserving old buildings—it is about understanding how to incorporate it in our daily lives, to adapt heritage assets to modern use, to use heritage to add value to places and experiences and make it relevant to contemporary living.”

I could not agree more, minister. I am sorry that the Minister for Housing is not in the chamber to hear me speak about the warders' cottages yet again.

It is on all those measures that people in Fremantle want to see something done about the warders' cottages. They want to see the heritage value of those cottages respected, they want to see some resources allocated for the building's restoration and they want to see an appropriate use for those cottages in the future. I agree with the member for Bunbury who said this afternoon that the best way to save a building is to use the building. That is very much what the people of Fremantle and the visitors to Fremantle want to see for the heritage of the warders' cottages.

I have referred to the history of those cottages a number of times in this house. They were actively used for housing warders from the 1850s through to the 1990s when Fremantle Prison ceased to operate as a prison. After that, the state government bought those buildings. In particular, the Department of Housing bought the cottages and they were used from the early 1990s until 2011 when the public housing tenants were evicted. Since then the cottages have been empty. I presented a grievance in this house about those cottages in May last year. The Minister for Housing spoke about the frustration in maintaining the houses for public tenants. There were restrictions then on the lack of adaptability of those houses to the universal design principles now set for housing. In response to the grievance in May last year, the minister said —

In 2010, the Department of Housing determined that the cottages were not suitable for this purpose due to the very high maintenance ...

That was in 2010. We are now in 2014 and it appears that we are no closer to having a decision made about the use of those cottages. Since the evictions in October 2011, the buildings have been left to fall into ruin. I was going to say that I could speak only about what I could see from the outside, but I did have a brief look inside with the Premier last year. From the outside, though, one can see that the gutters have now fallen from the cottages and the front walls that are about waist high and surround the outside of the cottages near the food

market in Fremantle are crumbling. Earlier this year I took photographs of the walls when children were playing outside the cottages near the markets, as they do, and because the limestone is so soft, they were able to pick at and crumble some of the limestone. Some repairs had been done, and then the government solution to that was to move the fencing already there to outside the cottages so that it is now outside those small walls. It was really frustrating to see just an increase to the fencing parameter that surrounds the cottages rather than some long-term strategy adopted by the government. I understand that there is a significant rising damp problem in the cottages. Members can imagine that as they are made of limestone—not limestone blocks but quite crumbly limestone that was used in the early years—there is a rising damp problem. However, the damp problem would have probably been exacerbated by the fallen gutters. There are actually supporting construction struts along the front of the building but it is obvious that they are causing distortions to the roofing. I do not know about the expertise that was adopted when those struts were put in place or how long the struts were expected to be in place, but from a layperson's point of view, they appear to me to be causing further problems.

As I said, I had an opportunity last August to join the Premier on a tour of the inside of the cottages. It was good to get that opportunity to see inside them. The living quarters inside the few cottages that we were able to go into are quite small. As a result of that visit, I came to the view that short-stay accommodation would be the most appropriate use for the cottages. There is room at the back of the cottages for some sort of restoration or renovation to take place so that there could be an area for a modern kitchen and some sort of increased living space. I do not have the expertise to talk about the sort of dilapidation that is happening inside, but enough is happening on the outside for not only me, but also everyone walking past to feel frustrated. Particularly annoying is that we are not waiting for anything to happen or for the government to take action on these cottages. We are not waiting for a report. We are not waiting for some sort of action to happen. We are not waiting for some other party to make a decision. It is now well over two years since the public tenants were evicted and now the cottages are falling into ruin more and more by the month.

As I said, to my mind the solution needs three elements. The solution must recognise the significant heritage value of these particular buildings. I do not think there is any dispute about their heritage value; they are nationally listed and have been for some time. Because of the deterioration of the limestone, they will need some attention soon if they are not to fall into disarray, so we need to recognise the heritage value. Secondly, the solution must involve resources to restore the cottages. It is no use talking about gifting the cottages to the National Trust of Australia or to Fremantle Prison to take management of them if as part of that solution no money is available to restore them. A couple of years ago the National Trust did some work on examining how much it would cost to restore the cottages, and it came up with a figure of \$6 million. The City of Fremantle has done work since then and its estimation is \$7.5 million. Some of that increase in cost is due to the fact that two years have passed since the National Trust estimation was done. Obviously, a more accurate figure would be obtained closer to the time of the work being done. One thing is certain: as time goes on, that figure will not get any less. The solution therefore must involve an allocation of money to restore the cottages. The third element of the solution must involve an appropriate future use for the cottages. I am quite open about what the future use could be, but it has to be appropriate to the construction inside the cottages. Personally, I think short-stay accommodation makes sense. The government could get an income from renting those cottages, which are ideally situated right in the middle of Fremantle. If the cottages were done up correctly, people might enjoy the feeling of being back in the Victorian era. It is a little cramped for my style but people might enjoy the feeling of the cottages in that sort of accommodation. The government would get an income and that, in turn, could be used to keep up with the maintenance costs in the future.

We have actually put a petition together along those lines, calling on the state government to take urgent action over the cottages. In just under the month that the petition has been out and about in Fremantle, we have collected more than 850 signatures. It is not difficult for us to get people to sign on because when I have spoken to people around Fremantle and when I have had conversations with people while setting up outside the cottages, I find that they are completely across the issues. They understand the issues and they are furious that nothing has been done. I imagine it is much the same experience that the member for Midland has when she speaks to local residents about how they feel about the Guildford Hotel. We will continue to do that work, and I will present that petition at some stage to the government. However, as I said, it is not difficult because these buildings are right in the centre of Fremantle, they are owned by the state government and people are wondering what we are waiting for to get some action.

There would be some local opposition to the splitting up of these cottages and selling them individually, because, from what I am advised, it is quite significant to have a continuous row of terraces of this age. To sell them off and have management in different hands is perhaps a missed opportunity to retain the row of terraces with restoration in a uniform manner. Although I am open to what the solution or outcome should be for these cottages, there is some concern about splitting them up to sell them off individually given the heritage value of a continuous row of cottages.

Members might remember there was a proposition put by the Department of Housing—I have spoken about this in the house before—to the Fremantle council that for a 50-year lease and a peppercorn rent, council would consider investing the money needed for the restoration of the cottages. It would then take the management and any income for that restoration over the 50-year period. The council did a business case looking at whether it was viable, and it concluded that it was not viable with a 50-year lease. I understand that the council has considered that it may be viable if the cottages were gifted to the council. I hope I am not boring you, Mr Acting Speaker.

The ACTING SPEAKER (Mr P. Abetz): No, you are not. I find it very interesting.

Ms S.F. McGURK: That is good.

The council has considered that it might be viable if the cottages were gifted to it, and that this would justify investing \$7.5 million of its own or borrowing that money into the restoration of the cottages. The only way I personally would support that proposition is if the work was done immediately, and if a heritage agreement was made to maintain a certain standard of upkeep for those buildings. I can understand some sceptics in Fremantle are aware that the Fremantle council has a number of buildings of heritage value in its management at the moment that it is not always able to maintain to a correct level. However, if the solution is that the council is gifted these buildings, the agreement would need to be fairly stringent about the restoration or repair work on the buildings, and also that the works should commence immediately. The Fremantle council has enough interest in restoring those buildings and is motivated enough to get the work done quickly. Therefore, in my mind that seems a viable solution. The downside for the government is that it will lose an asset off its books. However, it has no alternative plan at the moment, and the government under that scenario will not need to put forward a significant capital amount to do anything to the buildings.

Both the local government council and I have in the past called on the state government to put some immediate money in place to allow for the urgent upkeep of the buildings. Given that the gutters are falling down and that the front walls are crumbling with the rising damp, and with months and months going past—we are not far from another wet season—the cottages will be further damaged. So far that action has been resisted by the state government.

[Member's time extended.]

Ms S.F. McGURK: So far, our calls to put some immediate funds into immediate repairs have been resisted by the government. I say very strongly that the government cannot have it both ways. On the one hand, it cannot say that it will not put any money into the immediate upkeep of these buildings, and then on the other hand take no action at all. Given the government's position, I wrote to the Minister for Housing, whose department has ownership of the building, requesting an urgent meeting to enable me to ask the minister a question: what is the government's solution now?

As I said, I wanted to be cooperative so that we come to a joint position, which I imagine would involve the council as well. The Mayor of Fremantle, Dr Pettitt, has also in January written to the minister asking for an urgent meeting, but the earliest we could get for an urgent meeting was the end of April. There is the frustration.

I hope these pleas in this place make their way to the Minister for Housing's ears to impress on him that the people in Fremantle, me as the state member and the local council want to sit down to reach a solution about the cottages. As I have said, people are well and truly fed up. I could read any number of quotes from people who have signed our petition. We have an online petition as well as a paper petition that has been distributed. A number of people have contributed. For instance, Jennifer Snell from Hamilton Hill states —

These cottages are a piece of our history, once lost, gone forever.

A number of people feel very passionately about the cottages. Dale Glenny states —

The warders cottages are an integral part of Fremantle and hold significant heritage value to this entire state. We are supposedly the most affluent state in Australia (one of the most affluent countries in the world) and if we can't afford to restore them now we never will. Fremantle is a tourist mecca, and these cottages are right next to the historical markets in the cappuccino strip.

Rod Griffiths states —

These cottages are a key part of Fremantle's history and are needed for their contribution to heritage, tourism and education—all of which have a positive impact on WA's economy.

I could go on. Of the more than 650 people who have signed the online petition, many have taken time to write personal comments. This indicates their frustration at seeing these buildings boarded up with no plan from the state government about what should happen.

In March 2014, media reports indicate that the Minister for Planning, John Day, in relation to the Guildford Hotel, the subject of the other part of this motion before the house, stated —

What's there now is becoming an eyesore and it's unacceptable.

I had a number of people contacted my office, and I think at least one letter appeared in *The West Australian*, stating that it is all very well for Minister John Day to say that, but he only need come to Fremantle to look at state-owned buildings, which are of heritage value and are an eyesore. That is exactly how the people of Fremantle and visitors feel when they look at the warders' cottages and other buildings. Urgent work and action is needed on these cottages. I could speak about a number of other instances of heritage neglect in my electorate. Right alongside the warders' cottages opposite the Henderson Street car park is the previous Fremantle Police Station complex, which was the old courthouse. The police vacated that building over a year ago—off the top of my head—which was used for the police station and lockup; it housed a number of police agencies within it. From everything I can gather there is no plan whatsoever from the state government about what it intends to do with that complex.

I wrote last year to a number of ministers, including Minister Day who is in the chamber today. I wrote to him as planning minister. I wrote to the Minister for Police, given it was my understanding that the police department owned the building. I also wrote to Minister Jacob as the heritage minister. I did not receive a response from Minister Jacob, although I did from the other two ministers, who basically said, "We haven't decided what we're going to do with this complex"—this was from the police minister, at least—"but we'll keep an eye on it and get back to you."

One other matter that I would like to briefly mention is the Royal George Hotel in East Fremantle. The hotel is not owned by the state government; it is under the control of the National Trust. The residents of East Fremantle feel similar despair and frustration at the state of the Royal George Hotel. Many people would know it; it can be seen towards the end of Stirling Highway as you get to Leach Highway. It has been empty for a number of years. It is proving very difficult to find any developers who might be interested in investing in the building considering the heritage restraints and the restraints of the surrounding geography. Having said that, it is a fantastic building. People in the area feel very passionate about it. George Street as an entertainment precinct is going from strength to strength. Where there is a will there is a way for the council, for the National Trust and for anyone who is interested in heritage to get together to find a solution to the current state of the Royal George Hotel. I have met with the local council, mayors and individual councillors to show my willingness to try to find a solution. I have raised the issue with Tom Perrigo from the National Trust a number of times. People care about heritage, and because people care about these last remaining heritage assets, we have a responsibility to not only protect them but also to undertake the work now so that buildings like the Royal George Hotel, the old courthouse in Fremantle and its associated buildings, and the warders' cottages that I spoke of earlier, do not fall into further ruin.

I take issue with what the member for Bunbury, the former minister responsible in this area, said about the Barnett Liberal state government doing more for heritage than any other state government before it. If those examples that I gave in Fremantle are any indication, we would have to take absolute issue with that. I hope that the next time I speak in this house about the warders' cottages, a decision will have been made by this government on these important heritage assets.

MR A.P. JACOB (Ocean Reef — Minister for Heritage) [5.53 pm]: I thank the member for Midland for raising this issue. Let me say from the outset that I agree with my predecessor, the member for Bunbury, that this Liberal–National state government has a fearless record in managing Western Australia's cultural and built heritage. I will address that as we go along. First of all, I would like to address the substantive issue of the Guildford Hotel. I say right from the outset, as I have said in this place every time I have addressed this matter, and as I have said to members of the community when I have met with them on this issue, that I share the local community's concerns; indeed, all colleagues on my side who I have spoken to share those concerns. Many colleagues on my side have done a lot of work in this space including Hon Alyssa Hayden, who I will come back to soon, the Minister for Planning and the member for Swan Hills. Those three members are also very passionate about this landmark site. We all want to see it repaired and restored without undue delay.

I have to take objection to the motion before us. I will read the exact wording —

That the house condemns the Premier for failing to protect the Guildford Hotel and for his government's shambolic management of heritage in Western Australia.

I invite the house to consider just for a moment the policy of members opposite in this space. They just said they have held that position for about a year. They have provided the benchmark for what shambolic is. If what they are calling for occurred, I will tell members what would happen and how that would play out. Members opposite

said they would like the government to step in right now; to just ride roughshod over whatever is happening in that space and simply proceed immediately to compulsorily acquire this property in spite of a live development application. The state government would then actively expose itself to possible legal challenge from the owners because compulsory acquisition is appealable through the State Administrative Tribunal. This could potentially be a very long, drawn-out process. The advice I have received along the way is that the government would be unlikely to even win. The owners have current planning approval and they are demonstrably and actively seeking tenants. Where would that leave the hotel?

Mrs M.H. Roberts interjected.

Mr A.P. JACOB: Quite simply, there is an active development application on that site. Compulsory acquisition is appealable. How could the government possibly make a case given the owners have demonstrated, while they are operating within that valid planning approval, that they are seeking to activate that planning approval? Quite simply, the government would be laughed out of court. We could be tied up in court for a very long time; more years with no roof on this hotel and more years with no outcome, regardless of who wins that case. If the government wins, we go back to square one—we go back to zero—and potentially four or five years more of this process, or, if the developer wins, we go back to square one anyway. How is that in any way a better outcome? State taxpayers would be exposed to millions of dollars. If we did what the opposition is calling for, that would truly be shambolic management of state heritage. All they have put today is stunts. That is a hypothetical. I think they are the potential hypotheticals from this place. The government has held a clear, consistent position. The opposition's position, whichever iteration that would take right now, would lead us into a shambolic outcome. But that is just a hypothetical.

Let us look at some instances of what happened when members opposite had the opportunity to hold the heritage portfolio. What is the benchmark for shambolic management of the heritage portfolio? The member for Midland would know exactly where I am going at this point because when she was heritage minister in 2007, there was quite famously an incident involving a private property listed on the interim register that was allowed to drop off that register after 12 months because it just so happened to be owned by the then heritage minister at the time, the honourable member for Midland.

Withdrawal of Remark

Ms M.M. QUIRK: The minister is impugning the member's integrity. I ask that he withdraw that.

Mr A.P. JACOB: Thank you, Mr Acting Speaker. I have not impugned any member's integrity whatsoever; I am simply outlining what happened in history.

The ACTING SPEAKER (Mr P. Abetz): There is no point of order.

Debate Resumed

Mr A.P. JACOB: The member for Midland stridently led this motion saying that this government had exhibited shambolic management, yet when she had her chance at this portfolio, quite famously a property owned by her was allowed to lapse from the heritage register. Member for Girrawheen, I am not impugning the motives of the member for Midland; I accept that no wrongdoing was found in that case. I have read on that case; I understand that. But what it does demonstrate is shambolic management of the heritage portfolio. An interim-listed heritage place was about to lapse, but it was simply allowed to lapse while owned by a former minister. The most appropriate course of action in terms of proper governance would have been for the minister to delegate her ministerial responsibilities under that act. It is not muckraking, member for Midland; I am trying to ascertain what the member would consider non-shambolic management given the low bar that was set prior to my time.

Mrs M.H. Roberts interjected.

The ACTING SPEAKER: Member for Midland, short, sharp interjections are acceptable, but to continually talk over the minister is not acceptable conduct.

Mr A.P. JACOB: The member for Midland put up this motion condemning the government for shambolic management. I just thought it would be good to have some context of previous management iterations in the heritage portfolio and also to illustrate where actions that members opposite have been calling for over the last 12 years would take us if we were to take them. Both of those outcomes would be truly shambolic management. That is why this government has not embarked upon them.

I will quickly take us to the current situation with the Guildford Hotel. As I have said, the owners have a planning application that is valid until 13 June 2014, which is two years from the date that the City of Swan resolved to approve amendment conditions as negotiated through the State Administrative Tribunal process. As was said in this place, with this planning approval in place, the owners initiated a marketing campaign late in 2012 to seek tenants and operators for the hotel, and that process has been ongoing. As has also been canvassed,

I have met with the owners. I have also met with members of the community. In fact, my recollection is that I met with members of the community first and heard their concerns, and then I met with the owners. I know that members of the community have met with the owners. Hon Alyssa Hayden has been doing a fantastic job in the community, meeting with local people to try to help them through the process and to try to get the same outcome, which is for this magnificent hotel to be restored without scoring political points in the process. As was canvassed when the member for Bunbury spoke, the only people in this scenario who have failed to meet with the owners—I believe that offer from the owners remains on the table—are members opposite.

Mrs M.H. Roberts: What would we achieve? We could just ask them nicely, like you have. Even you've been kowtowing to them for six years and it's achieved nothing.

Mr A.P. JACOB: Kowtowing to them for six years? I will get to that in a moment, member for Midland.

As was mentioned by the Minister for Planning by way of interjection in the house a week ago and also in the media, the government is concerned about the future of this place. We are considering what action we may take in the event that the restoration project does not proceed with the current developers of the project under their existing development application. Between the two of us, we are in very good communication with the developers. We are doing preparatory work on what could potentially be alternative options should we reach that point, but we quite simply are not at that threshold yet. As I have said, the action that members opposite are calling for would be shambolic management. Until the current DA lapses in about three or four months, that remains plan A. The Heritage of Western Australia Act allows for compulsory acquisition. However, with a planning approval in place, and as the owners have demonstrated that they have actively sought tenants and opportunities to act on that DA, I cannot see any way—the member for Girrawheen, who has a legal background, has just left the chamber—that it could stack up in court.

Ms J.M. Freeman interjected.

Mr A.P. JACOB: I am not having a crack at her; I am sure she will be back.

It is simply inappropriate for the government to interfere with the private property owners' rights at the moment. They have an opportunity to progress their project. I encourage them to progress their project. However, if they do not ultimately do so, we are obviously considering options, as would be expected as a way of good governance.

Before I go into our government's track record on heritage more generally, which will take up some time tonight, I want to address a few of the comments made by members opposite. I will begin with the member for Midland, who spent a lot of time reading out comments from Facebook and addressing broader conspiracy theories. She did not quite have the courage to say what she was intimating, so I will not address any of those. I always enjoy cracks at my age. I am very proud to be the youngest member of this house for the second term in a row.

Mrs M.H. Roberts interjected.

The ACTING SPEAKER: Member for Midland!

Mr A.P. JACOB: Indeed, I am the only member of this place who holds a master's degree in architecture, so I might have a little knowledge about the background of this issue. I do not know; I am just putting that out there. I am very proud to be the youngest member of this place. As I said when I first had the privilege of becoming a minister, I suspect that the day members opposite stop saying that I am too young, they will start complaining that I am too old!

Point of Order

Mrs M.H. ROBERTS: The minister is misrepresenting my remarks. I made no comment about his age. I spoke only of his inexperience in this place.

The ACTING SPEAKER (Mr I.C. Blayney): Minister, stay within the confines of your answer, please.

Debate Resumed

Mr A.P. JACOB: To address the comments of the member for Midland, she clearly threw as many barbs as she possibly could. Honestly, it does not faze me. If there is anything I am to be criticised for, I love to be criticised for that.

I will pick up on some of the examples. As I said earlier in this place, and as I said to the member for Girrawheen when she raised a grievance in this place, it is not unusual for a development of this scale to take five or so years to get to this point, let alone a development that has a heritage listing and started because the place burnt down. To pick up on the member for Fremantle's contribution, a very good example is the National Hotel Fremantle, which I believe sat empty for four years. It was gutted by a fire in 2007, and it took until 2013

to receive a redevelopment outcome. That illustrates very well the time it takes developers with these sorts of projects. It has to be remembered that the market conditions between 2008 and now were far from ideal for people operating in this space.

Dr M.D. Nahan: The Left Bank on the foreshore in Fremantle took almost two decades.

Mr A.P. JACOB: Yes; these things sometimes take time. It is not unusual to be at this point. Having said that, I am in absolute agreement with the community on the importance of seeing this project get up and for something to happen sooner rather than later. We will continue to work with the owners in the meantime and see where we go.

Again, I will pick up on the interjections of the member for Midland about my lack of insight into the heritage process, which I think she was intimating. I will read a quote from her when she was Minister for Heritage. An article in *The West Australian* of 9 December 2006 states —

... Mrs Roberts said expecting the WA taxpayer to foot the bill for the purchase of, potentially, hundreds of heritage properties demonstrated a lack of insight into the heritage process.

Mrs M.H. Roberts: There is a big difference between hundreds and one iconic building, isn't there?

Mr A.P. JACOB: As the member for Midland has progressed, her lack of insight has increased as well.

I also want to very quickly address some of the comments of the member for Girrawheen, and I am happy to take interjections as I go along. The Barracks Arch example is hardly comparable with the Guildford Hotel. The government has consistently said that it is very keen for this project to reach fruition. The local Liberal Party members are working very hard in that community. Indeed, Hon Alyssa Hayden, the member for Swan Hills and my colleague the member for Kalamunda, the planning minister, are working in that space to see something happen. However, the Barracks Arch was a decision of the government of the day. It was a state-owned structure. I agree with the member on the outcome in that space.

I could also address the heritage act, but I might do that as I more generally address some matters within the Western Australian heritage portfolio.

Management of Western Australia's cultural heritage by the Liberal-National government is absolutely exemplary when compared with the management by previous governments. This government introduced Western Australia's first cultural heritage policy in 2011, which provides a framework for government to work effectively with its own agencies, local government and the community to recognise, maintain and capitalise on our heritage. This government is also already working on the first major initiative under this policy—that is, the introduction of a bill for new modernised heritage legislation, which members opposite aspired to for many years. Again, the article from 2006 states —

Mrs Roberts' office confirmed yesterday that she would host a forum to review WA's heritage laws next year, the first since 1999.

Five years into that government's term, it finally jumped on it. However, nothing managed to materialise. I am very happy to report that after two rounds of intensive consultation and preparatory work—I again acknowledge the member for Bunbury, as it was a very exhaustive process and it is an area that people are understandably passionate about—the new bill is being drafted and will be before this house in the near future. That is far further than members opposite ever managed to take it, and we still have three years of our term to go.

Mrs M.H. Roberts: Perhaps you'd like to give credit to the former Labor government that introduced heritage legislation into this state.

Mr A.P. JACOB: If we have to go back to 1990 to give credit, member for Midland, I am happy to do so.

The proposed new legislation will provide a much more effective statutory framework than the current one. As was said by the member for Bunbury, while planning for this new act, the government has also been acting in this space. This will be the first major amendment to the Heritage of Western Australia Act since its passage in 1990. I acknowledge that a former government brought it in when I was in primary school. This government can proudly say that it has increased the penalty for the illegal demolition of a state heritage-listed property from \$5 000 to \$1 million. This is a list of the 1 300 properties with the greatest state significance for current and future generations. If a person bowled one over, there was only a \$5 000 fine. That has now been lifted to \$1 million. There were some puerile interjections—"Well, we do not want people bowling over heritage buildings"—when the member for Bunbury spoke on how many prosecutions there had been since. I think the success of that is that it has not happened since, and it is a sufficient deterrent that has been very effective in that space.

Last year, for the first time, there was an increase to the heritage grants program; a government commitment to provide an additional \$1 million over four years, which is the first increase to that program since its inception in 1996. From what I have seen, it is not only a fantastic grant helping in metropolitan and regional areas across the state, but we often see from it an increase multiplier effect on our investment. I believe the average—do not quote me on this—multiplier effect for the state heritage grant is by about eight times. The government has provided \$5 million to 136 projects through the grants program since 2009, on top of that is another \$5 million commitment that was made to assist owners with the restoration of heritage buildings in Kalgoorlie–Boulder following the 2010 earthquake. Under the Liberal–National government, that is a total of more than \$10 million to help owners of heritage places in Western Australia.

This government has demonstrated its commitment to a balanced approach to heritage conservation by increasing penalties. We have used not only the stick approach, but also the carrot—increasing the grant funding available to private owners of heritage places. The government is providing tangible incentives to owners, as I have just outlined, and we are also assisting heritage property owners by providing clear, transparent policies for managing change to heritage places and cutting red tape, particularly for maintenance and minor works. These are small things that enable an owner to manage their property without having to go through a full approvals process. This government is continually improving how it manages the uncertainty owners have about undertaking minor works on their properties. This is something that has often inhibited people’s interaction with heritage, and sometimes it may have been seen as a negative. In March 2012, the former Minister for Heritage announced new regulations that cut red tape for regular maintenance and minor repairs of state registered heritage places. Under the new regulations owners of state registered heritage places are no longer required to seek the Heritage Council of Western Australia’s advice prior to carrying out minor works on their properties. These regulations include work that does not remove or damage the existing fabric of the building or involve the use of new materials; low pressure, nonabrasive, non-chemical cleaning; replacing deteriorated fabric that does not involve the removal —

The ACTING SPEAKER (Mr I.M. Britza): Excuse me, minister. Member for Butler, you need to acknowledge the Chair when you come into the chamber. Thank you.

Mr A.P. JACOB: The regulations also include the replacement of utility services rather than using existing routes and voids. We have also relaxed the requirements for certain signage. These new regulations allow owners to get on with the job of looking after their heritage places without unnecessary paperwork and delay.

This government has taken a very important ethos into this space to be an effective government in the heritage space. Although a lot of the 1 300 registered heritage places are state owned, a significant proportion of listed places are privately owned. As an ethos, a government needs to work well with those owners and make it easier for them to maintain their places. If they are doing the right thing by the heritage of those places, they are often the people best positioned to respond quickly when the need arises.

In line with providing owners with greater clarity, in 2012, the Heritage Council adopted a new development assessment framework. The framework ensures that the Heritage Council, the State Heritage Office and other bodies operating under a delegation from the Heritage Council provide consistent advice on proposed changes to places on the state heritage register. This framework clearly sets out the Heritage Council’s policy on assessing proposed changes to registered places and gives owners certainty and far greater predictability on the types of works that will be supported. It gives people assurances on the way in of what they are likely to be able to do and it makes it easier for them to work within the framework of the heritage listing. This makes heritage listing more attractive, which I certainly believe it should be; a heritage listing is something that should be aspired to.

Alongside the development assessment framework, the State Heritage Office has produced two key documents to guide owners in the preparation of conservation management plans and strategies. These provide owners with easy-to-understand information on what a conservation management plan or a conservation management strategy is, what they should contain and how to use the completed documents. These guides also provide a standard brief that owners can use to engage a consultant. All this information is very easily accessible on the Heritage Council State Heritage Office website. It is an outstanding website. If I could be a little biased, I believe it is one of the better ones in government and it is provided free to the general public. These initiatives rise from the current approach of the Heritage Council and the State Heritage Office of actively engaging with stakeholders and owners of heritage places. The government absolutely supports and encourages this approach, as it helps to cultivate a rich exchange of ideas and the sharing of knowledge in building, conservation and architectural industries.

It is through such approaches, as dry as they may be—I sense the chamber going into a bit of a hush as I go through these—that a significant difference has been made to heritage throughout the city. An unprecedented number of adaptive re-use projects are getting off the ground around the state, and heritage is really entering a

new age. In the metropolitan area, there is the positive contribution of fantastic urban projects that have come to life under this government. I think the current signature projects are Brookfield Place and the heritage buildings located within that activation on St Georges Terrace—the Print Hall, the Trustee—and the Terrace Hotel. If one were to look out the window to the east, one would see these buildings; one in the middle of the Terrace, one at the end—two fantastic heritage retail and commercial buildings that have brought heritage to life in the city. For an example of this government’s commitment to heritage and evidence of how highly it values it, one need only look out the window to the west to see the beautifully conserved Hale House. Members opposite opposed Hale House every step of the way, yet this government —

Dr A.D. Buti interjected.

The ACTING SPEAKER: Member for Armadale!

Mr A.P. JACOB: This government values heritage so highly that it put the Department of the Premier and Cabinet—the seat of government—in a restored heritage building. That is how highly this government values heritage. Again, it is interesting to note, members opposite opposed it every step of the way.

Heritage conservation is no longer about locking up heritage places in a time capsule. It is no longer about removing them from the public and only occasionally allowing them to have contact on the odd open day. The community needs to stay engaged with heritage places so that those places remain relevant and a part of the landscape today and into the future. I believe heritage is about not only what happened in a place but also what is happening now and how the story continues. Heritage is not about locking things away; we have museums to see what happened in the past. The heritage space is about the narrative of how we got to this point in time and where we go to from here. That is what heritage is all about, and it is something this government has been actively engaged with. I pulled out a few highlight examples of what is going on in the CBD, but there are many small projects. Indeed, my favourites are the little bars, restaurants and cafes located in the random heritage nooks and crannies in and around our city.

The community of Western Australia has a lot to look forward to in this space. A project that will redefine heritage and adaptive re-use is the soon-to-be-completed conservation of the old Treasury building. This project is unlocking a long-forgotten space for the public. It is a project that was talked about for many years, 20-plus years—I remember having lectures on it and seeing the early plans. I had the privilege of an early tour through the building; there are some perks to being the Minister for Heritage. It is a very good example of what is essentially a state-owned facility, for which the government has partnered with a developer to do the work and has given it an extended lease. The heritage outcome that the state government gets when that building opens later this year will set the bar higher for what can be achieved with heritage in this space. Perth will get its first six-star hotel. I realise many others are building in that space, but I have looked at some of the sample rooms and they are palatial and far beyond anything that I could have expected. The entire basement area will be reactivated.

Ms S.F. McGurk: Will you talk about Fremantle?

Mr A.P. JACOB: I will get to that, member for Fremantle.

Sometimes I think that these spaces can be the most interesting. A guiding principle of the design of the old Treasury building is that every entrance and exit point along the facade will be reactivated. None of them will be boarded up. Every ingress and egress point that existed in that building during its lifetime will be reopened and its interaction at a street level will be second to none. Another fantastic aspect to that building will be its interaction with the modern building behind. It has been featured in the newspaper recently and I drove past it today and looked at some of the framework being set up and the glass extrusion and the restaurant that will sit on that building. The level of detail that has gone into the restoration of that building and the areas that people would otherwise have never seen impresses me.

The government has finally taken up the challenge to begin the redevelopment of the Sunset Hospital. The government had a clear election commitment on this.

Ms M.M. Quirk: It’s been 20 years.

Mr A.P. JACOB: That is right, member for Girrawheen, and probably more than that. The government is grasping the nettle, getting on with the job and showing a commitment to getting the job done. It has already begun that with the introduction of the Sunset Reserve Transformation Bill 2013, and I look forward to debating that hopefully in the very near future.

I do not want to focus only on the metropolitan area. Much of our heritage is in the regions, particularly due to how dispersed the population was in the early settlement days. Western Australia has already made positive gains in the heritage space in examples such as, again as I mentioned earlier, the fully restored government

buildings in Kalgoorlie. Western Australians can also look forward to the completion of projects such as the redevelopment of the Katanning roller flour mill with funds, incidentally, from the Liberal–National government’s SuperTowns program.

Dr M.D. Nahan: The Busselton Jetty.

Mr A.P. JACOB: That was my next one, Minister for Finance, the Busselton Jetty. The significance of the Guildford Hotel was mentioned earlier in this place, and I recognise that. However, there are 1 300 properties listed on the state heritage register, and I would think—I would be interested if members disagree with me—that if we were to think of the 10 most significant heritage places in Western Australia, the Busselton Jetty would be one of them. I will go a little into why I think that is the case. The Heritage Act was introduced in 1990. There have been many heritage ministers before me, so I was pleased to have the opportunity to sign off on the listing of the 10 most significant heritage places in WA, which has not come around very often in the 23 years of the operation of the legislation. However, two weeks ago I had the amazing opportunity to sign off on the permanent heritage listing of the Busselton Jetty. I think of structures such as the Fremantle Prison and some other very significant ones in and around the state, but what is amazing about the Busselton Jetty is that just about everyone who has grown up in Western Australia has a Busselton Jetty memory. As we go back through the generations of those families who have been here a long time, there would be memories of Busselton Jetty. We have formed Busselton Jetty memories and our kids will go there and form Busselton Jetty memories. Past, present and future generations of Western Australians will have an attachment to the Busselton Jetty because it embodies what living built heritage is about. It is about what happened, what is happening now and what happens in the future. These are all initiatives that have taken place under this government, and I have to say again how proud I am to stand on this Liberal–National government’s legacy in the heritage space.

We have also taken initiatives to make more information on heritage places available for the general public at any time of the day, and also information to help owners to get the expert help they may need to care for their precious properties. A good example of this is the inHerit database, a comprehensive database of more than 23 000 state registered and locally recognised heritage places in Western Australia. The inHerit database was launched in July 2012. In addition to providing important location and historical information, image catalogues and detailed geographic information system mapping and interactivity with the Google street view technology, it provides a new and in-depth way of finding out more about our state’s heritage places and researching them before going to look at them.

Another very good initiative of the State Heritage Office, and one that has my full support, is inContact. This is, again, an online portal to a list of heritage experts who can help owners understand the history of their properties, how to care for them or to plan changes to make sure that they are fit for contemporary use or new use. inContact was launched in 2013. It has detailed guides to assist owners to choose the right expert for the job. This new service is operated by the State Heritage Office and is another example of how this government is responding to the needs of heritage property owners. Importantly, the government will even make a bit out of it, because it uses the opportunities that government and smaller agencies have to leverage off their positions. We sit there at the centre of it, so we are in many ways the facilitator, although we obviously do not endorse any particular professional in that space. It is certainly an area in which we have been able to do a lot of work. We are making it easier for heritage property owners and heritage experts to get together.

We have also recognised that it is sometimes difficult to find a tradesman with experience and expertise in heritage places. inContact will be expand later this year to include trades and other skilled professionals whom owners need to look after their precious heritage places. We will be looking in particular for people and skilled tradespeople who specialise in heritage works. Given that building practices have changed substantially over time, it is not necessarily easy to find such skilled people. We will be providing the community with a one-stop shop to find whatever they need in that space.

The Liberal–National government also recognises that local government plays an important role in helping communities look after their heritage assets. Under this government, a dedicated branch of the State Heritage Office was established to focus on providing local government advice and support in best practice heritage management. This includes providing vital financial support to regional local governments that find the cost of accessing heritage experts prohibitive. Again, some of our best heritage is locked up in remote areas of Western Australia and there are often challenges with those places, including accessing the expertise and the skills that are sometimes required. In collaboration with the Western Australian Local Government Association, the Heritage Council of Western Australia has established a contract panel that enables local governments to engage heritage experts to assist with things such as a review of municipal inventory, development of local heritage management strategies and providing advice to owners on caring for their properties, as well as opportunities for grants and other forms of assistance. For regional local governments demonstrating a need and a commitment

towards heritage, the Heritage Council offers a subsidy up to 50 per cent towards the cost of providing a local heritage advisory service. This program has proved very successful, with the number of participating local governments increasing from 19 to 25 this year and others already expressing an interest in participating in next year's program.

This government is committed to protecting the heritage of this state. Some of its initiatives are dry and some are certainly far more concrete and visible, such as the old Treasury buildings or the already built ones such as the Terrace Hotel, and some of them very key ones, such as the websites or the regulatory changes, but they are all working together and are clearly having a tangible, positive impact on Western Australia. Notably, last month, February 2014, an article by a *New York Times* travel journalist, which other members may have seen, presented a glowing account of Perth.

Ms M.M. Quirk: Do you know what was ahead of Perth—Albania.

Mr A.P. JACOB: Opposition members hate good news, and they probably hated this article, because this article was recognition of what this government has done over the past five years to transform this city and this state. I guarantee the member for Girrawheen that no journalist from New York would have written this article in early 2008. The opening commitments of the article state —

Conjure up a city embodying all things right about cities. Assuming you lean toward the progressive, I'll wager your rendering includes the following: multiple parks and waterfronts; spotless subways and free public buses; restaurant menus with organic, locally sourced food and wine; cool bars in heritage buildings; and pop-up everything, from farmers' markets to cinema and yoga.

Welcome to Perth.

In the same article, the journalist wrote about the Perth experience and specifically named places that impressed him. Of the 20-odd places mentioned, I am proud to say that 14 are state registered places or housed within state heritage places, such as the WA Museum, the Art Gallery of Western Australia, Fremantle Prison, Cottesloe Beach Hotel, Brisbane Hotel and Print Hall. Various other restaurants and bars were also mentioned. These high-quality offerings in state registered places do not go unrecognised by the state government and the annual Western Australian Heritage Awards ensure that these are celebrated and that the people who own and invest and work in these places are duly recognised. The winners of this year's Heritage Awards will be announced on 3 April. I had the privilege to attend last year's Heritage Awards as a very new Minister for Heritage. That evening provided me with a fantastic insight into the work and the people who work within the broader heritage sphere, as these awards were by no means constrained to an insular or tight band of heritage architects or conservationists. These awards celebrate the outstanding passion and work of individuals and organisations in heritage in Western Australia in areas ranging from interpretation and promotion of heritage to adaptive reuse. A Heritage Award has become a highly sought after and valued accolade. Under the Liberal–National government these awards have been expanded from four categories to 11 categories, showcasing and celebrating excellence in revitalising heritage places, setting standards for future interpretation, promotion, conservation and adaptive reuse of places entered into the state Register of Heritage Places. One thing I accept is that no-one gets to hold any role forever in this place, so at some point somebody else will have the heritage portfolio after me. If any of them ever listen to this, the best place they could start is the Heritage Awards —

Dr M.D. Nahan: I can see you holding it for 20 years.

Mr A.P. JACOB: I would certainly like to. Even in the twenty-first year, somebody else may come after me, although they may not be here just yet. If a future minister is incredibly bored and wants to read *Hansard* from 20 years ago, they will learn that there is no better place for them to start than by going to the Heritage Awards. I was fortunate to attend the awards in my first week as minister. Having studied and had a lifelong interest in this area—I grew up in a heritage home in Wanneroo—it is something I have always been passionate about, but I had no idea of the breadth and scope of the expertise in this state and the breadth of the projects that are being undertaken. I was able to present an award to an author I have long admired, Geoffrey Bolton. That was a fantastic way to start out as a heritage minister. Perhaps the stand-out award winner for me on the night was Dome Coffees, but I will get to that in a moment.

The Western Australian Heritage Awards have become internationally recognised as of 2012 with winners and high commendation recipients in three categories going on to be nominated to the UNESCO Asia–Pacific Awards for Cultural Heritage Conservation. In the first year of nominating projects to UNESCO, the redevelopment of the William Street precinct in Northbridge beat strong competition from 11 other countries to win an award. It was one of only eight projects recognised by the UNESCO awards in 2012, which illustrates the high calibre of heritage conservation works being undertaken through collaborative engagement between the

Metropolitan Redevelopment Authority, the Heritage Council and the State Heritage Office. The UNESCO award is international recognition of this government's commitment to high-quality conservation. The government spent more than \$18 million to revitalise the Perth Cultural Centre, including refurbishing a number of heritage buildings along the eastern side of William Street. The change in the urban character of William Street in Northbridge is undeniable.

In 2013, a collaboration between the Water Corporation, the local government and heritage interest groups to save the Broome Sailmaker's Shed was also recognised by UNESCO as an outstanding example of conservation practice. This historic landmark was at imminent risk of demolition until the State Heritage Office stepped in and brought all these stakeholders together to explore a new future for that historic landmark, which now forms part of the museum complex. If my recollection is correct, the Broome Sailmaker's Shed was the overall winner of last year's Heritage Awards.

As I said earlier, in getting a sense of the breadth of heritage in this state, Dome Coffees was recognised for its contribution in the heritage space. I attend a lot of Dome cafes and I certainly enjoy their coffee, but I had not thought about them in the heritage space until I started to think about some of their locations in Western Australia. Dome has certainly done a lot of work in the heritage space. Dome's CEO spoke on the night and I had not heard such passion before. He talked about his childhood in Hong Kong and watching the demolition of heritage places at that time. I really got a sense that a large driver of his business model is, effectively, using his franchising model as a vehicle to bring private investment into restoring heritage places, which is something this government certainly encourages. I look forward to once again celebrating with the finalists and the winners of this year's WA Heritage Awards.

This government's approach to heritage in Western Australia, as I have outlined, is seeing an unprecedented level of adaptive re-use of once-neglected and forgotten places. The retelling and the interpretation of our history and stories is very important, as is the preservation and adaption of our heritage for future generations. As a consequence, there is a growing level of understanding of respect and appreciation for heritage amongst the broader community. This Liberal-National government can be immensely proud of this record.

Over the past 40 minutes I have had the chance to briefly outline what has been done, but I can say to members with absolute confidence that the best is yet to come. A lot of exciting projects are just around the corner. This government is certainly very passionate about heritage. The best embodiment, as I said earlier in my speech, of the high esteem in which this government holds heritage is that we chose to house the Premier's office—the seat of government—and the cabinet room, in heritage listed Hale House in the parliamentary precinct.

Division

Question put and a division taken, the Acting Speaker (Mr I.M. Britza) casting his vote with the noes, with the following result —

Ayes (15)

Ms L.L. Baker
Dr A.D. Buti
Ms J.M. Freeman
Mr W.J. Johnston

Mr F.M. Logan
Mr M. McGowan
Mr M.P. Murray
Mr P. Papalia

Mr J.R. Quigley
Ms M.M. Quirk
Mrs M.H. Roberts
Mr C.J. Tallentire

Mr P.C. Tinley
Mr P.B. Watson
Ms S.F. McGurk (*Teller*)

Extract from *Hansard*
[ASSEMBLY — Wednesday, 12 March 2014]
p1095b-1119a

Mrs Michelle Roberts; Mr Bill Johnston; Acting Speaker; Mr Albert Jacob; Ms Margaret Quirk; Mr John
Castrilli; Ms Simone McGurk

Noes (30)

Mr P. Abetz	Mr J.M. Francis	Mr S.K. L'Estrange	Mr D.C. Nalder
Mr F.A. Alban	Mrs G.J. Godfrey	Mr R.S. Love	Mr J. Norberger
Mr I.C. Blayney	Mr B.J. Grylls	Mr W.R. Marmion	Mr A.J. Simpson
Mr I.M. Britza	Dr K.D. Hames	Mr J.E. McGrath	Mr M.H. Taylor
Mr G.M. Castrilli	Mrs L.M. Harvey	Mr P.T. Miles	Mr T.K. Waldron
Mr M.J. Cowper	Mr C.D. Hatton	Ms A.R. Mitchell	Mr A. Krsticevic (<i>Teller</i>)
Mr J.H.D. Day	Mr A.P. Jacob	Mr N.W. Morton	
Ms E. Evangel	Dr G.G. Jacobs	Dr M.D. Nahan	

Pairs

Ms J. Farrer	Mr D.T. Redman
Mr R.H. Cook	Mr T.R. Buswell
Mr B.S. Wyatt	Mr R.F. Johnson
Mr D.A. Templeman	Ms W.M. Duncan
Mr D.J. Kelly	Ms M.J. Davies
Ms R. Saffioti	Mr V.A. Catania

Question thus negatived.