



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2022

LEGISLATIVE ASSEMBLY

Thursday, 24 March 2022

Legislative Assembly

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THE SPEAKER (Mrs M.H. Roberts) took the chair at 9.00 am, acknowledged country and read prayers.

LEGISLATIVE ASSEMBLY CHAMBER — REMOTE PARTICIPATION

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [9.01 am]: I have a brief statement to let people know that I have given approval for the member for Albany to participate remotely today to give a 90-second statement.

CITY OF MELVILLE — PARKS AND RESERVES — ZONING

Petition

MS K.E. GIDDENS (Bateman) [9.01 am]: I have a petition that has been certified as conforming with the standing orders of the Legislative Assembly. It contains 307 signatures and states —

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, say that the City of Melville Councillors voted unanimously to request rezoning of 20 lots from ‘Residential’ to ‘Public Open Space’ and subsequently submitted Scheme Amendment 10, Local Planning Scheme 6, to the Minister for Planning. The Western Australian Planning Commission has directed the City to remove the State-owned reserves from Scheme Amendment 10. One of these lots, Reg Seal Reserve, Lot 1771, P7392, Crown Reserve 25735, 20 Darnell Avenue, Mount Pleasant is the heart of our community bringing many families in the area together and providing physical, mental and social wellbeing. Whether it’s a kick of the footy or playing cricket, reading a book under the beautiful gigantic old trees or children exerting their energy in the playground, the reserve hosts many social gatherings including our annual Christmas party where Santa visits. It is the hub of our village and every year the community comes together for weeding and tree planting days on the other side of the reserve to preserve the magnificent bushland that blooms with wildflowers in spring.

Now we ask the Legislative Assembly to ask the WAPC to exclude Lot 1771, P7392, Crown Reserve 25735, 20 Darnell Avenue, Mount Pleasant from the WA Planning Commission’s direction to the City of Melville to modify Scheme Amendment 10.

[See petition 31.]

PAPERS TABLED

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

PREMIER’S SCIENCE AWARDS

Statement by Minister for Science

MR R.H. COOK (Kwinana — Minister for Science) [9.04 am]: Western Australia’s science, technology, engineering and mathematics—STEM—champions are invited to apply for this year’s Premier’s Science Awards and the Western Australian Science Hall of Fame. Applications have opened for the annual awards, which recognise outstanding achievement in scientific research, study and engagement across the state. Over the past 20 years, awards have been given out to more than 100 of WA’s best scientists, STEM students, educators and engagement initiatives, recognising the state’s significant talent and capability to solve local and global problems. With the awards now in their twenty-first year, a new category has been added to the 2022 awards, made possible by new major sponsor HBF. The HBF Mid-Career Scientist of the Year category will recognise scientists who completed their highest degree between five and 15 years ago, who have demonstrated excellence in their respective fields and who are emerging science leaders. The winners will be announced at a ceremony during National Science Week in August, with the Scientist of the Year taking away \$50 000 and other category winners each receiving \$10 000. Nominations are also open for the WA Science Hall of Fame, which was established in 2007 and recognises exceptional lifelong contributions made by Western Australians to STEM. Applications for the Premier’s Science Awards close on 22 April 2022. I look forward to updating the house on this year’s inspiring applicants and winners.

PERTH CASINO ROYAL COMMISSION — FINAL REPORT

Statement by Minister for Racing and Gaming

DR A.D. BUTI (Armadale — Minister for Racing and Gaming) [9.06 am]: I rise to table the final report of the Perth Casino Royal Commission. I want to thank the royal commission chair, Hon Neville Owen, AO, commissioners Hon Lindy Jenkins and Mr Colin Murphy, PSM, and their team for their diligence and thoroughness in undertaking this royal commission.

The royal commission found that the Crown entities are not presently suitable to continue to hold the gaming licence for the Perth casino or to be concerned in or associated with the organisation and conduct of the Perth casino operations. The government accepts these findings. The royal commission details the remediation activities that Crown will need to implement to become suitable and it recommends establishing an independent monitor to oversee those remediation activities. An independent monitor will be established. The near 1 000-page final report includes 59 formal recommendations, which the government is considering in detail. The government accepts the need to overhaul the regulatory legislation, including increased powers and penalties, and to approve the Gaming and Wagering Commission's resources. The government will move quickly on priority reforms, including giving the minister improved powers to direct the GWC to take immediate steps to mitigate risks associated with casino gaming operations, giving the GWC greater powers to direct the operator of the Perth casino to implement mitigation measures, and strengthening the independence and capacity of the GWC. The governance and effectiveness of the Department of Local Government, Sport and Cultural Industries and the GWC will also be improved.

The final report considers the important issue of problem gambling, including whether the statutory prohibition on poker machines should be maintained. Under the McGowan government, poker machines are not allowed and will not be allowed in Western Australia, and electronic gaming machines will not be allowed outside of Burswood Casino. There will be no weakening of this necessary ban. Further, as recommended in the final report, the Gaming and Wagering Commission will consider additional regulation of electronic gaming machines operated at the casino. Relevant oversight and law enforcement agencies have also been provided with copies of the final report. I should note that Crown and the department have already done substantial remediation work. The Perth Casino Royal Commission has shown that the people of Western Australia, including the thousands of hardworking casino employees, deserve better in terms of the operation of the Perth casino and casino regulation. The McGowan government will ensure that this is delivered. I now table the *Perth Casino Royal Commission: Final report*.

[See paper [1048](#).]

FAMILY AND DOMESTIC VIOLENCE PREVENTION PROGRAMS

Statement by Minister for Prevention of Family and Domestic Violence

MS S.F. McGURK (Fremantle — Minister for Prevention of Family and Domestic Violence) [9.09 am]: I rise to inform the house about new funding to help prevent family and domestic violence. Almost \$1 million in grants has been awarded to fund two new prevention initiatives to change the underlying attitudes that perpetuate inequality and violence against women. The Centre for Women's Safety and Wellbeing, the peak body in Western Australia for domestic and family violence, has been awarded funding to develop a framework to assist this work. The aim is to shift the culture that promotes violence by challenging the attitudes that allow violence to occur in the first place. This will also include the development of training programs for the sector to ensure that we are building the capacity of our service system to raise awareness of this issue in local communities. Another grant has been awarded to Starick Services to develop a Respectful Relationships program for sport and recreation organisations. Sporting groups are integral social institutions in which young people learn important lessons about attitudes and behaviours. With appropriate support, sport and recreation organisations can be pivotal in tackling gender inequality and creating lasting change. This builds on our successful Respectful Relationships program in schools, also run by Starick in partnership with the Department of Communities and the Department of Education. Starick Services is a longstanding family and domestic violence service provider and I thank it for its important contribution to support some of the most vulnerable women in our community. This work is part of the McGowan government's unprecedented \$126 million investment in the family and domestic violence sector and our commitment to not only supporting those experiencing family and domestic violence, but also ensuring that we are building safe and respectful communities to stop violence before it starts.

CORONAVIRUS — COMMUNITY SERVICES SECTOR SUPPORT

Statement by Minister for Community Services

MS S.F. McGURK (Fremantle — Minister for Community Services) [9.11 am]: I rise to inform the house of our work in the community services sector to support vulnerable people as part of the government's significant and nation-leading response to the COVID-19 pandemic. We have learnt from other states that the impact of COVID on vulnerable people is especially challenging, and the continued delivery of services is critical to support communities in need. As we prepared for the increase in COVID infections in the WA community, the Western Australian Council of Social Service worked with its members and the WA government to identify the priorities to protect its workforce, keep services operating and ensure its clients are safe. The McGowan government listened and committed to the four key areas of need, so we are providing rapid antigen tests to the sector for critical workers; personal protective equipment for critical service providers in the sector at no cost; \$1 115 000 to assist community service organisations to recover the costs of cleaning and incidental expenses incurred as a result of managing COVID; and \$284 000 to enable WACOSS to provide support for the development of a sector-wide response for surge workforce requirements when staff can be placed into other community service organisations to maintain critical services where needed. According to my notes, WACOSS CEO Louise Giolitto stated, "I would like to thank the

WA Government for working with WACOSS in a constructive manner; we know that this commitment will be a huge relief to many.” The Department of Communities is working closely with WACOSS to provide regular information updates, including several webinars, to the sector. More than 300 000 rapid antigen tests have been distributed to community services organisations throughout WA, including 48 000 for remote communities in the Kimberley and Pilbara. From the midwest to the great southern, Communities has distributed approximately 1.2 million surgical masks to over 400 community sector organisations. Last week, the distribution of nearly 400 000 masks commenced across the Gascoyne, Pilbara and Kimberley regions through Communities’ hubs. I want to acknowledge the leadership of WACOSS and the range of community and health service organisations across the state that are working with us to make sure that our most vulnerable people are not left behind.

CORONAVIRUS — LEVEL 2 COVID-19 BUSINESS ASSISTANCE PACKAGE

Statement by Minister for Small Business

MR D.T. PUNCH (Bunbury — Minister for Small Business) [9.14 am]: I would like to bring to the attention of the house that the \$72 million level 2 COVID-19 business assistance grants were opened exactly one week ago. The level 2 package includes a \$66.8 million small business hardship grants program; \$2.8 million of payroll tax relief for large hospitality businesses; and \$2.1 million for the COVID-19 commercial sporting franchises support program. Among other things, the small business hardship grants program will provide a \$3 000 grant for sole traders; a \$7 500 grant for micro businesses, which are those businesses with one to five employees; a \$20 000 grant for small businesses, which are those businesses that employ six to 19 people; and \$50 000 for medium-sized businesses, which is a business with 20 or more employees and an annual payroll of up to \$4 million. Eligible large hospitality businesses with payrolls of between \$4 million and \$20 million can receive a three-month payroll tax waiver if they have experienced at least a 50 per cent drop in turnover over any four-week period between 1 January 2022 and 30 April 2022 compared with last year. This level 2 package provides support to all eligible businesses that meet the criteria, including the hospitality, arts and events industries. Small businesses that apply for and receive funding from other recent business support programs, including the level 1 COVID-19 business assistance package, are also eligible to receive grants from the level 2 package.

It was only two weeks ago that the McGowan government opened up the \$67 million level 1 COVID-19 business assistance package. The package is targeted at supporting businesses that have been adversely affected by the increasing number of cases and the necessary implementation of level 1 public health and social measures. This is the fifth COVID-19 business support package the McGowan government has launched since December. That is because we appreciate and understand that small businesses have been affected by the public health and safety measures introduced to keep the broader community safe, and they have been incredibly successful. We also know that small businesses are helping drive the economy as we move further away from the COVID pandemic. That is why we have committed almost \$1.7 billion in business support over the past two years. I urge all small businesses to check their eligibility regarding this latest package by going to the Small Business Development Corporation website.

BLUE KANGAROO PAW

Statement by Minister for Environment

MR R.R. WHITBY (Baldivis — Minister for Environment) [9.16 am]: Today I would like to inform the house of the development of the world-first blue kangaroo paw at Kings Park! Groundbreaking plant hybridisation research at Kings Park has produced the first-ever blue kangaroo paw for commercial release. The blue *Anigozanthos masquerade* kangaroo paw, is the result of over a decade of development by Kings Park plant breeders. Using standard crossbreeding techniques combined with high-level science, the Kings Park breeding program is the only one in the world focused on the environment and develops plants that use less water and fertiliser, have less disease and provide habitat and food for local fauna. Planting hardy Western Australian varieties like the Masquerade provides opportunities to build urban landscape resilience in the face of harsher, more volatile weather events driven by climate change. As well as the blue flower, the Kings Park breeding program now has a large range of new kangaroo paw hybrids in every colour of the rainbow. Many of these amazing colours will be released over the coming years. Kangaroo paws occur naturally only in WA, but are fast becoming a global crop for both ornamental pot plants and cut flowers. The blue Masquerade has just been officially launched here in WA, and plants are now becoming available in the eastern states. It is also due to be released this year in Europe and the United States, with further releases planned in other international territories in following years. From a single seed generated in 2017, by 2024 there will be millions of the blue kangaroo paw sold around the world. By owning the intellectual property, each plant sold generates a small royalty that is invested in further research at Kings Park. A global research collaboration has also been inspired by the development of the blue kangaroo paw.

A recently awarded Australian Research Council grant of nearly half a million dollars, supported by \$125 000 from the Friends of Kings Park, will map the first kangaroo paw genome using the state floral emblem—the traditional red-and-green kangaroo paw. An assembled genome for kangaroo paws will provide the foundational resource required to map the location of genes responsible for traits of interest for horticulture, including the blue colour. The

unique and highly diverse Western Australian flora offers enormous opportunities for similar research projects to map the genomes of our other species to assist conservation and will lead to exciting new commercial outcomes in horticulture, essential oils and pharmaceuticals.

The SPEAKER: Minister, I am looking to forward to the blue-and-gold kangaroo paw, and I have a name in mind for it!

Mr R.R. WHITBY: I have ordered a purple one to be developed immediately!

FORRESTFIELD–AIRPORT LINK — RESIDENTS’ CONCERNS

Grievance

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [9.20 am]: Thank you very much, Madam Speaker. It is good to have you back in the chamber.

My grievance today is to the Minister for Transport. I grieve on behalf of residents who live in Whatley Crescent in Bayswater in the vicinity of Anzac Street, whose homes and quality of life have been severely impacted by the construction of the Forrestfield–Airport Link and the relocation of the Midland line, which runs alongside Whatley Crescent. I recognise the efforts of Hon Donna Faragher in organising an onsite meeting with a group of these residents and her ongoing engagement with them.

It has been a difficult and protracted time for the residents who live adjacent to the construction works. Pre-construction dilapidation reports date back to May 2017. Post-construction reports were recently made available. Over the years, the residents have endured damage, disruption, noise, dust and vibration. They cannot reverse from their driveways without the risk of being cleaned up by a construction vehicle or a speeding Transperth replacement bus or safely cycle down their street without dodging potholes. Construction delays have prolonged this discomfort and disruption. The residents’ greatest frustration, however, comes from the lack of meaningful engagement with the project team during the construction process. Under the “Engagement” tab on the Metronet website, the promise reads —

We will talk to communities and local businesses within METRONET project areas as often and as early as possible.

Residents have told me that the Public Transport Authority has been missing in action and they have been left to the mercy of the lead contractor. Phone calls to the 1800 number are met with an answering machine and emails are responded to with a bland formulaic response that smacks of “nothing to see here”. According to one resident, responses are rude and abrupt. A generator with a defective muffler was stationed outside his home for more than three weeks. There was no attempt to use a smaller, more appropriate unit to run the air conditioner in the site hut. For a whole week, the generator ran 24 hours a day. Residents dearly want to engage with the lead contractor and the PTA. More importantly, they want someone to stand in their homes to experience the vibrations that shake their properties as Perth-bound trains speed past. However, they cannot get beyond the firewall of the lead contractor.

Resident Mr Anthony Wilson, who lives at 35 Whatley Crescent, has worked in the construction sector for three decades. Looking out his front window, he has been appalled by what he has seen in the early stages of the Forrestfield–Airport Link project, which he said was terribly run. The pre-construction report on his brick and tile home was completed in May 2017. The December 2021 post-construction report is littered with comments that make clear the major damage that has been done. Comments that cracks and separations appear more prominent are all too common. Particularly alarming is the comment that the entire porch slab is visibly subsiding when compared with the bottom course of house bricks. The construction works have shaken the concrete and tile porch off the house. I have seen that firsthand; it is a very severe impact. According to my notes, Anthony said —

I would like to mention the personal toll on us from construction impacts, operational vibration and trying to deal with two organisations that refuse to engage meaningfully. This is real and includes stress, frustration, anger and plenty of sleepless worrying about our future here.

The process for property engagement damage assessments has finally been communicated to residents and after many emails, Mr Wilson has been able to convince FAL that a specialist engineer and building consultant should assess the damage rather than the engineering surveyor previously offered. He and his neighbours anxiously wonder whether they will be adequately compensated so they can properly repair the damage. They also wonder what further damage may be sustained in years to come as the volume of rail traffic increases and whether property prices will be impacted.

During the construction phase, items rattled off Mr Wilson’s pantry shelves. But what he is greatly concerned about are the operational vibrations that he and his neighbours experience with the adjacent construction works now complete. Mr Wilson said that the vibrations are most notable at night-time, with the severity of this linked to the speed and class of Perth-bound trains, be they A or B-class, on the Midland line. His roof frame creaks, cupboards rattle, the vibrations are clearly visible in a glass of water on the front veranda and a pressure wave develops in small rooms, such as the pantry and bathroom at the rear of the house. This group of residents has written to the minister complaining of the physical vibration that is in turn impacting their sleep and their mental and physical health.

In their correspondence of 5 September 2021, these 43 residents explained that the PTA initially undertook to limit the vibration on sensitive sites, such as residences, to 100 decibels but subsequently applied to the Department of Water and Environmental Regulation to relax this limit to 106 decibels. Responding to residents on this matter last month, the minister's office referred to the previous vibration limit set for the Perth City Link project, which was 106 decibels. Is that a fair comparison? Was there a predominance of residential properties in the city link project? The *Department of Transport strategic plan 2020–21* states —

We plan and deliver transport solutions for the prosperity of Western Australians. We do this through our commitment to the highest standard of integrity and accountability, and collaboration with all public sector agencies and other key stakeholders. Together, we are focused on delivering Government's priorities for the community.

On page 6, the second strategic priority under the heading "Safe and Effective Transport" states —

Communities are safe, liveable and prosperous ...

Under the heading "Community Engagement", the Public Transport Authority's website states —

Building strong relationships with our customers and the community is a fundamental part of our culture and business practice.

I think Whatley Crescent residents would beg to differ. They have endured much during the construction phase, but the ongoing operational vibrations has them most concerned.

My discussions with the residents have made it clear that their living conditions have been adversely and dramatically impacted. I do not believe that the community is as liveable as it once was. Residents report that in hot weather, the trains slow down along this section and that this greatly reduces the impact on them. Given that this section of rail is close to Bayswater station, there would be only a slight increase in time—a matter of seconds—if the trains were permanently slowed on this section of track.

I call on the minister to review the operational vibration levels affecting these residents. The simple solution would be to limit the speed of trains on this 400-metre section of track between Tonkin Highway and Bayswater station. In addition, I request that the residents' damage claims be dealt with respectfully and expediently. I understand that Hon Donna Faragher will be following up this matter with the minister and her office. I thank the minister for taking my grievance today.

MS R. SAFFIOTI (West Swan — Minister for Transport) [9.26 am]: I thank the member for his grievance. First of all, I acknowledge that construction work is very disruptive and, again, we apologise to people across the community for the level of construction that is going on. It is difficult when construction takes place in existing areas where there are residential homes and businesses. Ideally, we did not want to retrofit all these rail lines. One of the things that we are aiming to do, particularly, for example, with the Yanchep rail line, is to make sure that we build in line with development so that we will not have to go back and retrofit. We fund enhanced capacity for many projects, whether it be road or rail, to make sure that we do not have to go back and make changes. We understand that when we work in existing suburbs where there are homes, it is disruptive to residents and, again, we apologise for the level of disruption that is occurring across the entire community as a result of our record infrastructure spend.

The member for Moore referred to two key parts—the construction impacts and the operational impacts. I will touch firstly on the construction impacts. As I understand, as with all projects like this, there are pre and post-construction condition surveys. The member highlighted those. The pre-construction surveys were undertaken in early 2017. I understand that the post-construction reports are being assessed by an independent registered builder. I understand the situation with an engineer coming in as well. That process is underway. The member asked that we treat the surveys with respect and address the issues. I can absolutely say that we will. We will make sure that we properly deal with the construction surveys and, if impacts are determined, we will ensure that they are covered. I want to acknowledge the work of the member for Maylands, Lisa Baker, on the issue. It is always hard for local members—member for Midland, we have all been there—when significant projects are underway in their electorates and they are balancing the need to deliver the projects with the impacts on the community. The member for Maylands has been in constant dialogue with my office, raising the concerns of her constituents on not only this issue, but also some other issues. It is always tricky, but the member for Maylands, Lisa Baker, has done a really good job making sure she represents the views of her constituency.

On the impacts of the construction, that process is underway. On the impact of the operation of the rail line, members may know that, as part of the construction, the rail lines were moved north temporarily to facilitate works at the south, and will be moved back to the south. Again, noise monitoring has been undertaken, and one area was found to exceed vibration levels. Since that time, the project has been conducting minor grinding works and ballast tamping on that new section of track and noise panels have been installed within the overpass at the eastern end of Whatley Crescent. We will ensure that we continue to monitor noise levels to see what we can do to mitigate noise at the operational front.

I will take on notice the idea of slowing down the trains. My initial notes say that that would be tricky in that area, but we will continue to do what we can to reduce the impact on residents, noting that the rail has been there for many years. I think there has been an operating rail reserve since 1881. But we understand that things change and people's expectations change as well.

Mr R.S. Love: With respect to that, some of those residents have been there for many years. They were there before the change and since they moved it south, and they maintain that the vibrations are worse now than they were in the past.

Ms R. SAFFIOTTI: Yes. That is why we are doing things like grinding the track and putting in more ballast. We are looking at noise walls as well. Like I said, I understand that. Of course, for those residents, that is where the Forrestfield–Airport Link will merge with the line as well, and that was planned before we came to government. We will do what we can. Sometimes when people are rude, offensive or whatever, I take it on board, but I know that the communications team has tried to engage with people. If there have been issues with the engagement, I will feed that back to my agency and ask it to improve the level of engagement and make sure people are consulted properly. But it is tricky and there is tension. We are developing projects and in many instances there will be an intensification of rail activity across the area because we are putting more trains on the network everywhere and that will be a challenge, even for those who live next door to existing train lines, because there will be an increase in activity. That is the reason we have noise regulations, and we have to comply with them. When that does not happen, we have to make sure we mitigate the noise with things like noise walls and so forth. We will continue to work on the issue. I will continue to work with Lisa Baker, in particular, on the issue to make sure that we are doing whatever possible to help.

The SPEAKER: I remind the member to use the name of the seat when referring to members of this place.

WESTERN POWER — POWER POLE DEFECT NOTICES

Grievance

MR M. HUGHES (Kalamunda) [9.33 am]: My grievance is to the Minister for Energy. Minister, following the judgement of the Supreme Court of Western Australia sitting as the Court of Appeal handed down on 2 July 2021 on liability for the cause of the 2014 Parkerville fire, Western Power announced that it would commence the inspection of power poles on private property that are directly connected to the network. As I understand it, Western Power began these inspections in mid-October 2021. The inspections are conducted to ensure that the supply of electricity from the network remains safe. The poles are variously referred to as consumer poles, carryover poles and attachment poles.

The question of responsibility for the safety of the distribution network on private property and the ensuing liability was settled by the Court of Appeal, which determined it is the responsibility of not only the property owner, but also Western Power. In apportioning liability, the court found Western Power to be the primary tortfeasor, given its breach occurred over many years. Although the focus of the court's decision was the cause of the fire in the rural setting of Parkerville and apportioning liability, it was taken to extend to all attachment poles in whatever setting, including those in non-rural residential settings, hence the subsequent increased vigilance of Western Power in carrying out inspections across the network.

Here is the rub for my constituents who have been subject to the new inspection regime. Minister, the need to put safety first is not disputed, but an excess of zeal is. Their complaint, and the basis of my grievance to the minister, relates to defect notices issued regarding lattice or tripod poles. These poles were standard at the time of their installation but are now deemed non-standard. The Western Power website provides information to the public on the reasons a private power pole will be assessed as defective—that is, the lack of structural integrity. The reference to lattice or tripod poles refers specifically to rusting and corrosion. There is no reference to the fact that lattice or tripod poles are defective in and of themselves because they are now considered non-standard. However, on the power pole defect notice the reference to lattice or tripod poles is a separate item and regarded as a defect because it is a non-standard metal structure regardless of whether it is structurally sound.

I have had previous correspondence from Western Power on non-standard lattice or tripod poles in respect of a defect notice issued in 2019, following a decision by Western Power to upgrade the main transmission lines outside a residence in Echo Street, Kalamunda. The owner was told the pole had to be replaced because it was climbable. This was corrected by Western Power as incorrect advice. The nub of the written clarification given is as follows—

The type of legacy tripod consumer pole has been found to be unstable when disconnecting the overhead service wire. From a safety perspective, Western Power has adopted a policy where it is no longer prepared to contribute to any continued safety risk by incorporating non-compliant customer equipment in maintenance works; primarily this involves customer poles such as this, and points of attachment.

That is the poles I have mentioned. These legacy poles were compliant at the time of installation of the connection to the network. They are not inherently unsafe, and do not pose a present and real danger. Demonstrably they have been fit for purpose for decades. They remain fit for purpose until similar major maintenance work of the type described at the property in Echo Street, Kalamunda needs to be undertaken. Plainly, the need for replacement in those circumstances is warranted.

The property owners referred to in the grievance who were served with current notices and given 90 days to rectify the defect, in default of which they will be disconnected, do not fall into the category of necessary maintenance work to the overhead service wire.

Electrical contractors responding to approaches by property owners to fix defects are having a field day. There are wide variations in quotes for the work, with quoted figures of between \$4 000 and \$7 000 for the replacement of a single pole. One constituent who has three poles on his property, although required by Western Power to replace only the attachment pole, was told by one contractor that unless he replaced all three, at between \$4 000 and \$5 000 each, together with cabling, meter box, and new fuse holders and isolators would cost upwards of \$20 000, the contractor would not undertake the work. I recognise that is a separate problem. My request, however, is that Western Power re-examine the decision to axiomatically include tripod lattice attachment poles in its defects notice as a result of its inspection regime, except for those notices that relate to the assessed compromised structural integrity of a pole, or where a pole needs to be replaced because it is included in maintenance work of the type described in the correspondence previously provided by Western Power on this matter.

I thank the minister for taking my grievance.

MR W.J. JOHNSTON (Cannington — Minister for Energy) [9.40 am]: I thank the member very much for the grievance and for representing the interests of his constituents so assiduously. I am very pleased to discuss this matter. I have also had discussions with the members for Swan Hills and Darling Range, who are similarly impacted upon by the decision of the Court of Appeal here in Western Australia to extend the obligations of Western Power to the safety of the private point-of-attachment pole, which is the first consumer pole on a property.

This is a difficult issue, because the question of the safety of the pole and the consumer assets on the property is not now, nor has it ever been, the responsibility of Western Power, and the safety risks are exactly the same today as they were yesterday and will be tomorrow. There can be serious safety issues with consumer poles that are not matters regulated by Western Power. Of course, that does not change the safety risks. Consumers also have obligations to other agencies, including the Department of Mines, Industry Regulation and Safety through building and energy safety, for their consumer infrastructure.

Taking this out of the peri-urban area and into a more suburban setting, a Western Power crew will sometimes attend a property to change a meter box or do other work to the service connection and will find that there is inadequate and unsafe wiring in a house and they will disconnect power to the house. Local members, including me, are sometimes approached by people saying, “It’s outrageous. Western Power disconnected my house.” Of course, it is actually because Western Power is not allowed to make a connection to an unsafe property, because it has obligations. The Court of Appeal held that Western Power is not only liable, as the act specifies, for its own infrastructure; it is also potentially liable for the infrastructure that its infrastructure is attached to. If a service connection goes to a first consumer pole, Western Power is required to maintain the safety of that first element.

Western Power—like Horizon Power and, indeed, other network service providers in other states that are watching this matter closely—has now adopted a new practice, which is to inspect the private point-of-attachment pole. Photos have been provided to me by Western Power of a situation in which the service connection came in and the consumer pole was on the ground. The service cable continued to a second pole on the ground and then went up to a third service pole and into the house. Clearly, everyone would agree that that is unacceptable. That is what the member’s constituents were particularly concerned about, and as I say, other members have raised this issue with me. The challenge then is when it is not an imminent danger, but there is a failure of the consumer pole to meet the obligations set for Western Power.

In that regard, Western Power has issued 90-day notices in respect of lattice and tripod private poles. The decision to identify these structures as requiring replacement was based primarily, as the member explained, on current network operator technical specifications and the recommendations in the applicable Australian standards and building and energy guidelines. Western Power acknowledges that queries have been raised about this decision, and therefore would like to take the opportunity to review its position on the appropriate treatment of lattice and tripod pole structures and alternative options that may be available for both the owners of the pole and Western Power as the network operator.

Whilst this process is underway, Western Power has made the decision to pause any action on any of the currently issued 90-day replacement notices, and will not be issuing additional 90-day replacement notices that are based on the specific structure of the pole. However, new notices may still be issued, should the condition of the lattice and tripod structure be deemed to be in an unsafe state and to require immediate remediation. Western Power will be updating its advice to make sure that people are aware of the approach it is now taking.

I must emphasise that there will still be occasions when structures are not considered to be safe and Western Power will take action, as it is required to, to comply with the decision of the court. I want to also let members know that Western Power has, with the approval of the government of Western Australia, introduced a hardship program and can therefore make hardship arrangements with consumers to assist in the process of making consumer poles on

private properties safe. If members have constituents who are in hardship, they should ask them to speak directly to Western Power. If there are any challenges there, they should invite them, through their offices, to contact my office and we will work with them.

This is a very difficult issue. Western Power is seeking leave to appeal to the High Court, and network service providers all around the country are watching this. It is a completely new expectation on network service providers, but we do not yet know whether the High Court will even consider the matter. I thank the member again, and I acknowledge the other members who also have an interest in this matter.

PRINCIPAL SHARED PATH — NORTH FREMANTLE

Grievance

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [9.47 am]: My grievance is to the Minister for Transport, and I thank the minister for taking it. I rise to speak on behalf of residents of North Fremantle who, like me, are supportive of the development of the principal shared path along the rail line, but are concerned about the adverse impact of the currently planned location on residents of Pearse and Jackson Streets, North Fremantle. As I often say, it is the local residents, not the planners and developers, who have to live with the legacy of planning and development decisions, and that is why local views must be respected in such decisions. The residents are greatly alarmed to have been informed that the current plan is obtaining EPA approval and therefore looks to be locked in place.

I ask the minister to have the relevant officials meet with residents to discuss in detail their alternative proposals, and provide a response either about why their plan is not acceptable or, hopefully, on how they intend to change the plans to accommodate community views. I acknowledge that the minister played a key role in looking at the location of the bridge in North Fremantle, and that North Fremantle residents were very grateful for that intervention. The change of location of the new rail bridge and hence the new Victoria Street Bridge met community expectations, and I hope it will be possible to meet community expectations on this matter as well.

The residents and businesses in the area are very concerned about plans for a PSP running on the eastern side of the railway line, directly behind homes. The impact on the lives of the people in Pearse Street would be very negative. A high wall, constant lighting, regular noise and antisocial behaviour could be just some of the potential impacts and concerns. The PSP itself would not even be accessible to the people of Pearse Street, adding to the belief that North Fremantle is being treated as a thoroughfare to Fremantle's CBD.

Concerned residents had a meeting with the Fremantle Bridges Alliance. The residents were invited to put forth their own proposals for consideration. Subsequently, the local residents developed alternative options with assistance from a local architect's firm. The residents identified a number of problems with the plan put forward by the government, including North Fremantle not simply being a corridor to Fremantle proper. North Fremantle is part of Fremantle and is therefore also a destination. It is the northern gateway and should be neither excluded nor bypassed. On that basis, if the objective of the principal shared path network is to provide a connection between Perth and Fremantle and North Fremantle is recognised as the gateway, then that objective has been achieved.

The residents are also concerned that the proposal is not for a shared path. The way it has been designed is as a bike highway, which is not suitable for young, old and, especially, disabled pedestrians, who are more likely to be local and to find the Tydeman Road–Queen Victoria Street intersection simpler, shorter and safer. High-speed commuter bike traffic is definitely not compatible with slower local traffic. That does not mean there is no room for high-speed traffic, but the longer, more isolated paths such as those north of North Fremantle station are more suitable for that traffic. One option that the residents favoured was that traffic should slow down and filter through North Fremantle, just as intended for the rest of the city. If a bike highway is considered necessary for whatever reason, consideration should be given to keeping it on the western side of the rail reserve so that it could better serve the future subdivision between the reserve, Leighton and whatever residents are going to end up with on the old industrial site on Bracks Street. I think that a very attractive option would be to build a tunnel under Tydeman Road. That was an option that the residents considered could be an alternative route from Bracks Street. I guess residents are concerned about the intimate connection of the proposal for the cycleway with the bridge, but I do understand why that would be required.

Longer term residents have experience with the railway easement being open to the public. It resulted in many night-time users commuting between the pub and the station. That caused unnecessary safety and security events to occur along the pathway, and a number of instances of people jumping over fences into yards and even entering homes. Realigning the path to the western side would stop the PSP users having to cross the Fremantle railway line. Residents have been aware of numerous instances of unpleasant interactions and outright abuse between bike riders and pedestrians.

Residents have noted that this section of the PSP is being delivered in a different manner from many of the more recent extensions of the path as it is included in the delivery of the broader Fremantle Traffic Bridge replacement project. Residents watched with interest as options for the bridge alignment were presented and discussed with

various stakeholders. However, no other option for alignment of the PSP has been presented or appears to have been considered, apart from a continuation of the path along the eastern side of the railway line. Residents were advised by the Fremantle Bridges Alliance that the proposed alignment of the principal shared path to the east side of the Fremantle train line between North Fremantle station and Tydeman Road was being sent to the Environmental Protection Authority. The residents are extremely concerned that the government is pushing ahead with the original plan, despite genuine concerns and problems being identified by local residents. The residents whose houses will be closest to any section of the Fremantle line PSP on its current alignment consider that the impact of the design will be just as relevant to them as any of the bridge alignment options were to other residents of North Fremantle.

North Fremantle is a vibrant community experiencing population growth, including more young families with children, and it is expected to grow further with likely future expansion of residential space. I ask the minister to reconsider the current planned location of the PSP through North Fremantle and consider a route to the west side of the railway line. I thank the minister for taking my grievance.

MS R. SAFFIOTI (West Swan — Minister for Transport) [9.53 am]: I thank the member for the grievance. Of course, the development of a PSP, now known as a bike super highway, which I thought everyone liked —

Dr D.J. Honey: I was quoting the residents' statements.

Ms R. SAFFIOTI: Yes. I try to be very—what is the word—understanding on all these issues, and I will try to be very understanding, because I know that change is difficult. Many people do not like change, particularly when it comes to areas around their home, so I can understand that change is difficult. But I actually thought that people liked bike paths.

I will go through what we have done already in relation to connectivity. Of course, the fact is that we have already delivered a lot with the cyclepath from Perth to Fremantle. It has been one of those projects that I thought was pretty much universally loved. I have people come up to me in random places saying, "I love what you've done in relation to the Curtin Ave bike path." They just love it because for the first time they have this new connection.

Mr R.H. Cook: Minister, that bike path south of Grant Street station will put you into legend status for cyclists forever more!

The SPEAKER: I am not sure you are objective, Deputy Premier!

Dr D.J. Honey: With respect, minister, the residents weren't complaining about freedom of speech. It was the location.

Ms R. SAFFIOTI: Yes, I understand that and, like I said, I understand that change is tricky. But this is a bike path along a rail line. It will be a key connection. On this, I will say that there were meant to be some workshops with the community earlier this year, but they were postponed or deferred because of COVID, and now there is going to be some direct engagement with the relevant residents to understand their full concerns.

I understand their concerns about lighting and those sorts of issues, but I will go back to the first step. The alignment has not actually been finalised, because the total design of the new traffic bridge has not been finalised. I go back to that key point, which is that we have been working to make sure that we deliver a new traffic bridge that does not impact too much on North Fremantle residents. We changed the alignment to reflect their concerns about having the road moved closer to their homes, so we made sure that did not happen. We are working with Fremantle about its connections south of the river and how it feeds into Queen Victoria Street, East Street and all those different configurations, because we want to make sure that this bridge delivers traffic movement and improves the pedestrian and cycling linkages north and south. We understand that we need to service the port as it stands today and the port and the area as it will stand in 20 years' time. It is a very complex project to try to meet the expectations of having free-flowing traffic and much better links between the north and the south, as well as the needs of pedestrians, cyclists and the current port compared with the needs of the area into the future. It has been tricky. Of course, the PSP connectivity is part of that, both north and south. We have done much work on this PSP going into the city and at that third stage going across the water. How do we make sure that there is connectivity to the north and also to the south to get into Fremantle? We have been juggling a number of options. I understand the concern of the residents, but the PSP is adjacent to a rail line. I can understand concerns about lighting, because their backyard is probably not lit up and is pretty dark at the moment.

I refer to the issues of activity.

A government member: Surely there won't be more antisocial activity.

Ms R. SAFFIOTI: Yes, I would say that a dark area next to a train line is probably going to be more problematic than having a PSP, but, again, people might have different views on that. People will just have to go along the street and around the corner to connect to that PSP, so I think they will have some benefits of the connection. I understand some, but probably not all, of the concerns, because, again, people will walk out to Pearse Street, come around and connect to the PSP. This is along residents' back fences all the way.

We will continue to engage and look at the alternatives that have been put forward. I will commit to looking at those alternatives. But there is an existing rail line, and building that PSP along the rail reserve has been the best

part of this project, in a sense, because it is direct and it is clean. It is going along a rail reserve, so it is not impacting too many residents by going along the front of their homes. Using that rail reserve has been the best part of the project. It may make sense to depart from that alignment, depending on the final alignment of the road for the pedestrian, cycling and rail bridges as part of the bridge. There may be some benefit in doing that. We will take that into consideration. As I said, there will be further consultation with residents. Unfortunately, some community meetings were deferred, but we will work on this one. The current proposal looks like a strong one for the alignment, but if there is a better proposal, we will definitely consider it.

THREATENED SPECIES

Grievance

MS C.M. ROWE (Belmont) [10.00 am]: I rise today to raise a grievance with the Minister for Environment regarding conservation of wildlife and the protection of some of our threatened species. I was very interested in the minister's recent speech in this place on world-first research and the numbat genome sequencing program that has been going on in Western Australia. Of course, for some who may not know, the numbat is our state's fauna emblem, but it is suffering from a significant and worrying decrease in its population. I was really thrilled to hear that Perth Zoo and DNA Zoo Australia at the University of Western Australia have formed an ongoing partnership to enable genome sequencing work to be done, with a priority focus on not only numbats, but also WA's endangered native animals. We are very lucky in WA to have incredible natural habitats and native parks, which, of course are home to some of the most unique wildlife in the world. We are also very lucky that our very own Perth Zoo is a world leader in animal research and conservation efforts, doing such a wonderful job on preserving and saving wildlife.

I think that many people will be shocked to know that Australia has one of the highest recent rates of mammal extinctions in the world. Shockingly, almost 40 per cent of mammal extinctions globally in the last 200 years have occurred in Australia. Loss of habitat and introduced animals like dogs, cats and foxes are all threats to our native species. One other big contributor, of course, is climate change. We know that climate change is happening and we know that it is happening right now. Although there is often talk about the impact of climate change on environments like the Great Barrier Reef, there is also no doubt that it is a threat much closer to home. For example, the south west of WA has been identified as a global drying hotspot, but it is also home to thousands of plants species and animals, some of which exist nowhere else in the world. It is important that we have environments and habitats that are safe for native species to live, survive and thrive. Changes in weather and climatic conditions like warmer temperatures and reduced rainfall, as well as extreme events like droughts and bushfires, will have a massive impact on the habitats of our wildlife. Climate Council of Australia CEO Amanda McKenzie, recently stated —

Policy decisions made today are so important because our future depends on how quickly and decisively we respond to the climate challenge in the 2020s. So much is at stake: our whole way of life, our health, our livelihoods. Our window to avoid catastrophe is closing ...

The McGowan government is committed to tackling climate change because we know it is arguably the biggest threat facing countries all around the world. I am really proud of our government's commitment to transition WA's economy to net zero greenhouse gas emissions by 2050. I truly hope that we can work towards achieving interim targets by 2030. It is the only way to curtail the damage to nature.

We have also outlined our plan for plastics. Plastic waste is having a massive and detrimental impact on the environment here at home and right across the globe. It is one of the greatest threats to wildlife around the world. WA is leading the way when it comes to banning single-use plastics and, in turn, saving hundreds of millions of single-use plastic items from becoming litter or landfill. What a difference that will make for our waterways and oceans, and the animals that live within them.

The minister's speech about the research into numbats caught my interest and I look forward to hearing more about the results of the partnership between Perth Zoo and DNA Zoo Australia as the project continues. I know he and his team and the Department of Biodiversity, Conservation and Attractions do incredible work and have delivered real outcomes for our natural habitats and threatened species. I want to recognise and acknowledge their efforts and especially congratulate the minister in this regard. I would really appreciate hearing from the minister about the action that our government is taking to further protect threatened species in WA.

MR R.R. WHITBY (Baldivis — Minister for Environment) [10.04 am]: I thank the member for Belmont for raising this grievance. I know that she is an intensely passionate advocate for our native fauna and the protection of our environment and she rightly raises a number of issues of concern that threaten our very precious species. It also allows me the opportunity this morning to respond particularly in the area of our threatened species, or threatened fauna species at least.

The member is right, Western Australia is home to a very rich and unique array of native animals. We are very blessed in that regard. Western Australia's native mammalian fauna includes about 50 per cent of Australia's threatened mammals. Currently, 41 of these native mammal species are listed as threatened under the Biodiversity Conservation Act in Western Australia.

The Department of Biodiversity, Conservation and Attractions staff, as the member rightly pointed out, do an amazing job to not only actively manage threats to mammals on land under the control of the department, but also, in collaboration with traditional owners, private landholders and other land managers, conserve threatened mammals outside the conservation estate. Most threatened mammals have recovery plans that identify and prioritise action that supports the recovery of the species and that guides the activities of the department and its partners in conservation.

The department also undertakes research and management to reduce key threats to the survival of threatened species. In particular—the member mentioned this in her address to the chamber—the biggest threat, our key enemy, are foxes and feral cats. A key initiative in these activities is the operation of Western Shield. Feral cats and foxes have been implicated in the extinction of or decline in many of our native mammals, birds and reptiles. Research shows that feral cats kill more than 1.5 billion native animals each year. That is an incredible and staggering loss to our environment—feral cats killing more than one and a half billion native animals each year in Australia. Foxes are responsible for the deaths of about 300 million Australian native animals a year. One of the best ways to ensure the survival of these species is to control those introduced predators.

Western Shield is the department's flagship native animal conservation program—one of the largest conservation projects in Australia. Western Shield takes control of foxes and feral cats through baiting across 3.8 million hectares of the conservation estate, from Karratha in the north to the south west and east of Esperance. In 2021, this program celebrated its twenty-fifth year of operation. Western Shield has achieved significant conservation outcomes for many threatened mammal, bird and reptile species, including the recovery of populations and increases in distribution. More than 30 local native species have directly benefited from the program, including the numbat—as the member mentioned, the emblem of our state—quokka, quenda, chuditch, woyle, western brush wallaby and black-flanked rock-wallaby. Dryandra Woodland National Park, near Narrogin, has benefited significantly through long-term introduced predator control, which has resulted in an increased number of numbats in the area. Researchers have found there has been a threefold increase in native animal numbers in forests where fox management has occurred, including for threatened species like the chuditch and woyle.

In January this year, I announced that one of Australia's rarest marsupials had had a boost, at least to its wildlife population, with the release of 36 dibblers at Dirk Hartog Island National Park. The Return to 1616 is an ecological restoration project that aims to restore the conditions on that island to the same as they were when Dirk Hartog landed there in 1616. Through the project, scientists from the department have successfully released 17 male and 19 female dibblers. They were born at Perth Zoo and bred in captivity, and they were the third group of the species to be released onto the feral cat-free habitat. To date, 93 dibblers have been released on the island and, although they are difficult to monitor, there is evidence that they are breeding successfully.

Ms C.M. Rowe: Well done, minister.

Mr R.R. WHITBY: Well done to DBCA as well.

Since commencing the wildlife reconstruction stage on Dirk Hartog Island, scientists have also translocated five other species, including the rufous hare-wallaby, the banded hare-wallaby, the Shark Bay bandicoot—sounds like a footy team, does it not?—the Shark Bay mouse and the greater stick-nest rat. These translocation efforts were made possible by the first stage of the project, which successfully eradicated feral cats, goats and sheep.

Dryandra Woodland, which I mentioned previously, down at Narrogin, 180 kilometres south-east of Perth, is also the first national park in Western Australia's wheatbelt region. Dryandra Woodland supports a range of native species, including the state's fauna emblem, the numbat. The abundance of numbats has increased at Dryandra in recent years thanks to the Western Shield program, which has achieved significant conservation outcomes for all native fauna species in Dryandra that are predated by feral foxes and cats. The conservation of this magnificent woodland in a national park demonstrates the McGowan government's commitment to safeguarding the state's precious biodiversity in what is an area of outstanding value. It has wonderful visitation opportunities for people from Perth, being a couple of hours down the highway. The creation of this new national park will better protect Dryandra Woodland's unique native species while also offering wonderful outdoor recreation opportunities for visitors and the local community in that part of the wheatbelt.

I am pleased to provide this information to the chamber. In closing, I want to make this comment: feral cats and foxes remain our key environmental enemy in Western Australia. They are the target for action as we work hard to save our precious and unique threatened fauna. I thank the member for Belmont for her ongoing interest in this area.

JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

Fourth Report — The definition of 'public officer' in the Corruption, Crime and Misconduct Act 2003: Parliamentary inspector's report — Tabling

MR M. HUGHES (Kalamunda) [10.11 am]: I present for tabling the fourth report of the Joint Standing Committee on the Corruption and Crime Commission, *The definition of 'public officer' in the Corruption, Crime and Misconduct Act 2003: Parliamentary inspector's report*.

[See paper [1049](#).]

Mr M. HUGHES: This report tables a report by Matthew Zilko, SC, the Parliamentary Inspector of the Corruption and Crime Commission. The parliamentary inspector alerts Parliament to flaws inherent in the definition of “public officer” in the Corruption, Crime and Misconduct Act 2003. In particular, the report canvasses the complexities of determining when a contractor engaged by the public sector is a public officer and whether the definition of “public officer” is fit for purpose in the context of modern employment practices.

Section 3 of the Corruption, Crime and Misconduct Act picks up the definition of “public officer” in section 1 of the Criminal Code. A person may be an employee of law even if they are engaged under a contract that characterises their situation differently. The commission and the parliamentary inspector’s jurisdiction over serious misconduct extends only to acts committed by a public officer as defined in legislation. It is therefore critical to have a clear understanding of the scope and meaning of “public officer”. The question of when a contractor is a public officer came to the attention of the parliamentary inspector when investigating a complaint about a decision of the commission. This case exemplified the difficulties and resources expended in determining whether the contractor is a public officer.

The 84-year-old complainant alleged that he was assaulted and deprived of his liberty by two security guards at Albany Health Campus, where he was a voluntary patient. The security guards were employed by a company contracted by the WA Country Health Service. The problem in this case was that some evidence pointed towards the security guards being employees of the WA Country Health Service, such as staff at Albany Health Campus being entitled to give instructions to security guards and expect them to be obeyed, while other evidence did not, such as the public sector not paying the guards or being able to terminate their employment. In this case, the parliamentary inspector concluded that it was more likely than not that the security guards were not public officers. The commission came to the same conclusion.

The parliamentary inspector seeks amendment to the definition of “public officer” in the Corruption, Crime and Misconduct Act. Commissioner Hon John McKechnie, QC, also considers that the definition of “public officer” requires clarification and is no longer fit for purpose. The current definition does not reflect the varying employment arrangements outside the traditional employment arrangements in the public sector, such as contractors, public–private partnerships and volunteers. Many public sector agencies use contractors extensively. Commissioner McKechnie says that applying the current definition of “public officer” results in inconsistent outcomes. As the parliamentary inspector observes, whether the definition of “public officer” should exclude independent contractors is a matter of policy. However, he is concerned about the effect on the public if contractors who may be working with vulnerable people and exercising the coercive powers of the state are excluded from the commission’s remit purely because of the nature of their engagement. He considers that this outcome runs counter to the overall purposes of the Corruption, Crime and Misconduct Act. In the committee’s view, the definition of “public officer” should evolve as employment practices in the public sector evolve. The scope and meaning of “public officer” must be clear. The Department of Justice is undertaking a project to modernise the Corruption, Crime and Misconduct Act. This is a clear opportunity to examine whether the definition of “public officer” is appropriate in the context of modern employment practices and clarify whether a contractor is a public officer. The committee recommends that the Attorney General direct the Department of Justice to examine the definition of “public officer” and matters raised in the report of the parliamentary inspector as part of its project to modernise the Corruption, Crime and Misconduct Act.

Fifth Report — Police power of arrest: Parliamentary inspector’s report — Tabling

MR M. HUGHES (Kalamunda) [10.16 am]: I present for tabling the fifth report of the Joint Standing Committee on the Corruption and Crime Commission, *Police power of arrest: Parliamentary inspector’s report*.

[See paper [1050](#).]

Mr M. HUGHES: This report tables a second report by Matthew Zilko, SC, the Parliamentary Inspector of the Corruption and Crime Commission. The parliamentary inspector alerts Parliament to his concerns about the operation of the police power to arrest without a warrant in section 128 of the Criminal Investigation Act 2006. These concerns arose from his investigation of a complaint referred to his office by the previous Joint Standing Committee on the Corruption and Crime Commission. In that case, the complainant, a 51-year-old woman in receipt of a disability pension, with severe arthritis and requiring the assistance of walking aids or a motorised scooter, took issue with her arrest on suspicion of stealing several boxes of hair dye and her treatment by the two arresting officers. The alleged offending related to goods with an estimated value of less than \$100. As it turns out, she did not commit the offence and the actual offender received an infringement notice.

Mr Zilko details the circumstances of her arrest in his report, but for the benefit of members present, I would like to describe them in my tabling statement. Two police officers attended the complainant’s home and, after a brief discussion, arrested her on suspicion of stealing, as I have mentioned, a few boxes of hair dye from the local pharmacy five days earlier. The price of the goods that had been taken from the pharmacy remains unclear, but the “be on the lookout” flyer generated by the police stated that the suspect removed several boxes of hair dye and placed them down her top. This description would suggest that relatively few goods were taken. Mr Zilko observes that a box of hair dye typically retails in Western Australian pharmacies for between \$7 and \$20 a box and at its highest, the offence related to goods of a value less than \$100.

The two officers who arrested the complainant did so following an anonymous tip-off about the suspect's name and address. No efforts were made by those officers to establish the identity and bone fides of the alleged eyewitness who had nominated the complainant as a suspect. However, the complainant's driver's licence photograph was obtained and compared with the CCTV stills from the pharmacy on the day of the theft. The CCTV stills were contained in a case file. When the officers visited the complainant's home to speak to her about the offence, the case file was left at the station. Therefore, on meeting the complainant, the officers were not able to compare her appearance with that in the CCTV stills while at her home. Had they been able to do so, they would have immediately become aware that the suspect in the stills had one leg, while the complainant had two, was of different physique and used a wheelchair rather than a mobility scooter. They would have realised that the complainant could not possibly be the suspect and would not have arrested her. However, despite not having the CCTV stills to hand, the officers chose to arrest her for stealing the hair dye products.

Following her arrest, she was taken to the police station in the rear unit of a police vehicle, which was very uncomfortable for her given her condition. Upon her arrival at the station, it very quickly became apparent to the officers that she was not the woman captured in the CCTV stills from the pharmacy. The officers apologised to the complainant. They then transported her home, but, again, in the rear unit of the police vehicle. She was not invited to sit in the police vehicle itself, nor offered alternative transportation.

I mention this because a citizen deprived of her liberty by what would be contended to be an unlawful arrest has drawn this anomaly in our current act to the attention of the parliamentary inspector, who has urged that some changes be brought about. The parliamentary inspector's concerns about the manner of her arrest and how the complainant was treated after the police realised they had arrested the wrong person are detailed in his report and are well worth reading carefully.

The Corruption and Crime Commission concluded that the arrest was unreasonable and oppressive but lawful, and the Western Australia Police Force considers the actions of the arresting officers unsatisfactory but lawful. The parliamentary inspector disagrees and considers the arrest unlawful. Under section 128 of the Criminal Investigation Act, an officer may arrest a person if, firstly, the offence is a serious offence as that term is defined and, secondly, the officer reasonably suspects that the person has committed, is committing or is just about to commit the offence. The parliamentary inspector is extremely doubtful that the required reasonable suspicion existed. That is the second criterion that I mentioned.

On the first criterion, section 128 defines "serious offence" to mean an offence with a maximum penalty of imprisonment of five years or more or life. I will repeat that: on the first criterion, section 128 defines "serious offence" to mean an offence with a maximum penalty of imprisonment of five years or more or life. That is the only criterion enlivening an officer's powers of arrest in this state and is the head sentence for the offence. The commission concluded that the offence was a serious offence because the head sentence for stealing under section 378 of the Criminal Code is seven years' imprisonment. This is despite the wide variation in the degree of culpability involved in stealing offences and the fact that, if dealt with summarily, the maximum sentence for the alleged offence, or any offence related to goods valued at less than \$1 000, is a fine.

The parliamentary inspector accepts that the offence of stealing, however trivial, is a serious offence as defined, but he is troubled by the broader implications of this conclusion, because any stealing offence authorises arrest. This gives police very wide powers of arrest and these powers may be exercised for offences that are obviously minor in real terms. He considers this inconsistent with the overall intent of the act. The intent of section 128 of the act is that although officers have the power to arrest without a warrant for a serious offence, other offenders should be summonsed to attend court and retain their liberty unless particular circumstances apply. The second reading speech emphasised that the act would ensure that police could exercise the power to arrest only if reasonably necessary. Laws in other jurisdictions take a different approach to the police power of arrest. For example, in New South Wales, the law says that an officer must be satisfied that arrest is reasonably necessary.

The parliamentary inspector recommends amendments to the Criminal Investigation Act. He notes that the Commissioner of Police agrees that changes to the law are required, but disagrees with the commissioner's proposed amendment. The parliamentary inspector has written to the Attorney General respectfully requesting that he consider amending the powers of arrest in the act. In September 2021, the Attorney General advised that the request had been forwarded to the Minister for Police for his consideration and that he had instructed his department to assist in the event that the Minister for Police decided to consider possible amendments. The committee recommends that the Minister for Police respond to this request by way of a government response tabled in Parliament.

*Sixth Report — The Corruption and Crime Commission's unexplained wealth function:
The review by the Honourable Peter Martino — Tabling*

MR M. HUGHES (Kalamunda) [10.26 am]: I present for tabling the sixth report of the Joint Standing Committee on the Corruption and Crime Commission, *The Corruption and Crime Commission's unexplained wealth function: The review by the Honourable Peter Martino*.

[See paper [1051](#).]

Mr M. HUGHES: The Joint Standing Committee on the Corruption and Crime Commission monitors and reports to Parliament on the exercise of the functions of the Corruption and Crime Commission. Since September 2018, the commission has had the power to investigate unexplained wealth and criminal benefits, and initiate and conduct confiscation proceedings in court. The law seeks to deter crime by reducing the profitability of illegal activities. It reverses the onus of proof and requires a person living beyond their apparent means to rebut the presumption that property has been acquired or is derived from criminal activity. The commission has used its unexplained wealth powers to recover the financial benefits of serious misconduct by public officers and organised crime.

This report attaches a report by Hon Peter Martino on his review of the commission's use of its unexplained wealth powers. The commission has been undertaking this function within current resourcing. In February 2022, Commissioner Hon John McKechnie, QC, told the committee that the commission cannot continue to undertake this function and properly fulfil its other functions within current resourcing. Hon Peter Martino noted that undertaking the unexplained wealth function involves a range of expertise and skills. He says that it is also highly desirable that there be a commissioner and an acting commissioner at all times so that the commissioner who decides to use the commission's investigation powers against a person is not the same commissioner who examines that person about their property.

The commission has made a submission to government for funding to undertake its unexplained wealth function over the next five years. It seeks funding just short of \$5 million a year to fund 20 full-time equivalent officers. In 2020–21, the commission's total cost of services was nearly \$28 million and it employed 116.2 full-time equivalent officers. If approved, the proposed funding will considerably expand the resourcing of the commission. In the committee's view, the commission should be appropriately funded to undertake its functions.

ECONOMICS AND INDUSTRY STANDING COMMITTEE

Third Report — Intergenerational challenges and opportunities for the Western Australian economy to 2041 — Tabling

MR P.C. TINLEY (Willagee) [10.31 am]: I present for tabling the third report of the Economics and Industry Standing Committee titled *Intergenerational challenges and opportunities for the Western Australian economy to 2041*.

[See paper [1052](#).]

Mr P.C. TINLEY: It is a great pleasure to table the first report of the Economics and Industry Standing Committee for the forty-first Parliament. From the outset, what I want to say about this report that talks about the future opportunity of the Western Australian economy out to 2041 is what it is not. What it is not is a detailed examination with conclusions around each and every one of the significant industries in Western Australia. It is not a predictor of what the future will be in 2041, and it does not make recommendations, which is typical of many reports from committees. What it is, is a high-level assessment of the business called Western Australia. It characterises the business called Western Australia as a portfolio-based business with the obvious largest portfolio being the resources sector. As many members would clearly understand, there are so many statements of the obvious. The report is also an attempt—a good attempt, in my view—at aggregating all the disparate pieces of information across government and industry to make an assessment on the status of each of those portfolio areas, or industry sectors, in a single report. The purpose of that, as far as the committee was concerned, was to identify—or, to put it another way, to conduct a SWOT analysis of—the business called Western Australia: what are the strengths and weaknesses, what are the opportunities, and where are the threats coming from? The committee deliberately chose the time frame of a 20-year horizon, not to put it too far out of a predictable range for experts providing evidence to the committee, but also to get it away from the colour and light of our current situation, particularly the pandemic and a global expanding commodity. We must contemplate a Western Australia that our children, and their children, will inherit, not just in terms of where the revenue will come into the state and where the job opportunities are, but the quality and quantity of those jobs. It is not good enough to continue to enjoy the benefits of the natural endowment of Western Australia in its mineral forms and, of course, in its agricultural sector, and not give regard to megatrends globally, the advent of technology and the shifting nature of the markets that we operate in.

Members will find in the report 72 findings produced by the committee. There are many statements of the obvious—almost motherhood statements—but they do bear saying. The report addresses matters such as the impact of the mining sector on employment in Western Australia, which constituted 8.4 per cent of total employment in WA, compared with the rest of the country, which is just two per cent of total employment in the resources sector. Of course, its obvious impact on our gross state product is significantly higher than any other state or territory, and 54 per cent higher than the Australian average. The resource sector continues to dominate.

This report looks also at the possibility of the changing demand for iron ore. We saw some shifts in that area. China will continue to be the dominant market—most of the evidence seems to point that way—but its demand will flatline. Everybody knows that out to about 2027 we will start to see a flatlining of the Chinese demand and Western Australia will look for more diverse markets to accept its iron ore. It may also have a price impact, which will be obvious, and we will start to see additional supply coming on from other global sources, and, of course, China's stated ambition of diversifying its supply, which is a prudent business strategy for any business, let alone any country.

The committee found that the top five trading partners for Western Australia remain continuous, including China, Japan, Korea and the other emerging economies that need to be considered. Those top five trading partners account for over 80 per cent of goods exported. The more interesting issue the committee identified was that Western Australia's services export was only five per cent of total export. That becomes a problem when there are significant shifts in the dominant part of our economy in iron ore. The government is very much onto this in relation to diversification of the economy to ensure that it provides quality jobs, not just any jobs, but jobs in the technical spectrum in future industries in Western Australia. Things such as a decarbonised economy are really important opportunities for Western Australia to participate in. We are doing it through our batteries technology initiative, diversification strategies, and international trade and investment strategies.

This report identifies at a high level where the issues, challenges and opportunities are. By and large the committee found that the government is responding to the opportunities, particularly in the area of high employment, segueing away from the resources sector, but using the resources sector as a pivot point. For example, the manufacturer of railcars in Western Australia for Metronet is fundamental and may have the opportunity of producing another railcar manufacturing opportunity in the resources sector. We would then be able to move on from railcar manufacturing into the agricultural sector and beyond. These are opportunities for participation in an integrated global supply chain for Western Australian businesses to grow the actual employment of Western Australians. For any government, the quality of life and number of jobs in Western Australia is the only defining objective. Producing jobs that ensure the quality of life that we have enjoyed and that our parents enjoyed in just two generations post-war is remarkable and a difficult challenge for any government, particularly in light of the global trade headwinds that we will find in the next 20 years.

It was a great privilege to be involved in the committee's report. I would like to thank the committee who helped to produce it with me—Mr Vince Catania, member for North West Central and deputy chair; Mr David Scaife, member for Cockburn; Ms Emily Hamilton, member for Joondalup; and Dr Jags Krishnan, member for Riverton. Enjoying their company on this short inquiry was important. I thank also our principal research officer, Ms Vanessa Beckingham, and our research officer, Ms Sylvia Wolf, who were very good at both supporting the committee and adapting to the changing nature we faced with the global pandemic and restructuring our work practices, including holding committee meetings online. The success of those practices allows greater accessibility for regional members particularly, and those with other duties, to not have to be present in the committee room to undertake deliberations. It was a great innovation as a result of adaptation.

Where to from here? This report sets out the opportunities for the committee to identify specific areas across the Western Australian economy that deserve greater investigation in order to tease out the opportunities. The ambition of the committee is to ensure that whatever we look at provides positive recommendations for further growth of the two things that really matter to the future of Western Australian lives—that is, the quality of their jobs and the sustainable standard of living that we enjoy. I commend the report to the house.

MS E.L. HAMILTON (Joondalup) [10.39 am]: I rise to make a brief contribution on the third report of the Economics and Industry Standing Committee, *Intergenerational challenges and opportunities for the Western Australian economy to 2041*. This is the first report tabled by this committee in the forty-first Parliament and it is very interesting and informative. Broadly, it is a snapshot of the Western Australian economy right now. I note that the report did not go into detail on any specific industry or sector and future inquiries will be needed to do so.

The inquiry looked at the current WA economy and what is needed to ensure that we continue to see a strong economy in the future, finding that diversification will be the key. It noted that the largest contributor to the WA economy is the resources sector. There has been and continues to be a strong reliance on the resources sector, and rightfully so; we are rich in natural resources. It is clear that the investments made in the resources sector in the 1970s and 1980s have enabled the situation we now see in the WA economy, as the powerhouse of the nation. This investment sustained our economy then and is doing so now. It has provided wealth, jobs and investment and, most recently, a major budget surplus at a time when other regions have not been so fortunate. However, those decisions that were made decades ago did not take into consideration planning for future generations. The notion that WA always has been and always will be able to rely only on the resources that we pull out of the ground may not be the case as we move into the future.

It is clear in the global context that economies need to diversify as the world changes. In the most basic of terms, we will not be able to rely on the way we have always done things. We have seen this most recently. The context in which we are addressing this inquiry—in the midst of a global pandemic—is a significant time of change. The global pandemic has further highlighted this, and our significant response and ability to remain open for business have been critical. Economies around the world have experienced disruption. Just prior to reporting, but not considered in the inquiry, although immensely relevant, is the situation in Russia and Ukraine—a war in Europe of all things. The world has changed, and will continue to change, and the speed at which this happens will continue to increase. We need to embrace this. How we work, who works, in what industries we work and with what technologies will all be part of the opportunities and challenges that we are living with today and will continue to face as we move forward. We need to continue to build and invest to enable growth for future generations.

The report focuses on the factors driving current demand for WA exports, what will affect demand for exports in the future, the actions taken by stakeholders to plan for trends in the demand for WA exports and the factors affecting

inbound investment in major sectors of the WA economy. We also need to consider an orderly transition to a renewable future and look to decarbonisation, renewable energy, hydrogen, future batteries and such. A focus will need to be placed on the fourth industrial revolution, Industry 4.0, as it has been termed. All provide great potential for diversification and creating future jobs. Keep in mind that we should not just focus on trade diversification, but rather continue to invest in service industries as well.

I am particularly interested in the technology, digital and cyber trends highlighted in this report. This report highlighted that future inquiries will be needed to flesh out information on these sectors and the areas of innovation required. There have been rapid developments in digital, tech and cyber. The report heard that this area will fundamentally change every aspect of the average Australian's life in ways that we cannot even imagine just yet; indeed, it already has. As I reflect upon this, we have seen changes in education, with students now learning on devices, and new technologies in the healthcare sector. Businesses are having to protect themselves online and public transport is beginning to use renewable energy—I could go on.

As the member for Joondalup, representing an electorate that is leading the way in digital tech, innovation and cyber, I was pleased to see that the report touched on the need to look to these trends as a recognised way forward, with the potential to impact on our state's economy as an emerging global industry. In cyber, for example, for some time I have been aware that, nationally, 1.8 million jobs will be created over the next five years, and that is just the beginning of these opportunities. Industries like this will be very important in shaping future jobs and demand for expertise.

Sectors across the board are embracing the changes; we know that businesses are looking to adopt new technologies to deal with current disruptions and trends in the changing economy. There are 100 000 small businesses in WA and 13 000 of them are in Joondalup. The Committee for Perth future of work business survey states that 95 per cent of businesses surveyed planned to adopt new technology to improve productivity and gain access to new markets. This move will begin to shape the number and types of jobs, and the workforce that is going to be required. There will need to be a shift or upskilling in roles, but this is a real opportunity for WA to grow a workforce that impacts our economy positively. The advancement of technologies provides the challenge to make sure that we have the right framework in place to create an agile workforce and an ability to export our knowledge in the future. This move is not to be feared because, as I said, much opportunity will come with it. Digital technology adds value to current sectors that are already booming in WA. The disruption caused by COVID-19 has shown that we have the ability to be flexible, to embrace change and, although it is disruptive, it has enabled growth across the board.

Findings from the report are such that when looking to 2041 in a global context, WA is well positioned in terms of geography and location in the South Pacific to provide opportunities for nurturing trade relationships and building stronger relationships with other countries in our region. The committee found that our state government is already on the path to diversification, but we need to continue to invest to enable growth. Where a future industry is discussed in this report, it is very much in line with those industries identified by our state government and it is already listed in our economic development framework. The report shows that stakeholders are involved. They are part of the conversation about diversification and really are embracing it. WA is definitely the destination for this to occur. It is an interesting and challenging time in the world at the moment, but WA is very much set to continue to grow a strong economy and continue in our place in the global space. I commend the report to the house.

DR J. KRISHNAN (Riverton) [10.47 am]: Thank you, Madam Acting Speaker, for the opportunity to make a very short contribution on the third report of the Economics and Industry Standing Committee, *Intergenerational challenges and opportunities for the Western Australian economy to 2041*. The whole world is in a state of uncertainty about economic recovery post-pandemic. This inquiry looked far beyond that and took a 20-year approach to determine where Western Australia would stand in 2041 in the area of economic management and stability. We took an approach of analysing the strengths and weaknesses of, and the opportunities and threats for, the Western Australian economy as a whole. We were able to provide a few key findings on areas to be acted upon to make sure that we have a strong economy in the future.

I have a few things about the inquiry to mention. Everyone in Western Australia is aware of and acknowledges the lack of complexity in the economy, and the reliance on one commodity and one trading partner. Information was given to the committee about the transformation to green energy that is required to compete with other countries and commodities in the international market. The global economy is challenging and ever-changing. The findings suggest that there is need for further investment and to take the lead in such investment to be able to compete with other countries.

The committee also looked at how Western Australia could be on par with the other states in digital technology and cyber trends. The future is evolving quite rapidly with technological advancements in every field, and there are some key findings on what needs to be done.

The inquiry also found that businesses across all sectors are facing some key challenges with wages and access to labour. I am sure that the key findings in the report will be helpful in shaping the future of the Western Australian economy.

I take this opportunity to thank the chair of the committee and the other committee members who contributed. I also take this opportunity to thank the committee staff, Vanessa Beckingham and Sylvia Wolf. I also thank the people who made submissions and attended the inquiry to make this a useful and valuable report. Thank you for the opportunity.

MUTUAL RECOGNITION (WESTERN AUSTRALIA) AMENDMENT BILL 2021*Second Reading*

Resumed from 23 March.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [10.50 am]: Madam Acting Speaker —

The ACTING SPEAKER (Ms A.E. Kent): Are you speaking on this bill, Leader of the Opposition?

Several members interjected.

Ms M.J. DAVIES: Yes, I can do that. Apologies for the confusion. I thought the bill had only been first read. I rise to speak to the Mutual Recognition (Western Australia) Amendment Bill, after that brief moment of confusion on my behalf! Thank you, Minister for Transport, for stepping in.

The National–Liberal alliance supports this legislation. I do not intend to take much of the house's time for this debate. I understand that the business of the house has been shuffled this morning, as this bill went through the Legislative Council last week. According to the commonwealth, there is a time imperative and time lines are required to be met. I was not aware of that at the time of the briefing, but, nevertheless, here we are to talk about this piece of legislation.

This bill is a good example of our federated nation working together. Too often we hear of challenges with professions, occupations or businesses that are trying to conduct their duties across borders. Those cross-border issues are quite often raised as being unnecessary red tape. Therefore, when we can find ways to reduce or streamline that, it is always a welcome opportunity for our Parliament. I imagine that, in particular, businesses that operate on the east coast on a regular basis and are close to the borders of New South Wales, Victoria, Queensland and the Australian Capital Territory find that very frustrating. Nonetheless, in a world in which people shift professions and follow work and big projects, we certainly can do more to make it easier to ensure that people have a seamless transition. That is important, particularly given some of the challenges that we are facing at the moment with worker shortages. It will be a welcome opportunity to see some of those changes come in to make it easier to attract people with those skills that we need here in Western Australia.

As I have said, this bill is an example of cooperative federalism. The states have all determined that it is appropriate to enable a more seamless transition of occupational mobility across our borders. Clearly, there has been less activity over the last couple of years, but, as I have touched on, now that the borders are open and we are seeing skill shortages that are impacting our state, I am hopeful that, given the time lines, some of this will come into play to make it easier for us to attract the workers that we need in Western Australia, albeit that we will be in competition with other states in the nation.

In December 2020, Western Australia signed an intergovernmental agreement to establish the automatic mutual recognition, or AMR, scheme for occupational registration, along with all other jurisdictions, with the exception of the Australian Capital Territory. I am not sure why it has not signed up, and perhaps someone else can enlighten me on that. I understand that that will not alter the schemes that are already in place. Several of those were highlighted in the debate in the Legislative Council, such as those for doctors and lawyers. This bill seeks to enhance those arrangements that are already in place, not replace them.

The commonwealth Mutual Recognition Act 1992 already includes certain occupations, such as animal welfare, health and environment officers; land valuers; crowd controllers; architects; builders; mine surveyors; real estate agents; plumbers; painters; electricians; gasfitters; and land surveyors. It also includes various professions and occupations in the racing and gaming industry, and a number of others. I understand this list will remain unaltered. I am very happy for the Premier to confirm that in his response.

The bill also provides for the automatic recognition of workers' credentials. That is important, because it will free the workforce to move across Australia, while keeping in place a set of mutually agreed standards so that there will be uniformity, but there will not be a reduction in or erosion of any of the standards in Western Australia.

Safeguards are built into the bill to ensure that there will be no undermining of the standards in Western Australia if workers come into Western Australia from other jurisdictions that might have different credentials, training or licences. That is important. The bill requires that workers who are here in Western Australia to adhere to the standards of the jurisdiction in which they are working. That will be across the board. Workers can only undertake activities that are authorised by the licence of their home state; they cannot move up just because they are in another state that enables them to do that. Workers from other jurisdictions will always have to adhere to relevant WA licensing laws. Workers who are subject to disciplinary civil or criminal action and who have had conditions placed on their home licence will also be excluded from the provisions of the bill. That is an important safeguard.

From a regulatory perspective, the legislation requires that regulators will be required to share information on cancelled or suspended registration and disciplinary proceedings. I am not sure what that entails, Premier. I imagine that some behind-the-scenes work will need to be done to enable that sharing of information. I am not sure that it always happens as seamlessly as we would like, and certainly this will be on a much bigger scale than has previously

been the case, but perhaps there are already databases and things that will be integrated to allow that to happen. The regulators will have to make sure that what is included in this bill comes into practice and they will need to be able to share that information behind the scenes.

I note that the legislation was subject to an inquiry by the Legislative Council Standing Committee on Uniform Legislation and Statutes Review. The two findings of note in the committee's review relate to a review clause, and also to what is commonly referred to as a Henry VIII clause. A remedy was put forward by the committee, via a proposed amendment, to preserve the sovereignty of Parliament by inserting a clause that would require both houses of Parliament to review a draft proclamation to terminate the adoption of any commonwealth legislation. That was one of the recommendations. The second recommendation was to insert a review clause, which was absent from the original bill. I understand that the Premier's response to this recommendation was that if a separate review mechanism at a state level were used by the government, that would result in duplication, and that no other jurisdiction has included a review clause in its referral or adoption legislation. Notwithstanding this, I can see from the proceedings in the Legislative Council that that recommendation was set aside and the government moved its own amendment on a review clause, which, given the numbers, has passed and is now part of the legislation that is being considered today. Perhaps the Premier could touch on this in his reply to explain why that was considered a more prudent course of action than the recommendation of the Standing Committee on Uniform Legislation and Statutes Review.

Likewise, the government chose to reject the committee's proposed amendment on the Henry VIII clause. The chair of the committee noted in its report on the bill that the committee's view is that as the bill stands and is drafted, it will erode the Parliament's power to decide whether the adoption of commonwealth legislation should be extended. It appears to me that the explanation from the government on this point—perhaps the Premier can provide the house with an explanation—is that the government is simply taking a different policy position. Noting the good work that the committee has done, which it undertook on behalf of the Parliament, the government has chosen instead to take a different policy position and elected not to proceed on that. I had understood, as a matter of protocol, that our state, sometimes ferociously, protects those rights so that when legislation that is reliant on changes to occur at the commonwealth level come to our Parliament, we typically take a moment to review them and ensure that they are applicable from a Western Australian perspective, and that, as a Parliament, we have the opportunity to confer or debate any of those changes that come about as a result of agreements and harmonised legislation.

Those are the only issues that I can see that have arisen. As I stated at the outset, we support this legislation. We support the intent of what it is seeking to do. It is eminently sensible, and it is a good example of cooperative federalism, when so often we see barriers put up to make it more difficult or onerous for businesses and individuals to operate across our borders. Aside from that, those are the key issues that the opposition would like to raise about this legislation.

MR M. McGOWAN (Rockingham — Premier) [11.01 am] — in reply: I thank the opposition for its support of the Mutual Recognition (Western Australia) Amendment Bill 2021. This legislation builds on the outcome of an agreement that I entered into as part of the national cabinet process with most of the other states, territories, the commonwealth government and federal Treasurer, Josh Frydenberg. As the Leader of the Opposition outlined, this legislation is designed to allow for the more streamlined and easy movement between the states and territories of people with skills and qualifications so that they can take up opportunities more easily without artificial measures put in place to block the movement of labour across Australia. I think it means more to us than other states because it will make it easier for people to come to Western Australia to fulfil roles, jobs and positions. We were very keen to sign up to this agreement on that basis, and that it can help with the situation we confront at the moment of not having enough people to fill some of the positions available within Western Australia.

The existing system makes it difficult for people to move between the states for jobs, particularly people with skills and qualifications, because of some of the requirements placed upon them. The new system will allow for easier movement. There will be an exemption process should there be concerns about the standards in other states or concerns about particular occupations or what have you based upon individual circumstances. Also, there will be the opportunity, as the Leader of the Opposition outlined, for the termination of the adoption process. The reason for that is if the state needs to take decisive action within a short time frame to terminate the adoption in the interests of Western Australia, it may need to do so very quickly. Reasons for doing that would include: dealing with the automatic mutual recognition scheme; a significant event; questioning safeguards in place; or a legal challenge to the exemptions that Western Australia might put in place. If any of those things were to come to pass, the state would have to act quickly. That is the reason behind that; that is the advice I have on those matters. I understand that it may well be in line with what other jurisdictions have in place for those purposes, and I am very dubious that we will ever need to exercise that provision, but there is a prospect, depending on circumstances, that we may need to.

In terms of other states—I think the member mentioned Queensland and the ACT—they might have their own specific reasons for not signing up at this point. They may well just watch what occurs in other states before they sign up; I suspect that is the case. I expect all states and territories will be part of this agreement in due course. Apart from Queensland and the ACT, I understand that all the states, or at least most of them, have already put

this agreement in place. We are not the first, so we have been able to look at what has occurred; I think some states have had it in place since the middle of last year. The legislation basically means that if a tradesperson or a professional in Sydney sees a job opportunity here, they can come here more easily—that is basically it—with some of the more onerous requirements put upon them to come and fill a role here. I know that industry is keen on this. It removes red tape and it will mean that we can more easily acquire people for the jobs we need to perform; hence, we want to get it through Parliament and in place as soon as we possibly can. I thank members for their support.

Question put and passed.

Bill read a second time.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MR M. McGOWAN (Rockingham — Premier) [11.05 am]: I move —

That the bill be now read a third time.

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [11.06 am]: I rise very briefly, off the back of my speech in the second reading debate.

Mr D.A. Templeman: I thought it was an outstanding summary!

Ms R. Saffioti: I reckon it was the best speech in the Parliament on the mutual recognition bill!

Ms M.J. DAVIES: Thank you, Minister for Transport! I think there were some raised eyebrows about the fact that we are not going into consideration in detail. I started my time as the Leader of the Opposition by saying that, given the numbers we have in this house, when there are noncontroversial bills that have been examined by our colleagues in the Legislative Council and they are eminently sensible, we would not waste the house's time by going into the nitty-gritty, clause by clause. This is a sensible bill, and the opposition supports it. We asked the Premier to touch on some of the issues that were raised during the debate. He has done so, and we are very happy to support the legislation progressing.

MR M. McGOWAN (Rockingham — Premier) [11.07 am] — in reply: That was one of the most outstanding contributions I have ever heard in this place! I thank the opposition for its support. As outlined before, we are participating in this national scheme with most of the other states and territories. Why Queensland and the ACT have not signed up might be because, in a sense, some states charge fees and it is a revenue issue—as minor as that is. If it is a revenue issue, it is hindering the movement of people to fill roles, and I do not think that is something that we want to participate in; that is not our intention. We just want to make sure that we have this scheme in place so that if we need tradespeople from Sydney, Melbourne, Adelaide or wherever it might be to come to Western Australia to work in our industries, we can make it happen as quickly as possible. That is the purpose behind the legislation. I thank the opposition for its support. We will get the legislation assented to as soon as possible and implemented, hopefully, by 1 July this year.

Question put and passed.

Bill read a third time and passed.

RAILWAY (METRONET) AMENDMENT BILL 2022

Second Reading

Resumed from 23 March.

MS R. SAFFIOTI (West Swan — Minister for Transport) [11.09 am] — in reply: I was part way through my reply to second reading debate—that all happened a bit quickly! If members look through the *Hansard* of every year, they will find mutual recognition bills. They are the highlight of any sitting period. I remember having to speak on those bills when in opposition. They were ghastly.

Back to the Railway (METRONET) Amendment Bill 2022. I was outlining the government's commitment to rail. I am glad the member for Moore is back in the chamber, because I will confirm with the Leader of the House whether we are going into consideration in detail.

Mr D.A. Templeman: Yes.

Ms R. SAFFIOTI: That is great.

Mr D.A. Templeman: We'll pass the bill today.

Ms R. SAFFIOTI: That is excellent. I will make sure I have my advisers for that.

We are the party of rail. One of the first things I had to do when we were elected to government was to reverse the cuts to the *AvonLink* project in the forward estimates. We reversed those cuts. We are still working through the implications and consequences of the privatisation of Westrail Freight; its impact on regional communities and regional roads continues to be a significant challenge. I am also very keen to continue the massive, massive infrastructure spend.

I will reiterate some of my comments from yesterday because, unfortunately, the member for Moore was not in the chamber. Labor is committed to rail. As I said, when we won government, the *AvonLink* was not in the forward estimates. The Liberal–National government was not funding the *AvonLink* and had plans to close it. We had to reverse that decision. One of the first budget issues I had to deal with through the Expenditure Review Committee process was ensuring that we continued to fund the *AvonLink*. The far-reaching consequences of the Westrail Freight privatisation is another key issue. Again, we are dealing with the consequences of that decision. We are undertaking road spending to ensure local government and state roads can accommodate the significant impact of the cartage of grain freight. We are also working to see what we can do about the freight lines in the wheatbelt and across Western Australia, and moving freight onto rail. In eight and a half years, the former government did nothing on this front; it actually closed many lines. We are now working to reverse those decisions.

A point was made about costs. Again, I said yesterday that there are significant cost pressures across our projects, as there are across the community. Whether it is a person building a home or a government department building a rail line or a road, there are cost pressures. The impact of those cost pressures depends on a number of things, such as where things are at in the tender or contract process; the composition of the project and whether it has significant exposure to things like the cost of steel and other key materials; and, of course, the type of contract that has been struck, noting that escalation has an impact on landing contracts. Parties are trying to avoid escalation risk. They can do that in two ways—other parties can take the escalation risk or they can price in significant contingencies. We are working through all those things.

I am very proud of the incredible progress we have made on Metronet. It is important to note that when we won government absolutely zero planning had been done on the Ellenbrook rail link, despite it twice being made an election commitment. Nothing had been done. There was nothing in the cupboards so we started from scratch. If we look at previous rail lines that have been started from scratch, even the Mandurah rail line that was delivered in 2007 had been proposed in 2000. It was not a great proposal—that was the Kenwick deviation—but work had been undertaken before 2000 on that plan. I think the original plan was released in 1998. But nothing had been done for the Ellenbrook rail line. Between 2017 and now, within five years, we developed the concept and the plan, got the approvals and now it is underway, which is quite incredible. There were no plans for that rail line. I looked at other the projects. There were no plans for the Mandurah car park that has been delivered. The Bellevue railcar manufacturing facility —

A government member interjected.

Ms R. SAFFIOTI: No-one had a plan for that except us. In the five years since winning government, we developed the policy for the facility and expanded it; took it to the market and got a very successful and very, very strong producer of railcars, Alstom, to contract; built the manufacturing facility and are manufacturing railcars. That manufacturing facility did not exist two years ago. And we secured funding! That was another big task, I can tell you. This project was all state-funded. It is incredible that it happened within five years. We initiated an industry from scratch because the previous government, of course, closed down the Midland Workshops.

A member interjected.

Ms R. SAFFIOTI: I might do. I would become a doctor—Dr Rita!

A member: A doctor of concrete.

Ms R. SAFFIOTI: The doctor of Metronet!

That was an incredible result. We inherited the contract for the Forrestfield–Airport Link; we did not start that one from scratch. But we did not inherit any works. There had been a sod turn well before any works commenced. I think the sod turn was in November 2016 and the tunnel machine arrived in June 2017. Anyway, I acknowledge we inherited that big contract and planning had been done by the previous government. I acknowledge that I never actually got the business case through the cabinet process, even though the project is nearly finished. We have asked about three times over the past five years to get access to the business case, but we never got it. Anyway, we inherited the plans but we oversaw the delivery of the project. It has been an interesting project. I have learnt a lot about ground conditions and tunnelling. I know more about that than I ever expected!

Looking at the other projects, not much had been done on the Yanchep extension. The concept for a Yanchep rail line was there, but when we won in 2017, we saw that not much planning had been done. The planning was minimal; I think the concept was a line drawn on a map.

The Barnett government made a commitment at the 2017 election to deliver the Thornlie–Cockburn Link. Again, given the then government had made a commitment to the project and it had been government for eight and a half years, when we won government I expected we would be working with very detailed plans, but not much had been done. I was very surprised that nothing had been completed, down to the route alignment work, even though the former Liberal–National government had made a commitment to and costed the project. So we did that project from preliminary work pretty much. On Byford, the former government had done nothing. Even though it had talked about it, it had done nothing. On level crossing removals, the former government had done nothing. To have 15 projects underway or completed, from scratch, in five years is a credit to all involved, particularly the workers and agencies.

Another thing I want to talk about is the Nationals WA campaign against Metronet. I think the Nationals have stickers referring to Metronet creating debt. I will give members an interesting fact. Only one rail project currently underway involved borrowings from the state. Do members know which one that is? Anyone—you two?

A member interjected.

Ms R. SAFFIOTI: No, I am enjoying the audience.

Several members interjected.

Ms R. SAFFIOTI: There are three; they are very attentive. Out of every Metronet project underway, which one has borrowings attached to it? It is the Forrestfield–Airport Link project, because the previous government did not fund its rail projects properly with equity. The Metronet project that is attached to the borrowings in the Public Transport Authority budget had its funding profile endorsed by the coalition government, so the Nationals WA having a sticker about debt is quite ironic. The only project that created debt was the project that it funded. I find that ironic. The rest of the projects we negotiated well with the commonwealth.

Mr P. Papalia: Another reason to take the stickers off.

Ms R. SAFFIOTI: That is another reason; another is because it is going to become a metro party! Yes, that is another reason to take the stickers off. Of course, we have negotiated very well with the commonwealth government—so much so that it is running ads on Metronet now. The commonwealth government is running radio ads about Metronet and I like that. The more people who are positive about Metronet, the better. We negotiated, we made business cases and submitted them and they got approved. I am very, very excited about this bill and all the Metronet projects.

I want to respond to a couple of comments members have made. I have to say, there were some incredible contributions by our side, which I will touch upon, but the opposition spokesperson, the member for Moore, also raised some points and I will talk through those. I think he talked about costs. I said both yesterday and today that there have been cost pressures because of the changing economic circumstances. The labour shortage issue has of course had some impact. More recently, over the past year in particular, we have seen a significant escalation in the price of steel. I think one index had it growing by about 50 per cent in one year and probably about 100 per cent over two years, which is quite a significant cost issue. We have had issues with the price of concrete and other key factors. As I said, the cost issues have impacted some of the more recent tenders, as we have seen, but for projects under delivery it depends a lot on what costs have and have not been fixed in the supply chain. It has been challenging but I have been very, very happy with what we have been doing.

The member referred to the Shire of Serpentine–Jarrahdale and some of its budget requests. I am happy to report that we are doing a lot in the Shire of Serpentine–Jarrahdale, I would say a lot more than the previous government did or would have done. I will go through the projects. I think the member for Moore listed a number of projects in the Shire of Serpentine–Jarrahdale. Of course, we have the Byford rail extension, which this bill refers to. There were a couple of options for the Byford rail extension. The initial thinking by the previous government and even some agencies was that the rail station would not be in the city centre; the rail line would have stopped at Thomas Road. That was some of the original planning: the rail station would not have stopped where it is planned to stop now. We took a very big decision and said, “No, we think the benefits of bringing that rail station into the city centre in line with the planning being undertaken by the Shire of Serpentine–Jarrahdale is very important”, and that is why, when planning for the new Byford station, we made sure that it was near the city centre. I have been around there a few times, particularly in Coles and the shopping area with the member for Serpentine–Jarrahdale, and I am really excited about what is going to happen in that whole area.

Mr H.T. Jones: Darling Range.

Ms R. SAFFIOTI: Darling Range, sorry.

Mr H.T. Jones: It covers Serpentine–Jarrahdale.

Ms R. SAFFIOTI: Yes, sorry; I should know! I forgot the other important local government authority of Armadale with the suburb of Roleystone. I am sorry, member for Darling Range. Anyway, back to the city centre and its connectivity with the train station. We were looking at a number of government services around that area and the shire is looking at things like a little community park.

Mr H.T. Jones: The health hub.

Ms R. SAFFIOTI: The health hub, the shopping centre—it is going to be very, very good. Of course, coupled with that will be the extension of the Tonkin Highway south, which will take a lot of pressure off the South Western Highway through the Byford town centre. If members think about this, the Tonkin Highway will take a lot of the freight south without it having to go through the town of Byford. We will have a new rail station. Thousands of people are moving in all the time. We are planning it so that we will have a lot of government services and a brand new beautiful rail station, all connected. I think it will be an immense benefit to the area. I have been trying to think of a shire that will have more money spent in it over the next four to five years than the Shire of Serpentine–Jarrahdale, and I do not think that there is one, with the new rail line and the rail and Tonkin Highway extensions.

The other point that the member raised was local government roads. Again, they are under a lot of pressure because they have a strong local government road network, and they are going through what Wanneroo has been through and what Swan is now going through to a point—it has mainly been through it now—with the interface of old rural roads and a large new residential population. Those rural roads are not really built for that. Things like the Tonkin Highway extension will help with that. I will talk about Thomas Road, too; I forgot about Thomas Road. As I recall, we committed \$18 million as part of the state election to the local government to help it improve some of those roads. Very effectively, it made a priority list of about 10 local government roads that it needs support to upgrade. I think we committed \$18 million to three of those roads, but the local government will continue to work through both local government agreements and federal campaigns, I suspect, to secure more funding, and also through the normal budget process. We are working very constructively with the shire on those three issues.

The other issue is Thomas Road, the major east–west connector, where we are currently building an overpass over the level crossing. We are removing the Thomas Road level crossing now with the Thomas Road bridge over it. That project will ultimately be part of the Byford extension, but it will allow us to use that road to carry the traffic while we work in other areas, so it will help us manage the traffic flow throughout that period. Again, that is part of the Byford extension. When people raise issues about these shires, I am happy to talk at length, because this is one that I know very well. I have family who live all the way through the Darling Range seat, but also through the Shire of Serpentine–Jarrahdale and the City of Armadale. Other projects that affect some of those residents, of course, are the Denny Avenue project, which is now completed, and some of the work that we have done along Albany Highway to improve the safety and connectivity of Albany Highway through that area.

We are working constructively with the shire about the design of the station, and we are removing some level crossings throughout that area. There is always discussion on whether we can do more—of course, I would like to do as much as possible, in case people have not realised—but there are always limits to budget and who is prepared to fund what. I am very happy that we have a commitment for the Byford extension. The scope has changed and some of the escalation factors have affected the cost, but it is very much a project that will help support the whole shire and all the new residents who are moving in, and really help further develop that town centre. As I said, the location of the station, the fact that the South Western Highway will have reduced traffic because of the widening of Tonkin Highway, will help really mature the Byford town centre, which is very busy and active, and which I visit on many occasions.

In relation to the removal of level crossing, there were some questions about councils and who supports what. I can tell members about some of the things that happened. The federal government was very keen to support the removal of some level crossings through Victoria Park. I think during the lead-up to the 2019 federal election or before the 2019 budget, we worked with the federal government to secure funding. I will tell members why we chose those level crossings. In developing the concept of which level crossings should be removed, we looked at one key factor—that is, the impact on local traffic of the boom gates being down. On the Fremantle line, between Bayswater and the city, a new rail line is being connected soon—that is, the Forrestfield–Airport Link—and the number of trains that will go through that area every hour will increase; therefore, the boom gates will be down more often. It will get to the point that it will not be practical to keep those level crossings open. Firstly, on the Midland line, there are two boom gates—the Moore Street level crossing and the Caledonian Avenue level crossing. Every time we discussed the level crossing at Moore Street, which I will not call a rat run, because it is what I used all the time when I went into Northbridge and it was the way my late father went, I would become upset by it. But it did make sense, especially given how often the boom gates would be down, in particular, on weekends. When there were games at Optus Stadium, we pretty much closed that area anyway, so the decision was made to close the Moore Street level crossing. Of course, people cannot use it anymore, but it was the right thing to do.

We did a lot of work investigating how to remove the level crossing at Caledonian Avenue either by sinking the rail or putting bridges over. Primarily, we were thinking about putting a bridge over because the proximity of Caledonian Avenue to other works meant it was very difficult to sink the rail. We looked at many different options for a road bridge over the rail line. It was similar to the investigations we did on the options for Denny Avenue. We looked at all the different options and at all the different roads that could be used at the Caledonian Avenue crossing—whether it was Caledonian Avenue or other roads—to bring a bridge over the rail line. Whatever option that we looked at would have significantly impacted local residents. I think the least worst option was to demolish 16 homes. We decided that was not acceptable for the community, and the community told us that it was not acceptable, so the decision was made to close the Caledonian Avenue level crossing.

We are also working with the City of Bayswater on all the works around that area. We have allocated about \$50 million so far. That includes improvements to Guildford Road and some of the intersections there to take traffic away from the area. It also looks at improving pedestrian and other walking paths, noting what improvements we can make to the Maylands train station, in particular the cyclepath, and to see what can be done to make that even more attractive. We are also working with the city on a new plan for the Maylands town centre. That will be a mixture of having some very reduced speed limits for traffic and new treatments along the whole area to support the local Maylands business community, which is a very strong little area. My daughter does soccer training in the area, so I am often there. I often visit and see how active and what a great little area that is in relation to both cafes and small independent stores. It is a very, very attractive area.

Mr R.S. Love: Your proposal is to close Caledonian Avenue in the middle of next month. The new roadworks that you are talking about are some time off. Why do you need to actually close that crossing prior to actually getting things like the intersection further down near Meltham redesigned so people can get over there and turn towards the city? You are going to divide Maylands by closing that off for quite some time without those other measures being in place, particularly with that traffic issue. It is something the city has asked for—to hold off until you get those other matters dealt with around the traffic. I just wonder why it has to be so quickly closed?

Ms R. SAFFIOTI: One of the key issues is the opening of the new Forrestfield–Airport Link and the extra trains that that will bring. We are aiming to try to change that level crossing before the new airport line starts to operate. That will commence in the middle of the year.

Mr R.S. Love: It wouldn't matter so much if it was just left until you got those other intersections done so that there was not so much pressure on the local traffic.

Ms R. SAFFIOTI: There are a couple of things. There will be interruptions on the line when we do those works. We do not want to open the Forrestfield–Airport Link and then have to go back and interrupt it again in Maylands relating to those works. Also the boom gates would be down a lot more, so there would be significant traffic congestion anyway because the boom gates would be down a lot more if we do not close that crossing.

I want to say this: I am very cautious about closing level crossings because I know it has an impact, but I am very confident with the planning. Some of the works will begin in the next month or two, including on the new cyclepaths and so forth. The works will begin very soon to support more pedestrian and cycling activity. I do not think that it is actually divided. It is divided. There is a rail line, and that has been there for a long time —

Mr R.S. Love: Don't Divide Maylands is the local group, isn't it?

Ms R. SAFFIOTI: Pardon?

Mr R.S. Love: There is a local group there that believes it is dividing Maylands, and especially since there are these new apartments just across from where those boom gates are.

Ms R. SAFFIOTI: I can tell the member what the people in those apartments worry about: it is the bells ringing and the boom gates coming down. It is actually quite noisy for them. When we made the decision to close the level crossing, I had feedback from residents. They had a "close the level crossing" party because of the impact the bells have on where they live. It actually quietens the area, because there are no bells ringing and the boom gates coming down.

In relation to proximity, if we look at where the Maylands station and the cafe strip are, the Maylands station is a good connector. Maylands station was upgraded a while ago, although it has both the steps and the path. We are working on what we can do to improve any other access needed in that area. We are looking at the path. Is there anything else we can do to improve the presence on both sides? We are looking at what we can do. But the reality is that there is an underpass at Maylands where people can cross and arrive right in the heart of the shopping and cafe district. I know there will always be issues about through traffic impacting pedestrians on the train, but I also think that more activity at the station will be a good thing, too, because it will make everyone feel safe and it will be used more often. With the timing, we have to close it before we open the new rail line; otherwise, the congestion will be significant. As I said, we have to close the rail line to remove the level crossings anyway. We do not want to go back and interrupt it a month later.

Mr R.S. Love: In that regard—Oats Street is the same—when the trains are actually stopped at the station, the bells ring quite often and the train is not going to be coming along for quite some time. I just wonder whether there was not some way that that could have been addressed so that there was less interruption and the reduced time of closure of the road.

Ms R. SAFFIOTI: Train safety and level crossing management is authorised by a national authority. There are very strict guidelines about the proximity of trains to level crossings.

Again, I understand that change is difficult for a lot of people. If there were not an underpass in proximity and new road bridges had not been built, I would understand the concern, but new road bridges have been built and there is a Maylands underpass. We are working with the City of Maylands. We will also contribute funding to the city for more planning for that area. I wanted to make sure that we had a plan ready for the roads, which is ready to go. In the next couple of months some works will commence on dedicated or separated paths and there will be a whole reconfiguration of the road network, working together with the city. This will give the city the ability to realise some of the potential of that city centre. As I said, I think the city centre or the strip has grown organically. It is one of those areas where, through the good work of some of the local business owners, quality cafes and stores, a level of activity has been created that I think attracts many, many people. I have seen it very, very busy. Again, we will try to improve it. If there are any issues with the existing underpass in Maylands in particular and how it exits and enters on both sides, we will work on that.

Let us go back to level crossings. The question was: how do we choose and prioritise? As I said, we chose those that will be impacted by the new railway lines and by having more trains on the line. For example, the Caledonian Avenue and Moore Street level crossings on the Midland line will be removed. At the moment, we are removing the ones

on the Armadale line at Victoria Park and Cannington as a result of the Thornlie–Cockburn Link bringing more railcars onto the line. The other areas are Armadale and Byford. In looking at the extension from Armadale to Byford, the City of Armadale put to us that despite the train station being developed probably about 15 or 18 years ago, there was a lot of activity around Armadale and there was a lot of under-utilised land. The city initially asked whether, given Armadale Road, Church Avenue and a number of other key roads in the area, we could sink the railway line. Sinking railway lines is pretty expensive, plus people do not quite get that it does sterilise a lot of land into and out of the sinking. For example, for about 500 metres, we need a dive structure to sink a road. If we look at the Graham Farmer Freeway, we see that there is the actual cut and cover for the tunnel, but there is a lot of land either side that is not used for anything else but roads. We sterilise a lot of land coming into and out of a structure. In the middle of a suburb like Armadale, we would be sterilising about 500 metres and then another 500 metres, because it would go into a dive structure. The other thing is cost. The reality is that tunnelling is very, very expensive. If we compare the cost of the Forrestfield–Airport Link, which is about \$1.8 billion for eight kilometres, with every other rail project we are building, it is much more expensive. Sinking is very, very expensive.

The other point that I make is that elevated rail has already, in a sense, happened in some parts of Perth. The Midland railway line in many instances has elevated rail. In other words, it is a lot higher than the homes. It already exists in some areas. But having the railway on piers allows connectivity for pedestrians, cyclists and cars. It provides the ability to activate a lot more land. It has been done successfully in Melbourne. I was very keen to see, as part of our initial commitment to remove only two level crossings in Vic Park and Cannington, an investigation of an elevated rail option throughout those areas, which would see the elevated rail for about a kilometre in Victoria Park and about 1.5 kilometres in Cannington—or is it the other way around? I was keen to have that activation and new stations, and to remove those level crossings. The federal government was very keen to fund it, and that is why we have partnered with it.

In Armadale, we had the chance again. We had to elevate the railway over Church Avenue anyway, so the point was that we might need to look at rebuilding Armadale train station and elevating the rail for a lot longer, but then getting rid of all those level crossings, and in particular the one on Armadale Road, because Armadale Road is a major east–west connector. All the works we have done along Armadale Road and on the new bridge in Cockburn are very, very significant. Then we sought further planning and designs. Again, the federal government was very keen to fund that. As a result, we will now have a significant transformation of the line. Plus, we had to link the Thornlie–Cockburn Link to the Armadale line. There is only one railway line there at the moment, so we have to duplicate the railway line from Thornlie to Beckenham. As a result, we are doing all that transformation over a period. Again, we tested very much all the options and asked: if we were not to close the line for 18 months, what would be the impact? The impact would be closures all the time of an unpredictable nature. People would not be able to get used to what they could do on a weekly basis. We would have had safety issues, because we would have had a running train line in a work space for a long, long time.

Again, closing the line was not something I was very keen to do, but when I looked at the benefits to the community of better consistency and the fact that we could deliver alternative services—we have gone out to the community to get feedback now—it was the best option. We apologise for the disruption, but I know that we will deliver very, very good services. As we saw with the Mandurah shutdown, the feedback was incredible because we had a lot of services that were utilised. The feedback was very positive about how we managed those alternative services. I am very confident that we will make sure that everybody on that line will have quality public transport services as an alternative.

I have one minute left. I will not start any other lines of discussion, but I thank everyone for their support. I thank all members for their support. I am really excited to be working with members on this side of the house to deliver quality public transport.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

Consideration in Detail

Clause 1: Short title —

Ms L. METTAM: Why is this legislation required at all? This is not a new rail line, so why does it need to be defined in legislation?

Ms R. SAFFIOTTI: It is a new extension of the urban transport network through to Byford. It will allow us to use the same powers or authority that we are using on other railway lines to manage the works and also the land acquisition in the area.

Ms L. METTAM: I appreciate that it is a new line, but I understand that it will follow the alignment in the existing rail reserve; is that not correct? I am happy to be corrected, but given that these works will not alter the alignment, what is the purpose of defining the alignment in the legislation?

Ms R. SAFFIOTI: The legislation that governed the authority to build was repealed in the 1960s, and I think I referred to that in my second reading speech. The previous legislation authorising construction of the Armadale line and the regional passenger and freight line to Bunbury was known as the South-Western Railway Act 1891 and the South-Western Railway Act 1891 Amendment Act 1892, No 30 of 1892, to be read as one act, with the latter act substituting the description of the line of railway. Although the Statute Law Revision Act 1964 subsequently repealed the act, it preserved the rail alignment from Claisebrook to Bunbury–Picton as an operating and authorised railway. Basically, the legislation authorising construction of the rail line was repealed.

Ms L. METTAM: If, as the minister states, it is due to the Armadale line predating the pertinent legislation, what other lines are in place without such legislative recognition?

Ms R. SAFFIOTI: All the other lines are not in this situation. The legislation that was repealed dealt with this particular rail line.

Ms L. METTAM: To clarify, will the construction along, and maintenance of, the Fremantle and Midland lines be covered by the necessary legislation?

Ms R. SAFFIOTI: Yes.

Ms L. METTAM: I also note the member for Moore’s grievance earlier today about the impacts of the Bayswater project on nearby residents. What measures are in place to ensure that similar cases of detrimental impacts are not felt by those who live along this proposed line as a result of the upgrade?

Ms R. SAFFIOTI: Firstly, there are a number of different policies. There is the state planning policy on noise limits and the operations of rail lines and roads, which outlines what is and is not acceptable and when the proponent of the new rail line activity has to, in a sense, mitigate. State planning policy 5.4 deals with the interface of these types of operations. As I said, it clearly articulates who needs to mitigate the operational noise should it be higher than allowed.

Secondly, as with all construction, there will be a preconstruction assessment of nearby structures and reports on what those structures look like and their engineering condition. Post-construction, there will be an assessment to see whether there has been an impact. These agencies deal with those processes all the time and they will be similar in this case. Of course, community engagement will also be done by the company involved to make sure that there is good communication with local residents. The reaction of residents will depend on their location or history in the area, but given the level of construction activity so far, the teams have managed that dialogue pretty well.

The DEPUTY SPEAKER: Deputy Leader of the Liberal Party, you have a little bit of leeway to probe some questions on the short title clause, but you need to remember what we are dealing with here.

Ms L. METTAM: I have a couple more questions along this line. I thank the minister for the clarification about the government’s policies that are already in place. Will local residents be compensated if their homes suffer any physical damage as a result of these works?

Ms R. SAFFIOTI: Yes, if it is proved that there has been dilapidation as a result of the works. The other point Mr Thomas has noted is that, as part of the planning process, there is also the requirement for a construction environmental management plan.

Ms L. METTAM: This is a broader question and the minister has touched on it. Can she explain what the communication with local residents will be on the construction of the line as referred to in the short title?

Ms R. SAFFIOTI: In a sense, there are two parts of the process. Firstly, there is the planning. Consultation is undertaken on the planning. Normally, concepts are advertised and people’s feedback is sought about design and access issues, and that feeds into the design that goes for final approval. All the designs of our stations go through a design review process, which has not happened a lot in the past. Some of the existing train stations would not have passed the design review process. Secondly, there is the construction. Normally, letters are sent to affected residents, and community reference groups are established. Those community reference groups try to get representation from local business owners, local residents and other people who live nearby and are interested in the project. There is also consultation through open days, when we hold drop-in sessions so that people can visit and understand what the impact will be. There are also online newsletters that people can subscribe to for ongoing information about works that are underway in that area.

Clause put and passed.

Clauses 2 and 3 put and passed.

Clause 4: Long title amended —

Ms L. METTAM: Can the minister define what “and for related purposes” refers to in the long title?

Ms R. SAFFIOTI: It is to do with the fact that this legislation facilitates the construction of the railway and associated works, such as signalling and other works that are required to facilitate the laying of the railway. It refers to all works associated with the construction and operation of the railway.

Clause put and passed.

Clause 5: Section 4B inserted —

Ms L. METTAM: The alignment identified in this clause is already a rail line. Large sections of the alignment identified are not slated for construction works in the Metronet plan. I think the minister has already answered this, but can she clarify why the works are being defined in this way?

Ms R. SAFFIOTI: This will allow us to undertake works along the entire rail line, given that the specific authority to build new rail lines was repealed in previous legislation. The member will note that there will be a lot of activity across the entire rail line, including works around Beckenham, for the new link into Beckenham.

Ms L. METTAM: In announcing these works, the minister foreshadowed there will be an 18-month closure of the Armadale line, which is one of the most significant commuter corridors in the state. What impact will this have on public transport commuter numbers?

Ms R. SAFFIOTI: Hopefully, there will not be much impact, because we will be providing alternative services. The decision was not taken lightly. The government explored a number of different options, including significant closures of the rail line for extended periods over 18 months. Without this 18-month closure, works along the rail line would take longer and would require closures for night works every night and weekend works. It would have been very difficult to manage. It could probably have been done, but it would have taken a lot longer and created far more disruption. As I said, it would have impacted commuters' certainty about what is happening on the network. We are carrying out consultation, asking commuters what options they would prefer for their daily commute. I am really confident that they will take up those options.

We also have the two-zone fare cap in place now. With the recent significant increase in the petrol price, we know that public transport is a very affordable option. We will deliver alternative choices to all existing commuters, with the two-zone fare cap and very efficient choices. From my perspective, those living in Cannington and Victoria Park will have access to many existing bus services. We are working through this, but we believe that the Victoria Park station will continue to operate. There will be those options. However, I asked the team to focus particularly on residents in Gosnells, Maddington, Kenwick, Kelmscott, Armadale and Byford. I am very keen to make sure that there are very good options. In particular, the issue will be the length of travel time and making sure that efficient options are available. There is also a keenness to connect the Armadale line into the Cockburn line early by maybe using direct, limited stop bus services along Armadale Road, which sounds pretty exciting. We are looking at all options. I am very keen to make sure that we present efficient options for everybody.

Ms L. METTAM: Are there any projections for the impact this project will have on road traffic congestion and travel times along Albany Highway?

Ms R. SAFFIOTI: There are as yet no such projections because we have not determined all the routes and the different services. We are looking at infrastructure improvements as well, such as more stops in the city. I know the route well, having driven along it for many years. When I was driving to Curtin University from Roleystone, the area around Albany Highway was shocking—it was terrible. But that was 30 years ago—gee, I am old. Since that time, Albany Highway has changed a lot. That is actually our area of concern. There is a lot of traffic, and traffic lights on the rest of the route, so we will be focusing on the Cannington area in particular, around Carousel shopping centre. There will also be the option to use different routes, closer to the rail line. We want to service the main train stations if we can. We are currently working to identify sites where the bus stations will be located for the most efficient service. Once we understand the available options in more detail, we will do some modelling through the Road Network Operations Centre and our Main Roads crew, but a lot of attention will be given to the Cannington area, because that is where there is currently a lot of congestion, near Carousel and the Manning Road intersection.

Ms L. METTAM: Can the minister clarify the total budget for these works?

Ms R. SAFFIOTI: The \$2 billion figure was given as an estimate for the level crossing removal together with the Byford extension and, potentially, some works on the Thornlie–Cockburn Link. Those projects are still in their final contract negotiation stage. Both have preferred proponents that we are working through all these issues with. Sorry—the Thornlie–Cockburn Link does not, but the Byford extension level crossing removal does. When we have the final contract, we will be able to announce the final contract cost, just as we did with Midland. We do not announce the final contract cost until contracts have been signed.

Ms L. METTAM: The minister recently flagged the impact that increased fuel prices and critical worker shortages may have on the overall Metronet budget. Will the minister clarify what potential impact there may be on this particular project?

Ms R. SAFFIOTI: As I said, the impact on budgets depends on when those budgets are struck. For example, because these have been negotiated in a sense at the height of cost escalation for steel and concrete—anything, basically—the \$2 billion figure pretty much takes most of that into account. The impact on prices depends on when negotiations occur. All of that has been factored into these discussions. How do we manage them? We are looking across government at how we manage the escalation figure. Escalation and risk is one of the biggest factors in determining contracts—who should take the escalation risk and how that is managed. The government is working to see how it can manage escalation risk, but not have it priced conservatively in contracts. It is a tricky time to

land contracts because of the significant risk of escalation and, in particular, the unpredictability of what is happening in the world. When we started Metronet, we did not know there would be a pandemic, and we did not anticipate a war between Ukraine and Russia in the middle of Metronet, but these are issues that come along. I am very confident with the processes we have when discussing these with the contractors.

The government has taken a very collaborative approach to contracting in this state. It is something that has been welcomed by the contractors. We do not believe an adversarial claim-matching-claim approach will work at this time because of the significant pressure and the necessity to work together to source labour and ensure that the supply chain of materials is strong to deliver these projects.

Ms L. METTAM: The minister said that \$2 billion figure was conservative for this project. Does the minister have a sense of what impact there could be on the overall Metronet budget from those areas outside the state's control?

Ms R. SAFFIOTI: Not really; it is very limited. It depends on a number of different factors for each project—the contingencies, who is wearing escalation risk, the type of contract it is, whether steel prices have been fixed in any of the negotiations, or whether they are not fixed. It very much depends on those factors. The contracts we are entering into now are probably where there is full exposure, in a sense, and the rest have been mitigated in some form. The government has always been very open that when there is a variation or we have finalised a contract, we put the numbers out and we explain those numbers, and that is the approach we will take. The Forrestfield–Airport Link budget of \$1.86 billion has stuck. Other projects have pretty much stuck. It really depends on the nature of the contract and the level of exposure to the current market. The bridge is an example of something that was nearly 100 per cent steel, apart from the concrete deck, and was very exposed to steel prices. It does depend on the nature of the contract.

Ms L. METTAM: Touching on the critical workforce shortages, is the 18-month time frame for the closure of the line an upper limit, or a conservative figure?

Ms SAFFIOTI: It is an upper limit on the closure of the line. That does not mean the contract finishes after 18 months. I think there was a bit of confusion that we could build the whole thing in 18 months; that is the period of closure of the line. Workers are one of the issues. I have met a number of different companies. It would be fair to say that people are coming into WA to help build our projects. Significant training has been undertaken in WA. The government has done a lot to get Western Australians employed and has done very well, but I mentioned at a press conference yesterday some national companies that operate around the state. For example, a project in South Australia was cancelled and 25 workers are moving from South Australia to this state. I am getting very positive feedback that our nature of contracting—which is not adversarial, but tries to get outcomes—and the fact that we have a pipeline of projects of five to six years, is very attractive for companies both to be active and for people wanting to stay or come into the state to help build our projects. That is very welcome news to hear direct from the mouths of the CEOs. Together with Victoria, we have a long pipeline of work and a very good approach to working with contractors. I am very pleased with that and proud of it. People make choices about where they want to operate. If we are constantly in litigation and constantly chopping and changing the projects we have, we will not attract people to come to WA and stay in the state, and also train young people. Normally for companies to train people, they need a pipeline of work. This is the key in civil construction. That is why I think things are changing in civil construction. We have a pipeline and we have more and more companies wanting to engage and to train and recruit new people.

Ms L. METTAM: Was the 18-month closure a recommendation of the contractor?

Ms R. SAFFIOTI: A number of options were discussed, but the view from the contractor and the department was that this was the best way. In a sense, this was a recommendation from the contractor and the department.

Ms L. METTAM: The minister touched on the fact that the decision was not made lightly. Why was the protracted closure chosen instead of shorter closures, as was successfully adopted in Victoria in its level crossing removal program?

Ms R. SAFFIOTI: I have asked the same question about the period of time. First, this state is doing six level crossings at one time, whereas Victoria did short, sharp removals, or not as significant numbers at one time. Second, managing a workforce is very difficult. It is difficult to manage that extreme level of activity in a short period. Third, the amount of precast concrete and the deliverability would have been very difficult. The alternative would have been a much longer construction period. It would not have been done in 18 months. It would have been a lot longer—probably another year on top of that. It would also have meant constant night-time works. There would have been shutdowns at night, on weekends, and every school holidays. Basically, the predictability would have been very difficult. Again, our ability to deliver replacement services around that would have been tricky, because we would have had a constantly moving delivery schedule. Workforce safety is another issue. If the workforce was working around this train line while we were trying to build a brand new line on top of it, that would create a workplace safety issue. Therefore, we were not keen to take that path, because we did not want this to drag out, and also because we wanted workplace safety to be paramount.

This process will also allow us to better manage the relocation of services and other utilities. Again, we have not only the works on the train line, but also the impact on all the utilities, such as the Western Power transmission lines. We therefore made the choice that we think would have the least impact on the community and achieve the best outcome for the deliverability of this project.

Dr D.J. HONEY: The minister indicated in relation to the 18-month closure for the overpass work that that was not the upper duration for the project. Does the minister have an estimated time line for the duration of this complete project?

Ms R. SAFFIOTI: We are still working that through with the contractor. As I said, we have not finalised the contract, and all those things will be taken into consideration. There are a couple of moving factors. There is also the relocation of the Western Power overhead transmission lines, which will impact the start date of the 18 months. All those are currently under consideration. We believe it will be 18 months for the closure, but as to when that closure will commence, we would hazard the first quarter of next year. We also have to make sure that the movement of the overhead transmission lines through Armadale is well advanced before we do that work.

The other point I want to make is that I have told all the contractors involved in this project that when we shut the rail line, I want to see a lot of activity; we do not want to shut the rail line and then sit around for six weeks trying to plan what we will do. They have been told that the next year in particular is all about the planning. Again, one of the things we find in civil construction is that by the time we get to the worksite, a lot of the planning and detailed design work has been done. A lot of work will be put into the detailed design, but the dates have not yet been confirmed, because we are still negotiating those terms as part of this contract.

Clause put and passed.

Clause 6: Schedule 4 inserted —

Dr D.J. HONEY: This clause deals with the Armadale and Byford rail lines. Does the minister have a schedule for that work or is that still uncertain at this stage?

Ms R. SAFFIOTI: The scheduled work as in what will get done when?

Dr D.J. HONEY: No, on the particular extension through to Byford.

Ms R. SAFFIOTI: Again, as I recall, the project includes the removal of seven level crossings, and new stations at Armadale and Byford, plus ancillary works to just north of Mundijong. That is the level of works. As in the timing, as I have said, two different contract alliance groups are undertaking both projects. There is the Cannington–Victoria Park project, and then there is the Byford project, both with different contractors. Again, we have been trying to manage those works. The schedule for the closure is very much the same for both projects. As I said, we are still working through both contracts in relation to when those works will commence. The commencement of works will depend a little, or a lot, on how quickly they can get their design finalised, and also on how quickly we can get the high-voltage powerlines relocated.

Dr D.J. HONEY: Thank you very much, minister. This work will incorrupt the popular *Australind* service for that duration. What progress has been made in identifying alternatives to that service, please?

Ms R. SAFFIOTI: Our consultation for the Armadale rail line at the moment is that on 28 March, I think, we will be surveying the passengers of the *Australind* about alternative services. Some of the options that have been used before include bus connections from Bunbury through to Mandurah, and an alternate coach service from Bunbury to service the towns. We have already ordered two fully disability-compliant new coaches for Transwa. They have arrived, actually; I saw them at the port. One of the concerns was that the existing coach network for that area was not fully disability-compliant, but these ones are. We have new coaches to help service all the towns between Bunbury and Armadale. We will also be looking at, of course, bus services to connect Bunbury and Mandurah. We will be doing a full survey, commencing on 28 March, I think—the end of this month, anyway—of the *Australind* passengers.

Dr D.J. HONEY: Does the minister have an expectation of the most likely solution to the provision of that service? Will it be a dedicated coach service, or is it just too early for the minister to say?

Ms R. SAFFIOTI: I would say it will be both; it will be a combination. There is the Bunbury to Mandurah connection, but we know that there are a lot of towns between Bunbury and Armadale. I am trying to remember them all—Burekup, Pinjarra, Harvey, Waroona and Wokalup. I have been out to Burekup a couple of times.

Mr P.J. Rundle interjected.

Ms R. SAFFIOTI: Cookernup. That was the one; sorry. I have been there with the member a couple of times. We will make sure that all those towns get a service as well. There will be a combination. It will not be one size fits all. Passengers will also have different demands in relation to where they want to go.

Dr D.J. HONEY: In terms of the reserve, there is a general route for this. Does the route for the Armadale–Byford rail extension follow the existing rail reservation—apparently a potential one-mile deviation in the route has been described—or will an alternative route be required?

Ms R. SAFFIOTI: It will follow the current rail line.

Clause put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MS R. SAFFIOTI (West Swan — Minister for Transport) [12.29 pm]: I move —

That the bill be now read a third time.

DR D.J. HONEY (Cottesloe — Leader of the Liberal Party) [12.29 pm]: Firstly, I thank the minister. We have our moments in this place, and different issues, but I am always grateful for the way that she professionally handles the consideration in detail stage and the flexibility she has in answering questions. I thank her very much for that, and I also thank her advisers for their attendance. I also want to thank the member for Roe for his conduct on the bill. Unfortunately, the member for Roe had an unavoidable appointment and could not be here. I also thank the member for Vasse for stepping in at very short notice to carry out the bulk of the consideration in detail work.

As I pointed out before, this project will be a very large cost to the state of Western Australia, and this is the government that is prioritising where its cash goes. That means that cash cannot go to other areas. We will also see a major rail line shut down for a considerable period of time—18 months—and we understand that, for example, just the weekend traffic on that rail line is around 20 000 people. We also know that many businesses around the rail stations depend on that traffic. We know that homes will be impacted. Earlier today, the member for Moore delivered a grievance to the minister about the impact that the rail traffic and works on the Midland line were having on houses. We also know that this project will critically compete with the skilled workers, but, more importantly—I think it is perhaps an issue that we have not focused enough on—the semiskilled and unskilled workers, who are a large part of the workforce for these types of construction projects. Those same people are being competed for in the building industry.

I mentioned in my speech in the second reading debate that it is my understanding that up to one-third of all apartment projects that are approved, funded and ready to go—these are literally spade-ready—cannot commence because the developers cannot find builders and the builders cannot find workers. It is a real issue. Given that the government is already smoothing other Metronet projects, adding this project into the mix will complicate that situation, I suspect. We have this perfect storm of not enough workers to build houses and then we have the issue that we cannot bring workers into the state because they will have nowhere to live, which is not a trivial issue. Nevertheless, this project will increase demand for labour in the community.

As was indicated at the outset, obviously we are not opposing the bill. We recognise the overall merit of getting rid of level crossings. In my speech during the second reading debate, I exhorted the minister to get rid of the level crossings in my electorate and that it would be a very worthwhile next project. It is a major issue along that line as well.

I do not seek to talk at length on this bill. I think we have had a thorough questioning of the bill. This bill is a test of the government to show that after five years in office, it can actually deliver the project on schedule and on cost. We might say that when the government was in opposition, it did not have the opportunity to do things as well or as thoroughly as it might, and I can appreciate that, being in the role that we are now in terms of cost. We have seen substantial changes in the cost and schedule for the existing Metronet project, but there are no excuses now. The government has been here for five years. It has been involved in construction and that activity, and the minister has had time to assess what works and what does not. Therefore, this means that the government is on the clock on this one. This needs to be delivered in 18 months. It needs to be delivered within the budget, and there are no excuses for that to not occur. Otherwise, that is the end of my contribution.

MS R. SAFFIOTI (West Swan — Minister for Transport) [12.34 pm] — in reply: I thank everyone for their contributions, and I thank the opposition for its support. This is a very exciting time in Western Australia. It is a very exciting time to be the Minister for Transport in WA. We have a very significant agenda, and I am really excited to be delivering it. I love the fact that we will be leaving behind us a complete transformation of the rail network that people in Byford, Ellenbrook, the north-east corridor, Ballajura, Alkimos, Yanchep and Canning Vale will benefit from for decades and generations to come.

Over the past decades, we have seen a lot of significant projects—the Perth–Mandurah project and the northern suburbs railway—but to be able to deliver this suite of projects is really, really incredible. The other fact that I am very proud of is that we will be delivering job certainty and security for many, many people in civil construction. Again, I think that having one project and then having nothing for the next 10 years is not how we should deliver civil construction in this state. We need a pipeline of work. We need a continual program of construction, and it has to be rail and road. This is what I hope will be the future: we will have projects continuing not only in the next five or six years, but also, after me for decades to come. I am very excited and I am really proud that we will be bringing so many job opportunities to WA.

Last week, in West Swan, I visited Motivation Foundation at the Ertech Construction Academy, which creates opportunities for young people to go into civil construction. There are a lot of different roles that people can play in civil construction, and there are jobs for everybody. Men, women, people with disabilities—everybody can have a role in civil construction. I am very, very keen to continue to support that because these jobs are outside, people produce some significant work and they know that they are transforming an area.

Can I thank everyone. These projects are always challenging, but once they are delivered, it is like children; you forget the pain that you have been through. I am very, very excited to continue delivering these major projects for the state.

Question put and passed.

Bill read a third time and transmitted to the Council.

SOIL AND LAND CONSERVATION AMENDMENT BILL 2021

Second Reading

Resumed from 11 November 2021.

MR C.J. TALLENTIRE (Thornlie) [12.37 pm]: I am very pleased to speak to the Soil and Land Conservation Amendment Bill 2021, which amends the Soil and Land Conservation Act 1945. I recognise that this is important legislation about the preservation of our very important soil resource. If it is not managed carefully, this fundamental ingredient in the production of food and fibre in Western Australia can be lost.

We have in Western Australia incredibly fragile soils. That is a legacy of this ancient landscape that we live on. This part of the world is ancient, and the fragility of those soils is a function of the age of that soil. The soil is not particularly fertile either, which adds to its vulnerability to all kinds of misuse and abuse, whether it is cloven-hoofed animals hacking the ground to bits or inappropriate clearing of the land that then leads to big amounts of run-off or lots of wind blowing soil away. One way or another, we have had to face up to all kinds of problems brought about through the mismanagement of our agricultural landscape, and this was realised back in 1945. Members can imagine that just after the war there was the realisation that we needed legislation to deal with this important issue, and we have advanced things.

I have to say, it has been tremendous to see so many people in the agriculture sector embrace the need to improve farming practices. I want to highlight a former chair of the Soil and Land Conservation Council Rex Edmondson, AO. Rex played a leading role in the Landcare movement, dating back to the 1990s. Rex learnt about conservation through hard experience on his Jerramungup property. He developed techniques to enable him to use the land profitably while ensuring there was a viable, healthy agricultural system in place. But we still have so much to do.

On current estimates, we have somewhere between 2.8 million and 4.5 million hectares of land that is vulnerable to salinity. Quantifying that as an annual loss, based on figures put together in 2009–10, it is about \$520 million per year lost through that element of land degradation. Sadly, this does not strike all farmers and landholders equally; some have thrust upon them a disproportionate burden of the consequences of land degradation. That is a problem. It happens because we farm at cadastral boundaries when we should be looking to farm at a catchment scale. So much of Landcare's work has been to help people realise that there is a need to farm at a catchment scale, hence the creation of land conservation district committees, which are great initiative. I think that idea could be driven further and there is an opportunity for it to be reinstated. I speak as a former member of the Wooroloo Brook Land Conservation District Committee when I tell members some about the brilliant work that that LCDC achieved in revegetation. Sadly, some of that work was burnt in recent fires and ones some years ago, but the effort, awareness raising and general thrust of good land management practices are a very strong part of the whole ethos of the committee.

LCDCs have some extraordinary powers, and I am fascinated to see that they are still in the legislation. I recognise these amendments will change the composition of the council. I will just highlight section 22(2)(b) of the act, which states —

regulating or prohibiting the clearing or destruction of, or interference with trees, shrubs, plants or grasses;

The LCDCs have that power. They can say, “In our area we are going to ban clearing because we recognise the damage that it does.” To my knowledge, the Bruce Rock LCDC is the only one that went down that route; there may well be others and I stand to be corrected. It is tremendous to see the legislation includes that power. I note that the penalty, if I am reading things correctly, is only \$2 500 when somebody disobeys a decision made by an LCDC.

In passing, I want to pay tribute to former Commissioner of Soil and Land Conservation Andrew “Nick” Watson. I had the pleasure of working with him when I was at the Department of Environmental Protection, as it was called then. I was working on notices of intent to clear, providing information from an environmental biodiversity perspective into that notice of intent to clear process. Andrew Watson, as the commissioner, chaired our notices of intent to clear meetings. He always dealt with matters in an incredibly fair and reasonable way, respecting the rights and wellbeing of farmers, and the need to balance their interests with biodiversity, conservation and land degradation interests. As I said, he looked to find some level of equity amongst people in the catchment. We have a sad situation in which somebody high up in a catchment can perhaps clear thousands of hectares of land—remove all the vegetation—and have a highly productive farming system, but someone lower down in the catchment will cop the consequences of a rising groundwater table that might render their land saline and infertile, impossible to use and no longer arable. It is very important to realise decisions made by one landholder can very quickly, but sometimes

quite slowly, impact on an adjacent landholder. There is an equity issue here and this legislation seeks to make sure that the rights of one landholder are not pursued to the detriment of another landholder. It is a very important consideration, indeed.

I also want to highlight section 3 of the act, which highlights that the Soil and Land Conservation Act 1945 is supplementary to other acts. I have always felt that the wording of the section is a little ambiguous and a bit confusing. I think that is why in 2004 the then Minister for the Environment, Judy Edwards, sought to move all land clearing approvals from the Soil and Land Conservation Act and put them into part V of the Environmental Protection Act so that there would be no ambiguity about decision-making. It means we recognise the primacy and importance of environmental protection in all forms, and that whether it is guarding against the erosion of land or soil, or the risk of salinity, we have all the powers in place to do that. But there is still a need for us to be really sure on this, and I know the Minister for Environment has been working hard to generate a policy around native vegetation protection. So many of the problems we have with soil degradation, erosion, nutrification and salinity have something to do with the clearing of land. Of course, by clearing land we lose biodiversity, but we also put at risk that incredible soil resource, so there is a very strong need to have a native vegetation protection policy.

I am really pleased to see these amendments to the legislation. I know many excellent people in the department of agriculture and food are working in this area. As I say, I have had the pleasure of working with some of them. I was always struck by the fact when I was in the department that I was only a level 2.4 officer but because I was a graduate I could advance through the grades. I would go out to the regions and some of the department of agriculture officers I would meet had been in place for years, with loads of experience and a wealth of knowledge, and they were dealing with really complex situations, but they were only level 2 because they did not have a degree and were not in a position to advance. I was always struck by that and I hope that these days they are given all the resources they need. I remember fondly going out on visits. I had to deal with landholders who had an idea of the benefits of clearing an extra hundred hectares. It often struck me that people with those sorts of clearing proposals often had a farm business model that was probably as unsound as their clearing proposal. Too often, those two things came together. Naturally, the people who wanted more arable land believed that their proposal would not lead to any form of degradation.

I also note that we have had a huge discussion and debate on the approach to draining land when it becomes saline. One solution for some landholders is to create a drain and essentially move the saline water from one piece of land and onto another. Again, the Soil and Land Conservation Act is critical to protecting the rights and wellbeing of adjacent landholders, and perhaps at times it is necessary to talk to people about their drainage solutions. These are very deep drains that require some big earthmoving equipment to create. The water has a very low pH; it is very acidic and it is damaging. It is highly saline. Some people have the idea to just funnel it off to a creek line somewhere or move it off to a nature reserve. That sort of thing has been seen in the past; of course, we have to guard against that. Drainage can be highly effective when the water is brought to an evaporation pond so that the excess water can be dealt with in situ.

This is important legislation and I fully support it.

Debate interrupted, pursuant to standing orders.

[Continued on page 1459.]

A NIGHT UNDER THE STARS EVENT

Statement by Member for Central Wheatbelt

MS M.J. DAVIES (Central Wheatbelt — Leader of the Opposition) [12.50 pm]: I rise to congratulate those involved in A Night Under The Stars, a gala event held on 5 March in a paddock in Williams to raise funds for and awareness of regional mental health and wellness. Set against the most amazing backdrop—a painted blue tree, a perfect wheatbelt sunset and clear skies filled with sparkling stars—this event hosted close to 500 people. I give special mention to organisers Courtney Thornton and Kendall Whyte, who worked tirelessly in this COVID environment to pull everything together.

The event raised \$80 000 and the proceeds will be split between groups that are focused on improving access to and support for regional mental health and wellness projects, including the Happiness Co Foundation, the Blue Tree Project, the Regional Men’s Health Initiative, the Mental Illness Fellowship of Western Australia, the 6B’s and mental health advocate Nick Robinson. I commend them all for their ongoing work to highlight this most important of issues, raising awareness and gathering support for initiatives that work for our country communities.

It is true that if you live in the bush, you can be characterised as pretty tough. The phrases “she’ll be right”, “toughen up” and “just get on with it” are common, but there is really no place for this when it sweeps issues under the rug, papering over pain or distress. One in five people in Australia will experience mental health issues in any given year. In regional Western Australia, these statistics are far higher for men, and this is also the case for those completing suicide. It is simply devastating, but it is not inevitable or unavoidable. Mental illness can be treated and managed, and mental wellness can be restored. That is why events like A Night Under The Stars are so important. Thank you very much to the organisers for inviting me to join them at this very special event.

BASKETBALL — ALBANY ELECTORATE*Statement by Member for Albany*

MS R.S. STEPHENS (Albany) [12.51 pm]: I rise today to congratulate the Albany Basketball Association on a fantastic summer season of sport. The club boasts over 300 teams with over 2 000 members and fills over 600 hours of court time. I acknowledge Justin Benson, who was made a life member of the association this season, and congratulate him on his dedication and commitment to the club over many years as a coach, player and committee member. As a parent of two players, I acknowledge the dedication of the volunteer coaches and team managers who are training and upskilling our future stars. Congratulations also goes to the ABA for the Raiders development program, which continues to provide country kids with the opportunity to develop their basketball skills with expert coaching.

To the teams who travelled from Albany over many weekends to compete, congratulations. Special mention goes to the under-16 boys, winning country week country champs; Billy McRae, winning most valuable player for the grand final and all stars teams; under-18 Imogen Gill and under-16 Keely Berry; under-12 Cooper Sedgwick; under-18 country women Brodie Dixon and Abbi Gibson; and the Southern Cross Challenge teams of Keely Berry, Michaela Buck, Indy Rogers and Tatum Whalley in the women's, and Harrison Sedgwick, Billy McRae, Harry Watters and Natale Trichilo in the boys.

In February, a player tested positive for COVID. The association responded swiftly and adapted. Rather than suffer forfeits, the association announced a short season, culminating in a finals round with games live streamed on Facebook. I applaud the ABA and its president Rob Whalley for their quick-thinking and their commitment to seeing out the season positively.

The ACTING SPEAKER (Mr D.A.E. Scaife): Member, your time has expired.

BLACK DOG RIDE — BUSSELTON*Statement by Member for Vasse*

MS L. METTAM (Vasse — Deputy Leader of the Liberal Party) [12.53 pm]: It was an absolute privilege to attend and wave off nearly 200 riders who took part in last Sunday's Black Dog Ride in Busselton. This event was initiated by Steve Andrews in 2009, who recognised the need to raise community awareness of mental health and suicide prevention. Black Dog Ride has expanded a one-day ride into a national movement, with past participation exceeding 7 000 from over 40 locations across every state and territory. This event would not have been possible without the many community members who made this event happen, including the eight committee members led by chair David Bower and his deputy John Lewin.

Black Dog Ride was supported by small businesses such as Busselton Toyota. Total Horticultural Services provided parking facilities and signage, and community groups raised funds for this significant cause, such as the Busselton Lions Club and National Lifestyle Villages. Special mention must also be made of local cattle farmers Peter and Judy Milton who, through annual cattle auctions, have raised to date \$100 000 for this cause. It was a privilege to present the \$10 000 cheque from Black Dog Ride to Lamp Inc CEO Graham Hope. I also take this opportunity to acknowledge the dedicated staff of Lamp who are an invaluable resource to the community.

CARA HAYMES — TRIBUTE*Statement by Member for Kalgoorlie*

MS A.E. KENT (Kalgoorlie) [12.55 pm]: I rise today to pay my respects and pay tribute to my beautiful friend and manager of the Museum of the Goldfields, Cara Haymes, who sadly lost her battle earlier this week. Cara was a dear friend for many years, but she was also an incredible and passionate member of the goldfields community. It is safe to say that anyone who met her would never forget her. Her work at the museum brought the attraction to a peak visitor destination, and her drive and ambition made sure that every opportunity was taken to build exemplary service through her amazing team. It was Cara's desire to establish an Aboriginal bush food and medicine garden to preserve the link that Aboriginal people have with food and the land, and to share their knowledge. She was aware that there was nothing like it in the goldfields and that it would make a unique feature as well as be an educational tool. The Western Australian Museum Boola Bardip had hoped that Cara would live to hear that this garden will be established in her honour, but, sadly, Cara's health went downhill rapidly. It will now go on to be created and dedicated in her memory as a lasting reminder of the amazing person that she was. She had been fighting an aggressive cancer for two years and endured the most intensive and painful treatments. She had known the inevitable prognosis for most of the time but somehow managed to continue working with enthusiasm and positivity and, in true Cara style, she kept her humour to the end.

My thoughts are with Cara's family and friends at this difficult time, especially her parents who travelled from Canada and who got to spend those last precious hours with her. To Maddie and Hunter, know your mum was incredibly brave and her memory will live on in everyone she knew and who loved her. I will miss you, my friend.

Vale, Cara Haymes.

BRUCE WARLAND — KOJONUP*Statement by Member for Roe*

MR P.J. RUNDLE (Roe) [12.56 pm]: Bruce Warland is a living legend and is finally hanging up his coat after a 32-career as the Kojonup pharmacist. Upon his retirement and at this significant moment in Kojonup's history, I would like to acknowledge Bruce's service to rural health and his contribution to the community of Kojonup. Bruce went to extraordinary lengths to keep the pharmacy doors open to his community for nearly one-third of the pharmacy's 95-year history. Since 1989, the pharmacy has closed during working hours for only a total of nine hours. One of those days being a Christmas when he broke his ribs waterskiing and ended up in hospital, and two other staff were off sick and the locum was suffering a heart attack. Bruce's commitment to rural health care has never faulted, even when faced with a global pandemic. Bruce and his locum, Sally McMahon, ran the local COVID-19 vaccination clinic, which resulted in Kojonup having one of the highest vaccination rates in regional WA. We have all lived through the difficulties of attracting health professionals to regional WA, so this community knows how lucky it is to have had a friendly, familiar, caring and dedicated professional who was their first port of call for health care. Bruce heads into retirement well respected and a much-loved member of the Kojonup community. I know he will be deeply missed. I wish him all the very best for the future.

RHYTHMS OF LIFE CONCERT*Statement by Member for Nedlands*

DR K. STRATTON (Nedlands) [12.58 pm]: I recently had the honour of attending the Children's Leukaemia and Cancer Research Foundation's Rhythms of Life concert. The foundation, based in Subiaco, has been raising funds for essential research into childhood cancers for over 40 years. Six hundred Australian children are diagnosed with cancer each year and three lose their lives to cancer every week. Medical researchers have improved overall survival rates to 80 per cent. The foundation funds research that quite literally saves lives.

Rhythms of Life took place under the stars at Quarry Amphitheatre and featured Western Australian artists. The Steve Hensby Band played funk, soul and pop classics, and originals, many of which now appear on my Spotify playlist. Indeed, their original song *Mista Twista* has crossed the generation gap in my family. The Rose Parker Band moved us with their original indie-folk music. I have heard Rose play before, and she uses her music to tell stories and evoke emotion and understanding of the human condition. The two bands performed *Keep the Flame Alive*, a song written by Rose especially for the foundation—a song to encourage hope and determination in difficult and challenging times.

It goes without saying that living with childhood cancer takes a physical, emotional, financial, spiritual and social toll on families and children. The primary purpose of the concert was to provide them with a night of fun and light in otherwise challenging and dark times, to come together with other families who share their experience, and to sit under the stars and enjoy the healing power of music.

Sitting suspended from 1.00 to 2.00 pm

QUESTIONS WITHOUT NOTICE**PERTH CASINO ROYAL COMMISSION — FINAL REPORT****186. Mr P.J. RUNDLE to the Minister for Racing and Gaming:**

Before I begin, I would also like to briefly recognise our reigning Australian Open, French Open and Wimbledon champion, Ash Barty. I wish her good luck as she embarks on a new chapter of life. She has inspired a generation of Australians to take up tennis and, perhaps more importantly, to play the game in great spirit —

The SPEAKER: Thank you, member. If you could start your question, now, please.

Mr P.J. RUNDLE: Thank you, Madam Speaker.

I refer to the *Perth Casino Royal Commission: Final report*, tabled today, including the findings that the Crown entities are not presently suitable to continue to hold the gaming licence for the Perth casino, and the 59 formal recommendations to overhaul legislation, increase powers and penalties, and improve the Gaming and Wagering Commission's resources.

- (1) Will the minister table the time line and implementation plan for the reforms recommended in the report in the Parliament?
- (2) If so, when will this occur; and, if not, why not?

Dr A.D. BUTI replied:

(1)-(2) Yes, it is a very comprehensive report of nearly 1 000 pages involving 59 recommendations. We, as a responsible government, set up the royal commission, and we, as a responsible government, will go through each recommendation and examine each recommendation carefully and respond according to how we think it should be responded to. I can assure the member that we will be acting very quickly on some of those recommendations. The member will be told about that when we debate it in Parliament.

PERTH CASINO ROYAL COMMISSION — FINAL REPORT

187. Mr P.J. RUNDLE to the Minister for Racing and Gaming:

I have a supplementary question. Noting that the governance and effectiveness of the Department of Local Government, Sport and Cultural Industries and the Gaming and Racing Commission require immediate improvement to implement these reforms, can we expect additional resources in the budget, and has the minister raised this with the Premier; Treasurer?

Dr A.D. BUTI replied:

I understand that the member got the report only this morning, so he would not have had the chance to read it, but the member would have listened to my three-minute brief ministerial statement when I outlined that the department has already started. After the interim report was tabled by the Premier last year, the department commenced part of the remediation process. Crown has commenced remediation. Things are already on foot. We will ensure that the department has the resources it needs and we will ensure that the Gaming and Wagering Commission has the resources it needs.

CORONAVIRUS — RESTRICTIONS — EASING

188. Mr T.J. HEALY to the Premier:

I refer to Western Australia's response to COVID-19 and our intention to provide a soft landing through the Omicron wave, with lower than expected hospitalisations and ICU admissions. Can the Premier update the house on the easing of public health and social measures that were announced today and outline why this decision has been made?

Mr M. McGOWAN replied:

I thank the member for the question.

We said when we put in place what we termed level 2 public health measures that we would review them by the end of the month, which is what we have done. Today we have announced the changes that will commence on 31 March. From 12.01 am next Thursday, most of the level 2 measures will be eased. This will mean we will have avoided a long and sustained period of severe restrictions, unlike most of the eastern states, over the course of the Omicron wave. From 31 March, next Thursday, the easing of restrictions will mean that contact registration will be required only at venues that require proof of vaccination; most density measures will be eased, particularly around home gatherings and private outdoor gatherings; the two square metre rule will apply to hospitality venues and nightclubs for the next two weeks and it will continue to apply to remaining relevant venues including fitness venues, entertainment venues, places of worship, hairdressers and beauty services; the crowd cap will be raised to 500 people for nightclubs and hospitality venues; standing service can resume; capacity limits will be increased to 75 per cent for major stadia; mask wearing will no longer be required for outdoor events, but will remain in place for indoor events; and proof-of-vaccination requirements will continue. Hopefully, this gives certainty to hospitality operators, restaurants, bars, pubs and the like and they can start trading more normally again. I realise that a lot of them have done it tough over recent weeks in particular. We have delivered support since December of around \$420 million to businesses. I would like to thank them for their understanding and cooperation over that period. I know it has been tough for many of them.

Sadly, one person in Western Australia passed away from COVID yesterday. A further six, what we term "historic deaths", were reported yesterday as well. Our thoughts and condolences go out to the families impacted and affected. There are reasons for optimism in Western Australia. Obviously, we are currently going through the Omicron wave, but we have very, very high levels of vaccination, high levels of RAT distribution and very high levels of mask wearing. Because of that our hospitalisation and ICU rates are tracking at very low levels compared with what was predicted, which is terrific news for our state.

Again, that is very different from the experience elsewhere. That is because we got to very high levels of vaccination before we opened the borders. That decision basically means that we have avoided some of the worst of Omicron and COVID that the other states have endured and experienced. We are now at a nearly 75 per cent third dose vaccination rate. I encourage those who have not had their third vaccination or children between the ages of five and 11 who have not been vaccinated to please take up the opportunity. The clinics are still there. The opportunity is still there. It is all free. We must make sure that we continue to get vaccinated and continue on the trajectory we are on for a soft landing from COVID.

WESTERN POWER — OUTAGES — PAYMENTS

189. Dr D.J. HONEY to the Minister for Energy:

I refer to the changes to compensation announced yesterday by the McGowan government after the release of the *Independent review of Christmas 2021 power outages*. Does the minister think this compensation package is sufficient, given that many households lost much more than \$120 as a consequence of the blackouts, especially over the Christmas and new year period?

Mr W.J. JOHNSTON replied:

I am very happy to answer the question. I was very interested to participate in the debate on this topic yesterday. I noted a couple of words spoken by the shadow Minister for Energy. One of the sentences he said yesterday was —

I also recall the minister answering a grievance or a question in this chamber ...

He claimed that was about the Roleystone outages in 2020. I have been through *Hansard*. No such grievance or question occurred. I look forward to the member correcting the record and apologising, because there is a word for people who say things they know not to be true; I know it is unparliamentary and I am not going to use it. The member had an opportunity to apologise and correct the record. He also said on the issue of outages —

Going back to May last year, we had the unacceptable situation of 38 Homeswest units ... being without power for four days due to a pole collapsing.

He implied that the pole was a Western Power asset and that it was somehow connected to the question of Western Power's reliability. The member knew at the time he said those words that that was a privately owned pole and had nothing to do with Western Power assets. The fact that he came in here and claimed that was an example of Western Power failure shows the sort of person he is.

Dr D.J. Honey: Go and read *Hansard*.

Mr W.J. JOHNSTON: I am. I look forward to the member standing up and correcting the record, because he is obliged to tell the truth in this chamber and he needs to start doing that. Every time you open your mouth, falsehoods come out. That is the sort of man you are. You are prepared to come into this chamber and say things you know not to be true.

Point of Order

Dr D.J. HONEY: The minister is not answering the question that was asked at all.

The SPEAKER: There is no point of order. I understand the minister has finished his answer in any event. If you would like to ask a supplementary, you can.

Dr D.J. HONEY: He has not finished his answer.

The SPEAKER: You can ask a supplementary if you would like to. I am giving you that invitation.

WESTERN POWER — OUTAGES — PAYMENTS

190. Dr D.J. HONEY to the Minister for Energy:

Thank you very much, Speaker. The minister has not answered the question that I asked him.

The SPEAKER: Member, this is not an opportunity for debate. You cannot make a statement and then ask your question. If you continue to do that, I will not allow the supplementary. Just ask the question, please.

Dr D.J. HONEY: I certainly thank you very much for your guidance, Speaker.

I have a supplementary question. Does the minister believe that the \$120 compensation was adequate for the people affected by the recent Christmas-new year blackouts?

Mr W.J. JOHNSTON replied:

Firstly, the payment is not compensation; it is a payment from Western Power for the inconvenience that it caused if it was a matter related to the network. The people who were affected by the four days of outages over Christmas received \$160 from Western Power for those outages. There has been a permanent increase in the \$80 figure to \$120, effective from 1 January. I want to remind everybody who is following this debate that the Labor government is the only government to have ever increased these amounts. The Liberal and National Parties could have increased this payment during their eight and a half years in government, but it was only the Labor government that increased it from \$80 to \$120. The crocodile tears coming from the member for Cottesloe should be exposed. It is another example of him coming in here and saying things he knows are not true. This member needs to apologise. He needs to correct the record at the first opportunity. He needs to make sure that he corrects the false statements that have been made out of his mouth.

Dr D.J. Honey interjected.

The SPEAKER: Order, please, member!

PERTH CASINO ROYAL COMMISSION — FINAL REPORT

191. Mr H.T. JONES to the Minister for Racing and Gaming:

I refer to the decisive action taken by the McGowan Labor government in establishing a royal commission into Crown Perth's operations and the tabling today of the *Perth Casino Royal Commission: Final report*. Can the minister advise the house of the immediate action the government is taking in response to the findings of the Perth Casino Royal Commission's final report, including maintaining its strong commitment to ban poker machines in Western Australia?

Dr A.D. BUTI replied:

I thank the very good member for Darling Range for his question.

As we all know, the final report of the Perth Casino Royal Commission was tabled this morning. It is very comprehensive. I start by thanking the outstanding work of the commissioners—former Supreme Court Justices Neville Owen, who was the chair, and Hon Lindy Jenkins; and Mr Colin Murphy, a former Auditor General—who did an outstanding job in compiling this nearly 1 000-page report.

Calling a royal commission is not a decision that governments make lightly. It was a very considered decision of this government. When a royal commission is called, it is an inquiry into matters of public importance. This royal commission has shone a light on some of the issues surrounding the Perth casino, and today we have the report. We will be responding to and acting on the recommendations in this report. As a first step towards a much wider reform package, we will amend legislation. That will be brought to the house soon. We will also appoint new members to the Gaming and Wagering Commission and an independent monitor to oversee the remediation by Crown. More steps will take place after we have examined each of the recommendations in greater detail.

However, there is one recommendation in the report that I want to address. The report recommends that the government consider whether the statutory prohibition against poker machines should be maintained. I want to make this very clear: the McGowan government will not be weakening that prohibition; that prohibition on poker machines will remain. It is because of that strict prohibition on poker machines that we are the envy of the nation. The scale of social problems for problem gamblers in Western Australia is nowhere near as severe as it is for those in the eastern states. There is a problem—obviously there is a problem—but it is much more severe in the eastern states.

I make very clear that the McGowan government will not allow poker machines to operate in Western Australia. I also make clear that electronic gaming machines will operate only at the Perth casino. We will ask the Gaming and Wagering Commission to look at the issue of electronic gaming machines to see whether they can be played in a manner that reduces possible social harm from excessive gambling, but those matters will be considered very carefully. I reiterate that there has been a bipartisan approach to this, and I hope that will be maintained. I worry about that, because the opposition opposes everything. Since the last state election in March 2021, the opposition has opposed everything. It opposes every good measure of this government. It finds some reason to oppose them. It was quite amazing when, two days ago, the Deputy Leader of the Nationals WA complained that we were rolling out free rapid antigen tests. That is incredible. The Nationals WA is the sectarian agrarian socialist party that believes that the government should support everyone —

Point of Order

Mr P.J. RUNDLE: I refer to standing order 75 and relevance. I think the minister has strayed well off the topic.

The SPEAKER: There is no point of order. You may not like or agree with what the minister is saying, but there is no point of order.

Questions without Notice Resumed

Dr A.D. BUTI: I dearly hope that the bipartisanship that has been shown on the prohibition of poker machines in Western Australia remains. As I just mentioned, I worry because members on the other side oppose everything. It was quite interesting that the member for Moore, the Deputy Leader of the Opposition, complained that we were distributing free RATs to the population of Western Australia when the Nationals have rats in their own ranks—the member for North West Central! Maybe that was why he did not want more RATs to be distributed.

The SPEAKER: Minister, thank you! That concludes that question.

KATALINA KOVACEVIC — SURGERY

192. Ms L. METTAM to the Minister for Health:

I ask this question—some notice has been given—on behalf of the Kovacevic family. I refer to the brain surgery scheduled for four-year-old Katalina Kovacevic in January to remove lesions that are causing seizures, and its subsequent cancellation due to a missing cable and a surgeon being unavailable.

- (1) Has this surgery been rescheduled?
- (2) If so, when will it take place; and, if not, why not?
- (3) If it cannot be performed here, will the Department of Health assist and facilitate this surgery in another state?

The SPEAKER: I note that that is a very lengthy question that is asking for specific information. Was there some notice given?

Ms L. METTAM: Yes; the minister got the question at 11.30 am.

Ms A. SANDERSON replied:

I thank the member for some notice of the question.

- (1)–(3) I want to assure the chamber that my office has been working very closely with Katalina's family over the last few months. These are very challenging and difficult circumstances that the family finds themselves in, with their daughter's condition and the delay in the surgery. There have been a couple of reasons for that delay. One is that this is very technical and delicate neurological surgery that is required to be performed by a very specific specialist. It also requires some very specific neuro-monitoring leads to ensure that the surgery can be as safe as possible. They have been ordered from the United States. They have been delayed in transit and they have not arrived due to, I assume, the worldwide logistics and freight challenges that everyone is experiencing. That is one of the reasons. The other reason is that the specific neurosurgeon has been on unexpected leave. That has not been resolved, to my knowledge, so they are the reasons for the delay. Because the surgery could be undertaken in Western Australia, they were initially told that they were not eligible for interstate travel support. I will ask the department to review that decision, given the issues with the surgeon and the leads. In my view, it is appropriate that they are given every opportunity and support from the Department of Health to go interstate for that surgery whilst we resolve the issue with the surgeon.

CHILDREN IN CARE — HEALTH NAVIGATOR PILOT PROGRAM**193. Ms M.J. HAMMAT to the Minister for Child Protection:**

I refer to the McGowan Labor government's commitment to keeping children safe and to driving better outcomes in the child protection system. Can the minister update the house on how this government is continuing to listen to foster carers and work with them to ensure that children in care are being supported to get better access to health services and advice?

Ms S.F. McGURK replied:

Thank you to the member for Mirrabooka, who I know has an interest in good outcomes for vulnerable members of her community and Western Australia.

There has been quite a bit of discussion about the child protection portfolio in the last couple of weeks. I hope that through that discussion members of this place and anyone who is paying attention to that debate understand the commitment that we, as a government, have to improve our systems for some of our most vulnerable children and our children in care. We have put in place significant reforms and made improvements to our entire system, whether it is legislative change, increased allocation of resources through contracts, early intervention, more child protection workers or innovative ways of working.

In 2019—when we were still travelling—I had the opportunity to travel to Queensland to look at some of its initiatives. Queensland is not an entirely dissimilar jurisdiction to Western Australia in terms of its population and geographical reach. I was looking at its child protection system and one of the projects that I was impressed by was the Navigate Your Health pilot program that placed nurses in child protection districts. This is a big issue that arises for foster carers and also child protection workers. We know that children and young people coming into care will have a range of different issues and the sooner we can get those issues attended to, diagnosed and treated, the better, but that can be very challenging while there is a lot of mayhem going on with placement decisions and judgements about those processes. In Queensland, two health workers—they use nurses—are placed in each district. I thought that had merit, so I began some discussions through the then health minister's office and with the Department of Health.

I, along with the Minister for Health, am very pleased to announce today a \$3.5 million health navigator pilot program in which two health workers will be placed in two districts: the member's seat of Mirrabooka and the south west. One worker will be an Aboriginal health professional who will help child protection workers, but, importantly, foster carers, to navigate the system—as the program name implies—to understand what is available to them and, if necessary, to make sure that those children's needs are being met. The pilot program has been jointly developed by the Department of Health and Department of Communities with input from stakeholders, including the Aboriginal Health Council of Western Australia, the CREATE Foundation, the Foster Care Association of WA, Yorganop and young people with lived experience. I would like to particularly acknowledge my parliamentary secretary, Jess Shaw, who is chairing the steering committee to oversee this initiative. This is an example of an innovation test and trial—if it is successful—to see whether there is a case for extending these types of initiatives to make sure that we get better outcomes for young people in care.

We know that early intervention is important, particularly in the early years. Ensuring that our young people have the right supports in place when they need them is crucial. This pilot comes on top of the changes to the Children and Community Services Act that passed through Parliament last year. One of those initiatives was to prescribe government authorities in the regulations, including the Department of Health, so that they prioritise requests for assistance for children in care. As I said, they are some of our most vulnerable members of the community and we are committed as a government to improve their outcomes.

The SPEAKER: Minister, I just note that your parliamentary secretary should be referred to as the member for Swan Hills.

CORONAVIRUS — COMMUNITY SPORT

194. Mr P.J. RUNDLE to the Minister for Sport and Recreation:

I refer to the government's health announcements today, particularly about fitness venues and community sport. Can the minister clarify ongoing spectator arrangements for all community sport—both indoor and outdoor and both regional and metropolitan—that is looking to commence the winter season in the coming weeks?

Mr D.A. TEMPLEMAN replied:

I thank the member for the question.

As the member would be aware, the Premier and Minister for Health today announced that current level 2 measures will be eased from 12.01 am on Thursday, 31 March. That will mean that we will revert to level 1 measures. As highlighted in the announcement, a variety of stadium-based entities will revert to 75 per cent capacity—for example, Optus Stadium, RAC Arena and others. The level 2 requirements for community sport will be relaxed to level 1. The community sport requirements will be in line with the level 1 directions that have previously been published. The expectation is that a variety of community sport opportunities will be delivered under level 1 directions. As the member is probably aware, under level 2 restrictions, forward-facing stadia are limited to 50 per cent occupancy. In the case of some of our community-based places—football clubs, for example—that have set seating, they are currently required to operate at only 50 per cent capacity. That will change under the level 1 restrictions.

A member interjected.

Mr D.A. TEMPLEMAN: Exactly, that is going to be important.

One of the challenges for community sport, as the member would be aware, is the safety aspects that have been identified by the Chief Health Officer. If there is no forward-facing seating arrangement, for example, the risks associated with people who are not masked mingling and moving amongst each other becomes heightened. That is why some of those restrictions have been in place. I understand that there are places throughout Western Australia, particularly in country regions and other regions, where the sporting fixtures for winter sport in particular are imminent. Certainly, we expect that most of those seasons will commence in early April.

A member interjected.

Mr D.A. TEMPLEMAN: Where?

A member interjected.

Mr D.A. TEMPLEMAN: At Wyalkatchem —

A member interjected.

The SPEAKER: Member, there may be an opportunity for a supplementary question. Could we bring this to a close?

Mr D.A. TEMPLEMAN: The directions with regard to community sport will always be influenced by the directions of the Chief Health Officer. Being from a country town, I know the practice in the country, whereby people park their cars around the outside of the venue and beep their car horn when their side —

Mr M. McGowan interjected.

Mr D.A. TEMPLEMAN: I played for the Three Springs Bombers actually.

The SPEAKER: Premier, this could open up another half-hour debate!

Mr D.A. TEMPLEMAN: I could start going into my extensive history of sport, but I will not.

The SPEAKER: As much as we would enjoy that, please do not. I am rather keen to give the member for Roe a supplementary shortly.

Mr D.A. TEMPLEMAN: I assure the member that as per the directions that will come from the determination today, the interests of community sport will be very carefully kept in mind; but, of course, they will be influenced by the best health advice from the Chief Health Officer. Moving back to level 1 restrictions will allow greater flexibility in the provision of community sport and more general sport activity across the state.

CORONAVIRUS — COMMUNITY SPORT

195. Mr P.J. RUNDLE to the Minister for Sport and Recreation:

I am glad to arrive at the supplementary question! For clarity, according to the new directions, there is no spectator limit for outdoor community sport and for, say, netball that is played at indoor venues—it says masks and venue requirements. Will there be a spectator limit for the likes of our netball associations starting up their winter season indoors?

Mr D.A. TEMPLEMAN replied:

Indoor community sport activities, of course, will be as per the venue requirements under the level 1 restrictions. That is very clear for indoor sports. Outdoor community sports will be permitted with spectators. But, again, we encourage people to understand that we have these important measures in place to ensure the safety of those competing, those assisting in the running of the sport and, indeed, spectators. Indoor community sports will be conducted as per the venue requirements, and the case under level 1 is 75 per cent capacity. With regard to outdoor community sports, they will be permitted with spectators.

ABORIGINAL TOURISM**196. Ms S.E. WINTON to the Minister for Tourism:**

I refer to the McGowan Labor government's commitment to promoting our Aboriginal tourism industry and creating more opportunities for authentic Aboriginal cultural tourism experiences.

- (1) Can the minister update the house on how this government's investment is helping to make WA the premier destination for authentic Aboriginal cultural experiences?
- (2) Can the minister advise the house what this investment will mean for jobs and businesses in the Aboriginal tourism sector?

Mr R.H. COOK replied:

I thank the member for the question; it is an important one.

- (1)-(2) We know that Aboriginal culture is fundamental to our history, uniqueness, sense of identity and Western Australia's very being. The McGowan government values, celebrates and promotes Aboriginal people and their culture, language, relationship to country, and knowledge, which represent a unique feature of our tourism product. We are fortunate to have many passionate Aboriginal tourism operators who share their knowledge and history with residents, whether that be through walking tours, camping with custodians or a plethora of Aboriginal tourism products. We know that 81 per cent of visitors to Western Australia are looking for an Indigenous experience, but, sadly, only 17 per cent of visitors actually benefit from that experience. That is why the McGowan government has launched its *Jina: Western Australian Aboriginal tourism action plan 2021–2025*. It is an action plan backed by a \$20 million Aboriginal tourism fund election commitment. I want to acknowledge the members for Wanneroo and Mandurah as the previous Ministers for Tourism, who conceived, developed and implemented this plan. I am very excited to be a part of this opportunity to put this plan into action.

The Jina plan is a cross-government initiative involving nine government agencies, with Tourism WA as the lead agency, that will bring to life our wonderful Indigenous tourism product. It is about positioning WA as Australia's premier Aboriginal tourism destination. It is about making sure that we are building the capacity for Aboriginal people to enter the tourism industry and facilitating an authentic Aboriginal cultural experience for people who come to this great state to sample our tourism product. The new funding agreement that has been signed with the Western Australian Indigenous Tourism Operators Council will support WAITOC's implementation of the plan. It is a four-year funding contract worth \$4.32 million and it represents a record partnership between the state government and WAITOC. This funding is on top of WA Tourism's base funding for WAITOC of \$3.6 million, bringing the total funding commitment over the next four years to just about \$8 million. This is a great opportunity because it means that WAITOC can deliver key components of the Jina plan, which includes an Aboriginal tourism academy that will provide business development, support and capacity to Aboriginal tourism businesses. It also involves an administration hub housed within WAITOC, which will provide Aboriginal tourism operators with an opportunity to develop booking systems and ways to reach out by utilising digital platforms to make sure that their businesses have an opportunity to reach their audience.

Of course, it is about the development and installation of new Aboriginal art, welcomes at visitor centres and high-traffic centres located around the state. Many members will know that as they travel around the world, they see the iconography of First Nations people, whether in visitor centres, tourism places or airports. Very sadly, when we go to somewhere like Perth Airport, we see a fairly sterile environment greeting people as they come off planes. We want to make sure that they know that when they come to Perth Airport, they are on Noongar country as a gateway to all the Aboriginal nations that live across this great state.

WAITOC will increase its staff numbers to help implement the actions of the Jina plan, including two new staff members located in Broome, which is, of course, a hub for Indigenous tourism enterprises.

The new funding agreement will build capacity to develop and promote the vision as we welcome international tourists back to Western Australia. It is a refresh of the way we approach tourism. I am very much looking forward to seeing it come to life. Member for Wanneroo, it is great question. It is an opportunity to really make sure that Indigenous tourism is the beating heart of WA's tourism strategy, the platform upon which we base all our tourism products. I am very much looking forward to implementing the great work of the previous two tourism ministers to implement the Jina plan.

COUNTRY AGE PENSION FUEL CARD

197. Mr R.S. LOVE to the Treasurer:

I refer to the impact that rising fuel prices are having on the household budget of pensioners and upon the effective value of the Country Age Pension Fuel Card. Given that the card could be used to purchase 445 litres when last adjusted in 2017 and can now be used to purchase roughly half as much, 273 litres, will the Treasurer commit to increasing the value of the Country Age Pension Fuel Card in line with increases to the cost of living since 2017?

Mr M. McGOWAN replied:

Obviously, as the member would expect me to say, the budget comes down in May and the government is currently considering its options in relation to many things as part of the budget. We are very aware of cost-of-living pressures across Western Australia on families, particularly in light of fuel costs. We are hopeful, as everyone is, that the situation between Russia and Ukraine resolves satisfactorily and some of the issues that have created these problems dissipate as soon as possible. I cannot pre-empt what the budget will say, but I want to acknowledge that cost-of-living pressures are something that we are very aware of.

COUNTRY AGE PENSION FUEL CARD

198. Mr R.S. LOVE to the Treasurer:

I have a supplementary question. Given that state incomes rise with the price of oil and gas, does the Treasurer think that it is fair to share that windfall with struggling pensioners?

Mr M. McGOWAN replied:

They do rise modestly. With the increase in the price of oil and gas, particularly the price of oil, they do rise relatively modestly compared with other impacts on the state budget; but, as the member knows, there is a whole range of factors that impact on the state budget that we have to take into account. One thing I want to do is to make sure that we understand in the budget the impact of the cost of living on families, which is what we have done in each of our budgets—certainly, compared with those of the previous government. The member might recall that back in 2020 we provided support to each and every household across Western Australia for their electricity costs—something that was condemned by the Liberal Party at that time, or perhaps more recently. I think most Western Australians appreciated that bit of support at that point in time, even if the Liberal Party did not.

In respect of the member's question, he actually raised a reasonable point, which we will consider. I will make one point about the Country Age Pension Fuel Card. In the lead-up to the 2017 election—I must say, all the elections are starting to run together in my head these days—I recall that the Nationals WA ran a campaign to abolish it. They had ads and all sorts of things out there, and they were going to get rid of it, but we did not. I just make that point.

Mr R.S. Love interjected.

Mr M. McGOWAN: Yes, you did. You had all sorts of ads out there saying that you are going to get rid of it, and that if you were elected, it would all be gone. You were wrong then and you are wrong now.

SHARKS — HAZARD MITIGATION

199. Mr S.N. AUBREY to the Minister for Fisheries:

I refer to the McGowan Labor government's unprecedented investment in shark hazard mitigation measures that help keep Western Australians safe at the beach. Can the minister update the house on this government's world-first personal shark deterrent rebate scheme, including how many Western Australians have taken up the rebate since the program was introduced?

Mr D.T. PUNCH replied:

I thank the member for the question, and I am very pleased to inform the house of yet another enhancement to the McGowan government's comprehensive shark hazard mitigation program—the approval and addition of a third device to the world-first personal shark deterrent rebate scheme. This \$200 shark deterrent rebate will be extended to eligible purchases of the Rpela v2 surf device, which is manufactured here in Western Australia. The inclusion of the device in the rebate scheme is testament to not only Rpela but also the manufacturing capability of some of our local Western Australian businesses.

The McGowan government aims to keep our state as safe as possible, but I was particularly pleased that this new device was developed, designed and manufactured in Osborne Park, supporting local jobs. It is a shining example of the kind of advanced manufacturing that represents the future of quality manufacturing in our great state. I had the opportunity to visit with a local surfing celebrity in the form of the member for Scarborough! The member for Scarborough inspected in detail the fitting of this device to a surfboard. It is very much an integral part of the device, so it is almost ubiquitous in terms of the surfing experience for surfers. It works by generating an electromagnetic field around the surfboard to deter sharks. I am informed that it is a little like a punch on the nose; it is something that sharks do not like. It was independently tested by Cardno Australia at Salisbury Island in Western Australia, and when active, it significantly reduces the probability of a shark bite from approximately 75 per cent down to 25 per cent.

The shark deterrent rebate is a world first and it is available to Western Australian residents; proof of WA residence must be sighted when it is purchased. It joins the Ocean Guardian Freedom and the Ocean Guardian Freedom Surf Device for a total of three shark deterrent devices. It has been taken up incredibly well by surfers and divers alike, with over 7 000 rebates claimed since its introduction. People living in Mandurah—member for Mandurah—Bunbury, Bibra Lake, Busselton and Esperance make up the top five purchases by postcode. No product offers a 100 per cent guarantee of protection, but this is part of risk mitigation and we always encourage people to check out Sea Sense.

As part of our shark mitigation program, in the last budget \$12 million was allocated for Surf Life Saving WA to deliver beach and aerial patrols until 2025, securing that valuable service into the future. We also provided a \$5 million funding boost to shark hazard mitigation, including grant funding for local governments to install and replace beach enclosures, and \$2.8 million for opportunistic shark tagging.

We base our decisions on evidence and science, unlike members opposite who seem to draw their policy advice from the newspaper of the day. This is a great addition to the shark deterrence strategy, and I thank the member for Scarborough for joining me.

PATIENT ASSISTED TRAVEL SCHEME — SUBSIDIES

200. Ms M.J. DAVIES to the Minister for Health:

I refer to the patient assisted travel scheme's 16¢ subsidy for patients who drive more than 100 kilometres to specialist medical care, and the impact that rising fuel prices are having on Western Australian family budgets. Given that 16¢ buys just 73 millilitres of petrol today, will the minister consider increasing PATS subsidies to reflect the rising cost of living in the upcoming budget, and accommodate the temporary challenge we are facing with fuel prices as a result of what is happening on a global scale?

Ms A. SANDERSON replied:

I know that in eight and a half years of the member's government, it was not increased once, despite branding the form with royalties for regions, which was a shameless exercise. This government has made commitments to support regional people accessing supports, including by increasing the patient assisted travel scheme and also through important investments into telehealth and providing health care locally. It is a bit rich for the Nationals WA to seek an increase in PATS, which is meant to be one of their most important policies, but they did not increase it once when they were in government, despite billions of dollars of pork-barrelling directly into Nationals seats and branding the PATS form with royalties for regions.

Several members interjected.

The SPEAKER: Order, please!

PATIENT ASSISTED TRAVEL SCHEME — SUBSIDIES

201. Ms M.J. DAVIES to the Minister for Health:

I have a supplementary question. From the minister's answer, can I take it that there will be no increase to support regional families who are required to travel more than 100 kilometres to specialist medical care and to combat the impact that rising fuel prices will have on family budgets?

Ms A. SANDERSON replied:

That is not what I said. I said that the Leader of the Opposition is a hypocrite to stand in this place and claim that somehow the Labor Party in government has not done more to support regional communities than the Nationals ever did in eight and a half years and billions of dollars in pork-barrelling. That is what happened. The former government built centres that councils could not afford to run; it built infrastructure with no ongoing capital works. This government has increased the patient assisted travel scheme and has supported regional residents to access PATS. We are providing hundreds of thousands of free rapid antigen tests to people in regional communities, which the opposition has complained about. We are providing healthcare services so that people can stay in their regional communities. We are increasing investment in telehealth. This is the party that provides regional health care. Labor is the party that provides regional health care. We have made record capital investments. All you did was brand the form with royalties for regions.

Several members interjected.

The SPEAKER: Order, please! Members, that concludes question time.

CHAMBER DECORUM — PARLIAMENTARY LANGUAGE

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.47 pm]: I note, for the general information of members, that it has generally been considered unparliamentary to directly describe another member as a “hypocrite”. Sometimes people will describe various actions as being hypocritical; that is generally accepted, but not the direct imputation.

JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

What Happens Next? Beyond a Finding of Serious Misconduct — Terms of Reference — Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.48 pm]: I have received advice that the Joint Standing Committee on the Corruption and Crime Commission has resolved to inquire into what happens after a public officer is found to have engaged in serious misconduct, including —

- (1) disciplinary and other sanctions imposed by departments, local government, the Western Australia Police Force and other authorities;
- (2) unexplained wealth and criminal benefits proceedings initiated by the Corruption and Crime Commission;
- (3) criminal prosecutions arising from serious misconduct investigations, including prosecuting arrangements, challenges and outcomes;
- (4) the roles of the Corruption and Crime Commission, the Public Sector Commission, departments, local government, the Western Australia Police Force and other authorities in taking action, overseeing and/or reporting the above outcomes; and
- (5) measures to improve the effectiveness, transparency and/or oversight of the above.

The committee will report to the house by 30 November 2023.

SOIL AND LAND CONSERVATION AMENDMENT BILL 2021

Second Reading

Resumed from an earlier stage of the sitting.

MS M.J. HAMMAT (Mirrabooka) [2.50 pm]: I rise to speak in support of the Soil and Land Conservation Amendment Bill 2021. I must confess that I did not realise how much I wanted to talk about soil until I had the opportunity to start preparing my notes. As the Leader of the House observed earlier this morning, that is no doubt because I am “of the soil”, to use his words, by which I think he meant that I am a country girl. It is true, and I guess, in part, why I initially had an interest in talking on this bill. Indeed, some of my early memories growing up in the country go to the question of soil conservation. My dad, as I have reported previously, farmed between Kojonup and Broomehill. In the late 1970s and the early 1980s, before it was fashionable to be involved in conservation and environmental protection issues, my dad was really committed to wide-scale tree planting on his farm as a way of protecting his land, particularly from the impacts of salinity. Each year, he undertook to fence off relatively large areas of the land. He planted very hardy salt-tolerant trees as a way of ensuring that he dealt with the issues around the watertable and encroaching salinity in that area.

My whole family was enlisted in the task of planting those trees. I confess that I was a very reluctant conscript to the task. I was probably about 10 years old at the time. The tree planting always happened in the early days of winter, so it was usually wet and fairly cold. I always felt that I had much better things to be involved in than planting many young trees. Nonetheless, we were all conscripted to do it. When I look back at that time and the work that my dad was involved in on that property over a long period, I think of the fundamental change that took place on that farm over the 30 years he farmed. Almost every year, he selected patches of land on which to plant trees as a way of mitigating the encroaching issues around salt. Every year he had a plan. We were dropped out of the plan fairly early on, no doubt because of our complaining! He planted a significant number of trees. Over many decades, those trees transformed the look of that land. They did their job of preserving the quality of that land as farmland, but the planting also led to enormous stands of trees across the ridges and through the valleys, which, by the time my dad sold that property, had grown into mature trees that were not only a wonderful habitat for birds, insects and animals, but also provided barriers for wind and stock. I have often reflected on that. I was not interested as a young child, but I can now understand that he was involved in very important work that was about ensuring that that property and that land would be conserved so that it would remain viable and very productive agricultural land for not just him, but also, importantly, the people who bought that property upon his retirement.

During his contribution, the member for Thornlie talked about how the issue of soil conservation really goes to not just the interests of individuals; we need to approach it by understanding that the actions of others have a collective impact. My dad was committed to his farm. With soil conservation, we require a recognition that what happens on neighbouring properties, and in this case what happens for those farmers who come after my dad, will have an impact on that soil health. It is a long-term project to protect and help our soil recover because soil degradation occurs over many years. Consequently, its rehabilitation takes many years and, in some cases, generations to give effect to it.

In my brief comments today, I should also note that, clearly, a love of soils is something that stayed with me because I married a gardener. Anyone who has spent time with gardeners, either because they garden themselves or because, like me, they have a close relationship with one, will understand that soil is fundamental to anything productive

growing and that an enormous amount of time, particularly in Perth where we have very sandy soils, goes into making sure that those soils are very productive and healthy. It is nearly an obsessive interest in our house. For someone who has not personally thought a lot about soils, I am surrounded by people who do.

What is really interesting and important about this bill is the recognition that our soils are incredibly delicate and precious. We do not tend to think about soil very much. It is just something that is always there. We do not think about soil being scarce or precious in the same way we do water. That is probably because we know that when water is scarce, we can see that our dams are not full and we notice that it is not raining as much. We are conscious of the issue of water scarcity. We do not really think of soil as a living thing in the same way that we do our trees and our forests. Again, we see them very obviously as being living, yet soil is really an essential part of our food supply and sustaining our life on earth.

Soil is not just an obsession here in Western Australia, where we have particularly delicate soils, as the member for Thornlie outlined; it is actually a global concern. The United Nations holds World Soil Day on 5 December each year. Essentially, that is about recognising that we need to educate people on the importance of soil and have a call to action about improving soil health. Goal 15 of the UN's sustainable development goals is to protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, halt and reverse land degradation and halt biodiversity loss. Right at the core of that sustainable development goal is the question of land degradation, and, of course, soil is a key part of that. It is something that we are very conscious of here in Western Australia because of the nature of our soils but, indeed, it is a global concern and one that, quite rightly, this government is addressing through this bill.

We have heard a little about this legislation. Again, the member for Thornlie, quite rightly, mentioned that it was first enacted in 1945. Some time ago we were first turning our minds to the question of soil and land conservation. This bill addresses certain parts of it. I am very pleased to see that it will amend the language throughout the act to make it gender neutral. It is also important that it addresses the question of having a contemporary management and selection process for members of councils and committees of the boards that oversee its implementation.

Protecting and preserving our soil health makes good economic sense, but it is also important for the environment. By way of illustrating that importance, the agrifood industry in WA derives production worth nearly \$11 billion every year as a result of our state's soil. About 180 000 people are employed in the agrifood business. We also have a reputation, and one that I think we could do more work to grow, for having clean and green agricultural practices in Western Australia. Critically, our soils are fundamental to the ongoing success and viability of our regional communities. If we did not have viable soil, many of those regional communities would cease to operate in the way they do. It is really important for not only our economy and one of our significant industries, being the agrifood industry, but also social cohesion and the ongoing viability of our regional communities. Soil health is critical to so much that we do here in Western Australia.

I am conscious of the time. The member for Thornlie talked a little about the issues of salinity. That is a particular challenge for Western Australia. There are other ways that land is degraded over time, including by way of losing our perennial vegetation, water or wind erosion and the rising watertable, which we have already touched on. I very much turned my mind to the issue of salinity because that was really fundamental to my father's concerns about his farm. The planting of those trees was really a way of ensuring that salinity did not increase and, in fact, was reversed over a long period. Salinity is a big issue in Western Australia, and if people catch a plane from Perth to the east, they can look out the window and see great big white salt pans. Land that is covered in that white crust will grow nothing. There is a long lead-time to that obvious visual impact on soil. According to the Auditor General's report in 2018, between one and two million hectares of land in WA has been affected by salinity, and that has the potential to rise to five million hectares over time. Salinity is a significant issue in this state, which we must take seriously. Many people do not think very often about the state of our soil. I am pleased to speak on this bill. I promised to restrain my comments, but once I got into the topic I felt I could continue for a long time on the issue of soil and salinity.

This bill is an important step. I commend the minister for the provisions in this bill that will modernise the membership of the Soil and Land Conservation Council. At the heart of that is a recognition that in order to strike the right balance in soil conservation we need to understand not only the needs of industry, but also land management. Local government clearly has a role, as does science. The science of soil conservation is developing. The bill will ensure that the council will have an appropriate mixture of skills and viewpoints so that we can strike that really important balance. I commend the minister for appointing the council. It is a really important step to make sure we have expertise guiding the decisions of the minister in this area as we confront what I think will be a real challenge for the Western Australian agriculture industry in the future. I conclude my comments by saying I am happy to have had the opportunity to speak in support of this bill, and I commend the minister for his work.

MR P.J. RUNDLE (Roe) [3.02 pm]: I look forward to the opportunity to speak as the lead speaker for the opposition and as a former nearly next-door neighbour of the member for Mirrabooka. In fact, I was having dinner the other week with some people who were neighbours of the member's former farm. I am very familiar with the neighbourhood. I understand that the importance of soil types in Western Australia cannot be understated. I will point out a few

things about my farming background and the like. I state up-front that the opposition will not oppose the Soil and Land Conservation Amendment Bill 2021, but it will ask a few questions along the way. As pointed out by the member for Mirrabooka, the Soil and Land Conservation Act goes back to 1945. It seems that since 2003, the act has drifted into no-man's land, as I would call it. It is important that the Soil and Land Conservation Council operates in a proper fashion, so the opposition will not oppose that. I know that the Leader of the House, who represents the Minister for Agriculture and Food, also has a strong farming background in the locality of Narrogin in my electorate. I have heard stories over the years about the minister and his activities in the Narrogin region, so I know he has farming relations in the Narrogin region. I am sure the Leader of the House will enlighten us about those at some stage.

Mr D.A. Templeman: Is that an invitation?

Mr P.J. RUNDLE: Not at this stage, thanks, minister. As confirmed by the previous two speakers, I confirm the importance of retaining Western Australia's reasonable quality soils. I can go back to 1982–83, when I was on an agricultural exchange in Saskatchewan, Canada. I compared the black soils that are about six feet deep in the Canadian prairies with the quality of the soil in agricultural regions in WA, which is sandy loam. It is important to have clay to retain moisture, but it means that the depth of our soil is not as good as it could be compared with other parts of Australia, such as Queensland. I remember during my farming career going out with the soil-testing outfit in February to March every year trying to put the soil probe through the hard soil and getting a sample to send off, and then getting back results on the soil's pH, organic carbon and various elements within the soil. Over time we have come to understand we need to look after our soil better. In the 1960s and 1970s, we went through a period when everyone was pushing to clear land and farm as much as they could. Now, we realise the importance of looking after our soil types, planting trees and looking after creek areas that expand the salinity areas. Certainly on our farm, the liming program is always important to try to get the pH right and to maximise the capacity and yield of the soil.

On my farm, over time we decided to farm on the contour. We have around 35 kilometres of drains that guide the water to where we want it, so we did not have the waterlogging problems experienced in a lot of agricultural areas last year. We were probably 98 to 99 per cent waterlogging free. It probably has not paid off over the last 15 to 20 dry years, but we started that program in 1988. I pay credit to my parents, Bronte and June, who started implementing that program while I spent seven years on St Georges Terrace managing Wesfarmers' share department. When I went back to the farm in 1994 with my wife, Andrea, and our two boys, we continued the program. Basically, we ended up with 35 kilometres of drains that were about 80 centimetres deep. They defined the paddocks. We worked on the contour. We flattened the back of the drains and planted either three or four rows of trees. We planted around 50 000 trees over this time. I take on board the comments of the member for Mirrabooka that she did not really enjoy the world of tree planting. My wife, Andrea, always complained that I was the one who sat on the back of the tractor and dropped the trees out, and that she and the tennis club, and various others had to bend over and plant them.

Mr D.A. Templeman: On that, can I ask about your parents during that period? I can remember on my grandfather's Narrogin farm the issues around salinity and this contour concept. Did that come from any specific phenomenon? Was there a special method that had been developed and adopted, or was it more of an evolutionary thing?

Mr P.J. RUNDLE: I think, minister, a couple of things happened. One was based roughly on the Yeomans method, which I think came about in the mid-1950s. There was a farmer in Frankland called Ron Watkins who contoured his farm, and we were the second in Western Australia after that. He used to go around with his backhoe, look at the landscape and dig down to the clay level to work out where the water was going to run. We tried to work it in with our current laneway system, our current dams and the like. It did not always work out exactly right. Basically we had to re-fence the whole farm. Every year we did probably 15 per cent of the farm. We took the fences out, re-contoured and planted the trees. We had to make sure we had it re-fenced by harvest time, when we had to let the sheep back in after we had harvested the crop.

Mr D.A. Templeman: The species of trees, were they endemic?

Mr P.J. RUNDLE: Sorry?

Mr D.A. Templeman: The trees that you planted, were they local species?

Mr P.J. RUNDLE: Generally, they were. That is right. They were river gums, *Eucalyptus camaldulensis*, and a variation of different gum trees. Sydney blue gum was one. We did plant some mallee trees, but, unfortunately, in our particular environment, they have a tendency to split over several years, so we gave them away after a while. We generally planted those sorts of trees. As time went on, we got a better understanding of the varieties that suited our landscape and rainfall. The minister is very welcome next time he comes through the Katanning region to drop through and have a look.

Mr D.A. Templeman: I want to see your farm. You've told me a lot about it.

Mr P.J. RUNDLE: Yes.

Mr D.A. Templeman: Have you got any koonacs in the dams, because that is the key thing there? I love raiding the dam!

Mr P.J. RUNDLE: I am not sure whether we have got any left, but I will see how it is going when the minister turns up.

Mr D.A. Templeman: I will bring my own neck chops with a string on the end!

Mr P.J. RUNDLE: I think I might put some barbed wire around some of those dams!

Our trees are now up to several metres high and they look great in the landscape in the middle of summer when everything else is dry. I know some farmers nowadays would like to take them all out because of the guidance, the machinery and the like, but you can work within them quite well.

I want to pay a compliment to Ron Watkins, who was the originator of the concept, if you like, in WA. He designed our farm. Alistair McNabb was the bulldozing contractor. He has now unfortunately passed on, but they were great pioneers in our district. As I said, Bronte and June, my mum and dad, took it on, and then our local Landcare group basically took it on board and so did several of our neighbours. We got to a point in the late 1990s or early 2000s when we used to have about two or three busloads of people coming into the farm every week. I said to my dad, "I need to do some farming. You can be the tour guide." We did it that way. A lot of people came from Esperance and other areas to look at the system. As time went on we had a drier period through the early 2000s and from, say, 2010 to 2015 as well, so the system was not quite as necessary then. But last year, when we had our heaviest rainfall for many years, it was probably the best year to see it working. All of the drains running the water to where it was meant to go filled every single dam, basically. That was great. I can certainly see the value.

Just another thing. The CSIRO spent about five years on the farm. It did a project there to try to evaluate the value of having the trees in the landscape, the effect of stopping the waterlogging and the like. The CSIRO basically resided there for the best part of five years doing a lot of measurements with piezometers and so forth. It came out with a paper around 2000. There was a conference in Albany, which I spoke at. I guess my big takeaway from it was that we sacrificed 11 per cent of the land on our farm to trees and drainage, but by my calculations, to the best of my ability, I felt we had about a 20 per cent gain in productivity. Of course, it is very hard to measure because every year the price of grain and sheep and so forth varies, and the rainfall is different. It is very hard to quantify. But certainly from my perspective it has been well worth doing. After seeing what happened last year when large areas around the neighbourhood were waterlogged, and many parts of the state, I saw the value of it.

Fencing off the creek line is still really important as well. Now, when I go down to the creek that has been fenced off from the sheep for many years, I see the way the native gum trees have come up through it. It really is fantastic to see the effect of keeping the sheep out, keeping the stock out, of those creek lines and the way they can regenerate. I think that is a big part of helping with the salinity issues that were mentioned by previous speakers.

One other thing I want to mention is the passing recently of Ken de Grussa, the father of Hon Colin de Grussa in the Legislative Council, because Ken was one of the pioneers of no-till farming in Esperance. I think no-till farming has been one of the biggest elements of yield improvement, especially in areas like Esperance. I remember when I used to be a contractor in the early 1980s, I went down to West Point Farming near Munglinup. I said to the farm manager that I thought a fence was over in a position last year, and he said that there was a fence and it was now under sand. That sort of thing happened with four feet of sand building up over a fence in a year. Now when I go past West Point Farming, I see two-and-a-half tonne canola crops with no till. It is fantastic to see the changes of farming technique and improved soil types and continuity of farming, which improves the value of the land. Esperance has had some fantastic years over the last four or five years, and I put a lot of that down to tilling and farming techniques. As I said, I pay a compliment to Ken, who was a great supporter of mine, and a great pioneer, as was recognised recently.

It is also important to look at some of the newer techniques that can change the pH of the soil and improve its structure, such as clay spreading. This has largely been adopted in many areas such as Esperance that have a sandy-type soil as a way to put clay back into the soil. I am sure that the Soil and Land Conservation Council will look at all those sorts of modern techniques. That will give the minister some of the background of my experience, if you like, in the world of soil and farming techniques and so forth.

The one thing that is very clear is that we need to look after our soils; we cannot just keep farming and taking a lot out of our soils. When we saw the massive yields last year with the massive rainfall, we also saw the amount of input that is required to balance the soil. There are no two ways about it. There are arguments about fertilisers and chemicals and the like. We need to keep replenishing the soil in order to get back the yield. From my perspective, that is pretty straightforward.

As far as this legislation goes, as I said, I think we drifted into no-man's-land in 2003. Obviously, the Minister for Agriculture and Food is looking to reinstate this panel. I will ask a couple of questions in consideration in detail. We have a couple of concerns. A pattern has developed with the agriculture minister appointing people who are not always reflective of the needs of the community. I look forward to this committee having a blend of expertise, but I still raise the question that we need representation from some of our representative groups and sectoral bodies, such as WAFarmers and the Pastoralists and Graziers Association of WA, which represent farming and pastoral

areas. It is important that all these committees are a blend. We need expertise—there are no two ways about it—but we also need people who represent their particular constituents. Unfortunately, in the minister's appointment of the Animal Welfare Advisory Committee, she has gone away from that. It is important that committees like the Animal Welfare Advisory Committee have on them people who are at the coalface and working in that area, such as farmers and farmer representatives, rather than people who represent Animals' Angels and a variety of other bodies. I think the minister has made a mistake in going down that particular path with that committee. I look forward to this particular committee being much more representative.

Another committee is the one that has been established under the Biosecurity and Agriculture Management Act. We need to make sure that we have those types of representations. We need the skills base and the expertise when it comes to soils. None of us professes to know everything about everything. We only need to look at the quality people around the place, such as the likes of Richard George, a Department of Primary Industries and Regional Development hydrologist who also has a fantastic knowledge base. A person such as him on this committee would be well and truly valued. We need to make sure that we have a clear blend of representation from all sectors. The minister could actually do that with the potentially nine people on this committee.

As the minister knows, the agricultural industry in Western Australia is worth around \$10 billion. Our soils are the basis of that. I will leave my comments there. As I have said, we will not be opposing the bill, but we will be asking a few questions along the way. I certainly look forward to the contribution of the member for Moore as well, with his agricultural experience.

MR R.S. LOVE (Moore — Deputy Leader of the Opposition) [3.25 pm]: I also want to speak on the Soil and Land Conservation Amendment Bill 2021. The member for Roe has made an interesting comment about my experience in farming, which is probably not as extensive as his own. We have heard from a few people in this place who have been around the periphery of farming or have been raised on farms, but they have not actually been farmers. That shows that within the Labor Party there is a certainly a dearth of representation of that industry. That goes to some of our concerns about bills such as this that do away with mandatory representation from the groups and people whom we might be looking to put on these boards, such as farmers. As the member for Roe has outlined, that has been an issue for us already.

It is interestingly that the role of the Soil and Land Conservation Council has been supported by a committee for many years now. In fact, that lapsed under a Labor government. Perhaps if the minister representing has not done so already, he might explain why for the following five years or so that committee was not used, and then with the incoming government I suppose it just became the accepted position that there was no committee, and that situation has continued until now.

Of recent times we have had a good go through the Department of Primary Industries and Regional Development at looking at the importance of soil and understanding its place in the production system and the economy of our state. I was pleased to have been involved in some consultations with the group that worked towards the production of the *Western Australian soil health strategy 2021–2031*. I have a copy of that report. I recommend to anybody who wants to learn a bit more about soil and what is happening in that space in Western Australia that they read through that document to get an understanding of some of the issues that it canvasses. Without going into any great detail, the report defines soil health and outlines the benefits of a healthy soil. It refers to the cost of land degradation, and the challenges of climate change. It establishes guiding principles for sustaining Western Australian soils. It also lists a range of goals and outcomes that it would like to see put in place. That is a very worthwhile piece of reading for those members who might have a bit of a peripheral understanding of soils and want to learn a bit more without having to become experts. I am certainly not an expert, and it is good to have that input from people who know what they are doing.

As the representative of the electorate of Moore, I note that the electorate has a diverse range of soil types. Those soils range from beach sand to Bassendean sands and Spearwood sands, which are all pretty unproductive sands, to more of the yellow sandplain country, and to some loamy country and some red heavy soil country on the eastern edge of the electorate in places like Mullewa. There is also some other country around Northampton that is very unique. There is productive land right near the beach. It is very unusual to see loamy productive agricultural soil and then look over and see the Indian Ocean, but that is the situation around Northampton. In the south east around Toodyay and Darling Range are quite constrained areas of farming land in between lots of hills, rocks, trees and creeks et cetera. It is a different type of farming, but I would describe as absolutely beautiful the soil around Wongan Hills and Calingiri, which is very open country with good rainfall and some of the most productive farmland in Western Australia.

One of the key challenges for soil health is maintaining the soil's pH levels. There is a view that a lot of farming techniques have led to soil acidification, and perhaps that is true, but I remember when serving on the Northern Agricultural Catchments Council WA that research was done into the acidity levels of the farming areas in some of the station country on the other side of Perenjori. The soil was acidic out there as well. We start with that as base in a lot of our country. How do we combat that? We combat it with lime, and especially lime sand.

I will quote a letter from Dr Steve Carr who runs a company called Aglime of Australia. He talks about the issues around Aglime. I will explain the context of that after I read a little bit from his letter. He says —

The way rainfall isohytes exist for the south west ag zone, the Wheatbelt north of Cervantes inland is a relatively small triangle, and there is enough lime and dunes systems to meet demand for agriculture and recreation. I don't expect this to change.

In the southern coast (Albany across to Esperance in the east, and Augusta in the west) there is very limited supplies of lime for either activity. Given this zone is potentially going to be important agriculturally (if climate change ... and rainfall in the Wheatbelt continues to decline). The state of soils in this region is extremely concerning. Soil acidity is a major issue, and not enough lime used because it is not present, and most growers are not willing to pay the (ever) increasing freight bill from Lancelin. A serious concern, getting worse each year ...

The rest of the “main Wheatbelt”, circa 8 million hectares is largely dependent upon lime from Lancelin. A vast area- and an annual requirement of about 1 million tonnes.

That is the amount of lime coming from that area in Lancelin into the wheatbelt every year. The letter continues —

There is plenty for the foreseeable future, but govt at present seems more focussed on parks and recreation. —

Than it does on shoring up that supply —

Once resource is taken out by policy decisions (ie reserves, or claims “dunes are iconic —

And must remain forever —

... it is hard to alter in the future.

This comes about because there has been a history of conflict. Some people want to preserve things like the famous Lancelin sand dunes because people go there every weekend and use it for recreation. Wedge Island is another area greatly used by holidaymakers et cetera. They like the environment there with the dunes. Many years ago when I was shire president of Dandaragan, there was a proposal to mine around Black Peak, which is between Jurien Bay and Cervantes, but the local community arced up and the proposal went away. In the case of Lancelin, actions are being taken to protect some of those dunes in the future. Some of those areas could have been developed as mine sites as a resource for the lime to be sent to the wheatbelt. I am not taking a particular view on this because I know the importance of lime to the agricultural area, but as a person who has represented the coastal towns and communities in that area in one form or another for well over 20 years, I know, too, that people place a value on the environment. The lime did not come from my electorate but it went into my electorate and into the North West Central electorate and came from the sand dunes at Southgates Dunes going into Geraldton. People who drive up that way now will notice there is a lot less visible sand than their used to be. A lot of it went onto farming areas and it was also sent to the Gorgon project to line the trenches for the gas pipes so that they did not abrade in the soil. There was a lot of conflict on that very issue around Geraldton. These are not new issues; they have been around for a while.

In 2014, I raised this concern with the then Minister for Mines and Petroleum, Bill Marmion, and asked for a snapshot to be done of what resources were available, the potential for those resources to be used for agriculture and also to determine what would be left of the dunes for environmental and recreational use. I did not get far with Hon Bill Marmion, but we did get a briefing. We were told there was no problem and that there were tens or hundreds of millions of tonnes, or whatever the figures were. I said, “That's great. I know it's there, but what's available? There's a lot of it in national parks and lots of it in reserves and in areas where people don't want it taken from. What is actually available and how will we get it out?” Having got nowhere with that, I went to the Wheatbelt Development Commission. Unusually for the commission, because it never really did a lot for agriculture, as such—it thought agriculture was more the role of the Department of Agriculture rather than the Wheatbelt Development Commission and it involved itself more with population development and industry and services development within the wheatbelt—it put its hands together and did, I think, a lot of good work. It came up with the 2016 draft wheatbelt lime strategy with the aid of the then Department of Mines and Petroleum, the then ag department and, I think, also Main Roads and others that had an interest in not only the resource, but also its transport and use. That was an excellent document.

Of course, there was a change of government and the report has sat gathering dust ever since. It was a red-hot go at trying to understand the conflicts, the resources and how we could continue to satisfy the competing interests into the future. Recently, as I said, the issue has come up from around Cervantes and through efforts by the Gingin shire, which quite rightly sees this as an important matter to be involved in.

We have seen some concern from the industry that supplies the lime sands throughout Western Australia about the future use of lime sands. It is very important to have an understanding in this place of the value of soil. I imagine that it is the state's second largest export industry, especially for the grain industry for which most of the resource is used. I want to put on record my concerns about that. I have drafted a letter to the Minister for Agriculture and Food and the Minister for Mines and Petroleum about the need to look again at these issues to keep that discussion

going. I am looking at the letter and do not think it has gone off yet. I will probably make a couple of changes to it, on reflection. It is a very important discussion that has to happen. Maybe the Commissioner of Soil and Land Conservation can take this on board and run with it.

The state faces other soil fertility issues. As I mentioned, the strategy looked at things like climate change and salinity et cetera. In Moore, there is quite a concern about non-wetting soils. They are soils that, by the nature of the breakdown of organic matter on a lot of predominantly sandy soil, coat the organic matter with a waxy substance that does not allow water to bind to the soil. You can drop a cup of water on it and it sort of just sits there. It might disappear, but it does not actually get into the soil; it just percolates through. When I first started farming around Badgingarra back in the 1980s, it used to rain that much that it probably did not matter. It rained a lot. If germination was a bit late, it did not matter; as long as the wheat came up in June or thereabouts, there would be plenty of rain to sustain it.

We are now seeing shorter rainfall patterns and also a return to canola, which is a much smaller, less robust seed in terms of being able to be put down a bit deeper where there might be a bit of water hanging around. Non-wetting soil is a big problem in much of the midlands areas—up through Mingenew, back down to Badgi and all that sort of area. A lot of work has been done over the years to work out ways to combat that. A good farmer, who was a neighbour of mine, was a pioneer in that sort of thing. He was an agricultural engineer of sorts; he would make his own machinery. He worked out all sorts of different things involving liquid water dispersants that left a trail behind an air seeder. He made some of this gear himself. Mr John Cook was a very clever man. He was also one of the pioneers of using tagasaste as a fodder crop in that area, in some of the deep white sand that does not have much agronomic capacity. Over the years, that has been a great concern.

When I had a briefing probably back in November last year when this was first mooted, along with Hon Steve Martin and, I think, Hon Colin de Grussa, one thing I was concerned about was that some of the staff talked about having to do something about the dreadful wind erosion in the north midlands. Techniques have been developed where either spading or mouldboarding is used. Because the top layer of soil is all non-wetting, it is hard to get crops to germinate and a lot of water goes to waste before the plants can use it, so what farmers do is that they upend the soil, basically, and bring some of the loamy subsoil to the surface.

[Member's time extended.]

Mr R.S. LOVE: When I first started farming, if you were running a disc plough and you brought some of that soil to the surface, you would get a box over the ears. We used to call it sour soil, and it was not the idea. We were supposed to just play around in the top surface and not down in there. Now, that is exactly what is done. Occasionally, that soil can get moved by wind. What the member for Roe was talking about does happen occasionally because of that. But it actually cures a problem. I hope that the aim, as was stated, is not to try to curb that practice, because it is very important to be able to combat those non-wetting soils. Maybe some thought needs to be given to what might happen if the rain is a bit late or there is an unforeseen event like cyclone Seroja, which can move a lot of sand. Overall, the effect is that the land is much more productive than it would have been. It is not something that I think we can be prescriptive about. It is something for the department and others to work on with the grower groups, like the West Midlands Group, the Mingenew Irwin Group, the Liebe Group and others in that area, the Yuna Farm Improvement Group and the rest of them. There are plenty of active farmer groups and they are very good at dispersing information. Farmers themselves are much fewer in number than they once were, but they are passionate about their soils and their production. Because they are so busy, many of them cannot play sport anymore. Actually, there are not enough people to play cricket against each other anymore; they would have to travel too far. Their farms are basically the substance and rock of their lives. They approach the whole matter of agriculture as a passion, as much as anything else. I do not think there is a need to go in with a big stick. There is a need to perhaps have conversations and discussions, but that is where it should end. I urge anybody who is getting involved in the role of Commissioner of Soil and Land Conservation to understand and respect that position.

One other matter that affects the ability for our agricultural industries to get ahead is the inputs, such as fertiliser. Some of the key fertilisers that we utilise in big numbers are potash, nitrogen and phosphate. Interestingly, we have a company in the electorate at the moment that has a gas prospect in the midlands and is seriously proposing to build a urea plant at Narngulu, using gas from the Mingenew–Irwin–Three Springs triangle and pumping that up and converting it into urea. That would be a great outcome for Western Australia. One of the big moves at the moment is to try to curb carbon emissions. This project would enable us to make a product like urea locally, using our own natural gas and then, over time, using hydrogen from the exciting hydrogen projects that are happening or being mooted in that area. It would start off by using natural gas but would have the capacity to use hydrogen—to develop that and switch over in the future. There would be savings just in transport costs. Also, most urea is made in a very dirty way overseas, in China and other places, so this would make a huge difference to our carbon footprint from one of those major inputs. I think there will be a bit of an issue with nitrogen this year because of the situation with Russia, which provides a lot of the nitrogen through Flexi-N, which is liquid nitrogen. I know there is some locally made, but probably half of it comes from Russia. That will be an issue going forward. I daresay people are working on alternatives and that we will switch over to them, but it will be a matter of some concern.

Another of those I spoke about was potash. This is something for the Minister for Culture and the Arts and the Minister for Local Government to take on board as members of cabinet. At the moment, there are discussions around some of the state's policies on the costs and royalties et cetera that the potash industry will pay. We have a developing potash industry in inland areas of the state north of Kalgoorlie that will utilise salt lakes to develop sulphate of potash locally. There will be a tremendous benefit to the state from the growth of that industry, but at the moment there is a bit of a battle going on over the royalty take. I urge the ministers in the room to consider asking questions about that in the cabinet forum and to try to facilitate the development of this industry, because it will be very important for Western Australia going forward. Potash is quite a constrained resource. Again, a lot comes from the countries that we are having trouble with. It also comes from Canada, but I think a lot of Canada's potash is already committed. It is a vital resource. It is a novel approach. Using sulphate of potash has environmental dividends as opposed to muriate of potash, which imports salt that is mixed up in there and is not as good for the soil as sulphate of potash. If members of the cabinet have a chance, please speak up for the potash industry so that it might actually develop because there will be spin-offs for not only those companies, but also agriculture in Western Australia and the development of things like urea that I have spoken about.

We need those issues to be addressed if we are going to continue to have a strong and vibrant agricultural industry, which is essential for the state. It is essential, as we have seen now, for food security. We have seen how stretched the supply chains have been of late and people will have noted that through that period, we were still able to get milk, meat and bread. Some of the manufactured grain products such as pasta were not able to get through to Western Australia because a lot of the wheat crop in the eastern states is used in local manufacturing of those types of products, whereas in Western Australia wheat is more of an export grain rather than being used to make downstream products. Food security is very important to us all and that has been demonstrated of late.

That brings me to the fourth key element to ensure that we have good soil: that is, responding to climate change. I note that the federal government and the state government have tried to introduce soil carbon—a way to sequester carbon in the soil—and to also have a spin-off, if you like, in terms of soil fertility. That is a very important element that we need to work on into the future. I know that some people are sceptical about its importance and how it will work due to the fragile nature of both our soil and our climate, what will happen after a couple of dry years and how much carbon will be lost et cetera. Nonetheless, there are dual outcomes from increasing the soil carbon both in terms of soil fertility and meeting some of the challenges of climate change.

It is encouraging that the federal government has spoken against allowing the fence-to-fence planting of trees on farms for carbon credits. Although that has a place, we do not want to take potentially fertile and economically important areas out of production and then come to those areas looking for rainfall. We need the rainfall to grow crops. There is competition in that space and we need to ensure that the planting of those carbon sinks is done in sympathy with the land and does not take away from it. I note a presentation from a company that showed me what it was doing on what it called degraded farmland. I can tell members that an environmental scientist considers any farmland to be degraded. What that company showed me was some pretty productive country around Kojonup where the trees had been cleared, supposedly degrading the land, but, no, it was actually quite good country that could have been producing food into the future. We need to have soil carbon and we need to plant trees to create carbon sinks, but please do it sensitively and also understand—I go back to this idea—that rainfall is the key for both the production of food and the growing of trees to form carbon sinks. Just because land might not be considered viable at the moment does not mean it will not be into the future as we become more stressed and the price of food goes up. A lot of the country in my electorate was not released for farming until the 1950s, and some of it as late as the 1970s, because until farming techniques changed with the use of improved fertilisers and increased knowledge about trace elements et cetera, the country was not viable. Things change over time.

With those comments, I will let the house get on to consideration in detail. I do not think there are any other speakers, but the minister will probably have some words to say. I look forward to the passage of the bill. Thank you very much.

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [3.55 pm] — in reply: I am pleased to respond on behalf of the Minister for Agriculture and Food. I thank the members who have contributed to the second reading debate on the Soil and Land Conservation Amendment Bill 2021. I thank the members for Thornlie, Mirrabooka, Moore and Roe for their contributions. These sorts of bills are important not only in terms of their intent, but also because they give the house the opportunity to reflect on the importance of the agricultural industry to Western Australia's economy, lifestyle and wellbeing, and to highlight the enduring fact that we will only be here if our growers can continue to produce food. They can only produce food and, ultimately, the energy that we all require to live if the soils are productive.

A number of members spoke today about the importance of healthy soils and the fact that Western Australia is not necessarily blessed with the richest and most fertile soils. However, the history of our agricultural industry over many years, particularly in recent decades, has demonstrated adaptation by our farming populations throughout the state. They have responded to a change in not only the climate, but also the condition of the soil. They have adapted and responded to the challenge of working with soils that might not be the most productive but, with a little care, effort and nurturing, can produce quality yields.

As members would know, I am very proud to have farming lineage through my grandparents and great-grandparents who farmed in Narrogin. These sorts of debates are an opportunity to enforce the importance of the agricultural industry. The member for Moore highlighted in his contribution that we have seen a decline in the number of farmers over time. If we go back 60 years or more, there were smaller lot holders and country towns were supported by larger families operating farming estates. Over time, as I saw happen when I was teaching in Three Springs, there was a trend for farms to get bigger but the families who ran them to get smaller. That has an impact on communities in a range of ways. I can remember from my days of teaching in Three Springs, which is in the member for Moore's electorate, the interesting elements of soil types. The member for Moore highlighted that west of Northampton is the coastal plain, which heads up towards Kalbarri and has interesting pockets of soil that can be very productive. As he said, that area is uniquely close to the Indian Ocean, and I have always marvelled at that. We can then go to other places where the soil is described by some gardeners and other people who have attempted to do certain things with it as "bastard soil". I remember that term being used.

It is important for the house to note that the Soil and Land Conservation Act 1945 is the principal legislation that underpins the conservation of soil and land resources. It is focused on addressing and mitigating against erosion, salinity, flooding et cetera. I was interested to hear, as was the member for Moore and other speakers, the member for Roe's comments about the history of the trailblazers. Essentially, the member for Roe's parents were trailblazers in that period when, in response to the challenge of erosion of the landscape and, indeed, the threat of salinity, they began to reach out and take action. In many respects they would have been seen as pioneers at that time. I am sure that they were described as radical for the time! I can remember when one of the farms nearby to my grandfather's farm in Yilliminning, east of Narrogin, would carve culverts through the paddocks to divert the run-off.

My grandfather passed away some years ago, but I can always remember having a great debate with him during his seventieth birthday celebration in Narrogin. I was only young, in my early twenties. We had a great debate about farming methods of the day while we drank his home brew, which he brewed in his garage. There I was a young fellow who really did not know much at all, but I loved the land and I loved watching my grandparents carve out their living on the land. Back then, I suppose, I was almost a rabid greenie in many ways. We had great debates about tree planning and how people were encouraged to clear one million acres a year—I think that was the catchery—in the early 1920s. Surprisingly—not surprisingly actually—a few years later I went tree planting with him. He was like your parents, member for Roe; he was an extensive believer in the rejuvenation of the landscape through tree planting and other methods. I am not saying that I influenced him during our liquor-injected debates, but I always remember that vividly. To be honest, we do not give enough credit to those who carve out a livelihood in our agricultural regions. I will always have a soft spot for farmers because of not only my heritage, but also my deep appreciation for the fact that when our farmers are doing well, invariably our towns and the communities in which those farmers work and operate usually do well, and that is reflected more broadly in the broader community. People who have grown up in the metropolitan area or now live in the metropolitan area should take the opportunity to venture out into our agricultural towns on a weekend, take a tour during the wildflower season or whatever it might be, because doing that would provide a great opportunity to reflect on the importance of the agricultural region to our state.

There was a gentle barb from the member for Moore about the lapsing of action. I pay tribute to the current Minister for Agriculture and Food for ensuring that through this Soil and Land Conservation Amendment Bill 2021, there will be a resurrection of the committee in particular. I think previous governments of both persuasions were a little lax in ensuring that the advisory aspect of the committee was not acknowledged to be as important as it was, so I am pleased that Minister MacTiernan has moved to not only amend the act, but also ensure that the committee is rejuvenated and given the status that it should have to provide advice.

In their contributions, members raised concerns around aspects of representation. I want to highlight that this is not uncommon in committees. There has been a trend in a range of committees. In my portfolio of culture and the arts, for example, the government put legislation through this house to reconstitute the composition of the former Perth Theatre Trust so that its members are skills based. Although it no longer has designated representation from designated organisations, implicit in the legislation is that they are not excluded at all. In fact, I expect that in the case of the committee aspect of this bill, by focusing on a skills-based set we will have an opportunity to get good representation from a variety of stakeholders and interests and, of course, that will not exclude those who may have been designated as part of this bill.

I highlight that in terms of the composition of the committee, the amendment provisions will allow the minister to appoint up to nine members who must have between them expertise and experience in agricultural production, environmental conservation, land management, local government and planning, management of pastoral lands, soil conservation and soil science. That is very inclusive criteria, if you like, and the experience and expectation of the up to nine members will allow a broad cross-section of interests to use their skills base. That will underpin the importance of the committee going forward in terms of the advice that it can give. Obviously, we are keen to pass all stages of this bill today and get it to the upper house. I know that there is an interest in making sure that the bill passes the other place. Passing this bill will ensure that we kickstart, for want of a better term, or initiate the committee's input and importance.

The bill provides that council positions become vacant in circumstances consistent with modern schemes; that the Minister for Agriculture and Food addresses issues involving the conduct of a council member; for the appointment of a chairperson and deputy chairperson; and for the extension of a term of office. Elements within the bill deal with the disclosure of personal interests and provide for the remote attendance of council members. Indeed, the bill provides for a modernisation of practices.

I think the important aspect is that by bringing the Soil and Land Conservation Amendment Bill to the Parliament, the minister has recognised that its purpose is increasingly important as we navigate the challenges of climate change and other elements that impact upon the agricultural sector. We all want to see a thriving agricultural sector. I think it is important to acknowledge, as the member for Moore did, the economic value that the agricultural industry contributes to the state's economy. We must also not underestimate the fact that Western Australian product and commodities are highly prized, both internationally and nationally. In a world that faces big challenges such as the conflict in the Ukraine, pandemics and the impacts of climate change, we need to position ourselves as a place that continues to produce high-quality food products that both feed our population and deliver tremendous benefits to our economy through international trade.

I am always intrigued by stories of agricultural innovation, such as Western Australian wheat products that are turned into noodles in Japan, South Korea and other places. The reality is that the world's population will continue to increase and productive agriculture will remain an important component of feeding the world, and we have a role to play in that. In turn, that will deliver an important economic benefit to Western Australians and Australians. I have friends in the agricultural region, including in the electorates of the members for Moore and Roe, and last season was great. Of course, we know that although the yields were great and prices were good, the price of fuel and all the costs that go into putting a crop in the ground have gone up. I note that the cost of fertiliser and the products used to suppress weeds have also increased; I know that that is a topic of great controversy for some. That all impacts upon an enterprise's capacity and ability to make money, which is very important for the Western Australian economy.

I thank members for their contributions today. We will now go into the consideration in detail stage, and I hope I will be able to answer members' questions as they are asked. I am hopeful that we will be able to conclude this bill as soon as is practicable, in a transparent way. Members will then no doubt seek to go home after the bill has been passed. The member for Moore looks like he wants to stay until seven o'clock!

Mr R.S. Love interjected.

Mr D.A. TEMPLEMAN: The next one? We will see how we go! It depends on how long you keep me here!

I commend the bill to the house.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

Consideration in Detail

Clauses 1 to 3 put and passed.

Clause 4: Section 4 amended —

Mr P.J. RUNDLE: Just a brief question, minister, on clause 4(2) and the insertion of the term "appointed Council member". This term refers to a council member appointed under proposed section 9A(3), which provides that the minister may appoint up to nine members. Is there anyone whom the minister will consult in relation to this appointment? Who will he or she consult?

Mr D.A. TEMPLEMAN: The minister will seek expressions of interest, and there will be a wide canvassing of expressions of interest. That will enable people across the sector to express their interest in becoming a member of the committee. It will also include consultation on the skill set that various members might bring to the committee.

Mr P.J. RUNDLE: If we had a scenario in which 15 people applied for the nine positions, would the Department of Primary Industries and Regional Development or the Commissioner of Soil and Land Conservation be likely to be involved in the narrowing down of those applicants?

Mr D.A. TEMPLEMAN: I am advised that the Department of Primary Industries and Regional Development will undertake an appointment process that is in accordance with the Premier's circular titled "State Government Boards and Committees — Premier's Circular 2021/18", issued on 4 November 2021, and the Public Sector Commission's "Governance Manual for Western Australian Government Boards and Committees" of November 2021. Obviously, those appointments will be in accordance with those documents.

Calls for expressions of interest to serve as a member of the council will be widely advertised in newspapers and on online employment platforms. In addition, grower organisations, WA local government associations, Soil Science

Australia and the Conservation Council of Western Australia will be advised of the advertisements. Prior to advertising, OnBoardWA will be consulted for suitable candidates and existing members may also apply through the expression of interest process.

Mr P.J. RUNDLE: The grower organisations will be advised or told of the potential advertisements, but are their representatives or potential representatives actually excluded from being members?

Mr D.A. TEMPLEMAN: No.

Clause put and passed.

Clauses 5 to 7 put and passed.

Clause 8: Sections 9, 9A and 10 replaced —

Mr P.J. RUNDLE: I refer to proposed new section 9, “Council established”, which states —

A body called the Soil and Land Conservation Council is established.

Can the minister enlighten me on who provides administration support for the council?

Mr D.A. TEMPLEMAN: The Department of Primary Industries and Regional Development is the authority that will provide support to the committee, I would assume including secretariats.

Mr P.J. RUNDLE: I turn to proposed new section 9A, “Membership of Council”. Proposed subsection (2) states that the soil commissioner is a member of the council. Can the minister enlighten me on the appointment of the soil commissioner? How will that work and who will appoint the soil commissioner?

Mr D.A. TEMPLEMAN: The soil commissioner will be appointed through a process under the Public Sector Management Act. I assume—I want to ensure that I am right—that the position will be filled under provisions of the Public Sector Management Act, so within that normal process of a public servant being appointed, in this case, the commissioner for soils.

Mr P.J. RUNDLE: I move to proposed new section 9B(1), which states —

The Minister must designate a Council member to be the chairperson ... and another to be the deputy chairperson ...

Will that be a continuous arrangement, whereby the minister is always the person who selects both the chairperson and the deputy chairperson?

Mr D.A. TEMPLEMAN: That is correct.

Mr P.J. RUNDLE: I move to proposed new section 9C(1)(b), which states “is eligible for reappointment”.

A council member will be appointed for a period not exceeding three years. If they are eligible for reappointment, can they go on for another three years? I found it a little unclear whether the term was for another three years or for a period of six months while awaiting another appointment.

Mr D.A. TEMPLEMAN: As the member is aware, under the old section, the term was for five years. The provision in the proposed section set out in this bill will essentially appoint a council member to hold the office for a period not exceeding three years, as specified in their instrument of appointment. However, they will be eligible for reappointment, so there is that capacity for reappointment. I think the member is referring to a further clause that relates to a potential six-month extension. Essentially—I will seek clarification—I assume that if they were reappointed during a six-month extension, that would be for a three-year period.

Mr P.J. RUNDLE: I move to proposed section 9D(3), which states —

The Minister may remove an appointed Council member ...

(a) on the grounds of —

...

(ii) misconduct or incompetence ...

Can the minister give me an example of what those grounds may be? Does it have to be in that particular role or can it be from something outside the actual role on the council?

Mr D.A. TEMPLEMAN: As the member would be aware, from time to time instances occur that could be defined as misconduct under proposed section 9D(4). That may then render the council member unfit to hold office. That could, on my reading—again, unless I am corrected—occur “even though the conduct does not relate to a duty of the office”. A misconduct matter may render that person unfit for continuation as a member of the group. I am sure that the member would be aware of various examples of that having occurred in the past. This is not an uncommon provision in terms of committees. It is important that there will be a mechanism to deal with the unfortunate circumstance that might occur when misconduct is determined, and appropriate action is accommodated in this legislation if that were to occur.

Mr P.J. RUNDLE: I move to proposed new section 10, “Remuneration of members”. Obviously, the council member is entitled to remuneration on the recommendation of the Public Sector Commissioner. I ask the minister to clarify proposed new section 10(2), which states —

... a Council member is not entitled to remuneration if the member holds a full-time office or position that is remunerated out of money appropriated by Parliament.

Is that directed to members of Parliament? What other people in the parliamentary precinct does that cover?

Mr D.A. TEMPLEMAN: Essentially, as the member may be aware, when cabinet receives recommendations for committees, boards et cetera that it has jurisdiction over, there are provisions under which, for various reasons, a person is not eligible for remuneration. Quite often that includes employment, for example, in the department itself. Normally, they do not receive a designated fee that has been approved by the Public Sector Commissioner. They would not receive that because they are essentially paid by the Crown or paid by the government through their role as a member of the department. That is ultimately determined by the definitions around their particular employment.

Remuneration is determined through consultation with the Public Sector Commissioner. As the member would be aware, there are various—they do vary—methods in which board or committee members or advisory committee members are paid for. They are all ultimately influenced by direction and advice from the Public Sector Commissioner.

Clause put and passed.

Clauses 9 and 10 put and passed.

Clause 11: Part II Division 2 Subdivision 3 inserted —

Mr P.J. RUNDLE: I refer to proposed new section 11B and material personal interests. Can the minister give me some examples of what he would consider to be material personal interests that might affect someone in this particular role?

Mr D.A. TEMPLEMAN: The purpose of this clause is to insert after section 11, subdivision 3, which deals with disclosure of material personal interests. It is a new subdivision. This requirement was previously in the council’s own rules, so it was already a mechanism of transparency, I suppose, in many respects. It was already part of the rules that had been developed by the council. This will ensure better compliance and enforcement. Effectively, this clause is based on common and modern provisions in other acts relating to councils, so it contains nothing that is new or different. The provision for the disclosure of material personal interests is reflected in other acts. It is an important provision because it ensures transparency and effective governance of the committee itself. I could refer to various examples, but if somebody has a direct interest they would disclose that under the provisions in the act. That is an important and normal process in a range of committees and boards that advise government and ministers.

Clause put and passed.

Clauses 12 to 15 put and passed.

Clause 16: Part 7 inserted —

Mr P.J. RUNDLE: I want to get an understanding of “transition day”. Is this for a future arrangement once the Soil and Land Conservation Council is appointed by the minister and the transition day for those members is exactly three years after the first council is formed; or how does that work?

Mr D.A. TEMPLEMAN: Effectively, when the bill is passed and assented to, new section 50 will provide for the continuation of the former council. It states —

The Council established by section 9 is a continuation of the former Council.

The existing council members’ appointments will continue in line with their appointment term, and once this expires, a new member will be appointed in line with the new process. New section 51(2) states that the person —

(a) holds office, under section 9A —

- (i) on the terms and conditions of their existing appointment; and
- (ii) for the remainder of the term of their existing appointment;

and

(b) while the person holds office under this section, is entitled to the same remuneration, if any, and allowances to which they were entitled ...

This transition component effectively allows for a smooth transition from the old to the newly constituted entity once there is an expiration of an existing member’s term. That is my understanding.

Clause put and passed.

Clauses 17 to 22 put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [4.34 pm]: I move —

That the bill be now read a third time.

MR P.J. RUNDLE (Roe) [4.34 pm]: I will be brief with my final comments on the Soil and Land Conservation Amendment Bill 2021 and reiterate the comments of all speakers, from both sides of the house, that we need to ensure that our soil is protected. The minister spoke about food arrangements. The importance of the basic essential of food has been highlighted at the moment with the Ukrainian crisis and earlier, over the last couple of years, by the COVID scenario, when people had a sudden realisation that we need food. Soil is the prerequisite to that. As the opposition pointed out in debate over recent years, it was really disappointing to see people hiring buses and going into the regions and raiding some of the IGA stores and the like, which arose from a sort of hysteria. One positive that came out of it was that people started to remember and recognise where their food came from. Hopefully, appreciation of the agricultural and horticultural sectors has become more prevalent and, by extension, people now understand that we need to look after our soil as the basis for growing food.

Along with that, of course, the Soil and Land Conservation Council is an important guiding body. As I said, expertise is most important. The member for Moore and I pointed out the acidification, erosion and soil degradation that we have encountered over our time as farmers. It is really important to have expertise in all the fields that look after our soils. I pointed out that it is important for this sector to have representation on this council, whether it be grower groups or at least people who are at the coalface. That is an important element, and I hope the minister takes that on board to some extent.

I will wrap up my remarks. The opposition does not oppose the bill. To be honest, I do not think the current minister will treat this council in the same way as she did the animal welfare committee. I look forward to a good-quality Soil and Land Conservation Council being appointed. As I said, the opposition will not oppose the bill because looking after Western Australia's soil for the decades ahead has to be a top priority.

MR D.A. TEMPLEMAN (Mandurah — Minister for Culture and the Arts) [4.37 pm] — in reply: I thank the member for Roe for his comments. I again thank Dr Melanie Strawbridge and Ms Pam Hume, and those who have worked on the development of the Soil and Land Conservation Amendment Bill 2021 that we are now passing in this chamber. I again acknowledge the work of the minister in ensuring that the importance of the act has been enhanced by this amendment bill. I thank the speakers who have contributed to the debate.

Question put and passed.

Bill read a third time and transmitted to the Council.

ADJOURNMENT OF THE HOUSE*Special*

On motion by **Mr D.A. Templeman (Leader of the House)**, resolved —

That the house at its rising adjourn until Tuesday, 5 April 2022, at 2.00 pm.

House adjourned at 4.39 pm
