



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE COUNCIL

Wednesday, 28 February 2024

Legislative Council

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THE PRESIDENT (**Hon Alanna Clohesy**) took the chair at 1.00 pm, read prayers and acknowledged country.

BUSHLAND — HAMERSLEY

Petition

HON AYOR MAKUR CHUOT (North Metropolitan) [1.01 pm]: I present an e-petition containing 3 437 signatures couched in the following terms —

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

residents of Western Australia request the permanent protection of 42ha of remnant Banksia, Jarrah and Tuart woodland at Lots 802, 803 and Lot 1, 179 Erindale Road Hamersley for the Western Australian Conservation Estate for the following reasons:

- Located within a highly developed urban area in the City of Stirling with extensive tree canopy loss and only a small number of protected habitats nearby, this bushland is an important ecological linkage facilitating connectivity and regional biodiversity.
- The bushland contains flora of conservation significance including three species of Banksia, Tuart and Jarrah trees and a rich understorey of more than 170 native plant species.
- The bushland is important as a foraging and nesting habitat for the nationally listed endangered Carnaby's Black Cockatoo. Habitat clearance is the major threat to its survival.
- The City of Stirling has identified the bushland at 179 Erindale Road Hamersley as worthy of inclusion in its Local Biodiversity Strategy as a Locally Significant Natural Area.
- The unique plants and animals that make up this Banksia and Tuart woodlands ecological community are only found on the Swan Coastal Plain within the Southwest Australia global biodiversity hotspot where more than 70% of native vegetation has been cleared.
- The Aboriginal heritage value of this remnant bushland has not been assessed by the land owners nor has consultation occurred with the Mooro Noongar people who walked, hunted, and lived on this land prior to and after European settlement in 1829.
- The bushland provides invaluable tree canopy, helps to cool temperatures in surrounding suburbs, stores carbon, mitigates air pollution, provides amenity, education, cultural and recreation opportunities for surrounding residents and schools.
- The Banksia woodland was listed by the Commonwealth as a Threatened Ecological Community under the Environment Protection and Biodiversity Conservation Act 1999 in 2016 and as a Threatened Ecological Community (critically endangered) under the WA Biodiversity Conservation Act 2016 WA Government Gazette Order 2023.
- The Tuart woodlands of the Swan Coastal Plain ecological community on the Swan Coastal Plain was listed as critically endangered under the Environment Protection and Biodiversity Act 1999 in 2019 and is also a Protected Ecological Community in Western Australia. We therefore ask the Legislative Council to recommend to the State Government that urgent action be taken to protect the bushland at Lot 802, 803 and 1, 179 Erindale Road Hamersley.

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

[See paper 2984.]

COMMUNITY SMALL GRANTS FUND

Statement by Minister for Forestry

HON JACKIE JARVIS (South West — Minister for Forestry) [1.07 pm]: Last month, as part of the Cook government's native forest transition plan, I announced that 11 south west businesses will share in almost \$10 million in funding to continue to drive economic diversification and jobs in the regions. The new industry development grants aim to attract new industries and support the expansion of businesses in timber communities. Successful businesses include the Manjimup-based Bendotti Exporters, which will upgrade its potato processing line, increase production, offer new full-time employment opportunities and boost its supply of premium French fries to cafes, restaurants and pubs across Western Australia by processing up to 20 000 tonnes of locally grown potatoes every year.

It is with great pleasure that I stand here today to announce that round 2 of the native forest transition plan's community small grants fund has opened. These grants are part of the Cook government's commitment to support businesses and communities that have transitioned away from commercial native forest logging. The historic decision to end commercial native logging will protect our iconic jarrah and karri trees, which are found only in WA. However, this decision was not made without first understanding the valuable contribution that the forestry industry and regional communities have delivered for our state. The \$80 million native forest transition plan, which is being delivered through three funding pillars, will provide support to affected businesses, workers and communities to

help them transition away from a reliance on commercial native logging. Small businesses and community groups are the backbone of our regional communities, and this funding will enable proposals that drive local economic growth and social connection. The impact of the funding is already being witnessed through the creation of local jobs, growth, and the expansion of local businesses, as well as an increase in local community capacity and connection. The huge amount of interest in the program's last round was demonstrated by the large volume of applications received, which were all committed to making positive impacts on the affected region. In total, 27 applicants received funding under round 1 for projects across the local government areas of Bridgetown–Greenbushes, Manjimup and Nannup.

The funding will support the delivery of a range of tourism opportunities, including a new high ropes course in Gloucester National Park, new mountain bike trails in Pemberton and establishing a UNESCO designated geopark around Nannup. A range of expanding businesses will share in the funding, including snail farming, hop production and investments to attract much needed specialist medical services. Funding will also go towards a range of non-profit initiatives that will have positive impacts on social connection, inclusion and vibrancy. I look forward to seeing the impact that funding these projects will have in the communities.

Round 2 is now open and will close on 24 April. I encourage businesses and community organisations within the forestry regions to attend one of the community workshops to be held in Manjimup, Bridgetown and Nannup on 12 and 13 March and apply for funding.

SHIRE OF KONDININ AMENDMENT LOCAL LAW 2023 — DISALLOWANCE

Notice of Motion

Notice of motion given by **Hon Lorna Harper**.

GOVERNMENT BUDGET SURPLUS

Motion

HON DR STEVE THOMAS (South West) [1.12 pm]: I move —

That this house —

- (1) notes that —
 - (a) the 2023–24 *Government mid-year financial projections statement*, also called the midyear review, released in December 2023 has again shown that the Cook Labor government has underestimated state revenue for this financial year, especially iron ore royalties revenue;
 - (b) the latest figures are again predicting a multibillion-dollar surplus for Western Australia; and
 - (c) Western Australian residents and families continue to struggle with higher costs of living while the Cook Labor government continues to roll in and flaunt its wealth, which it owes to high international iron ore prices rather than its own financial management.
- (2) calls on the Cook Labor government to urgently do more for struggling Western Australian residents and families.

This is not exactly what I had expected today, but this is another parliamentary sitting day and another example of the mountain of cash that the Cook Labor government is rolling in. The government is continuing its process of underestimating its revenue, so it has plenty of cash in the money bin available for the next budget to roll into the next state election. Let me guess that is what is going on. I thought we might have seen a more honest change in the government and a more accurate set of figures revealed. I think we are supposed to see the next round of quarterly financial statements soon. I am a bit disappointed that on 28 February they have not yet been released because I suspect they will show that the Cook Labor government has again underestimated its revenue and is pushing money back into the money bin. We might have lost Scrooge McDuck, but Donald and Daisy are still pushing money into the money bin at a massive rate.

The midyear review was interesting because although the government sort of half acknowledged that the iron ore price was still high and that it was still doing reasonably well out of the GST changes, it moved the potential budget surplus up only a fraction. It went from \$3.3 billion projected in last year's budget up to \$3.8 billion, so that is half a billion dollars extra. But what happened to the projections of iron ore prices? The iron ore price, which was lifted in the midyear review to \$US104.20 per tonne, needs to be compared with the average and the price today. The prediction in the midyear review was \$US104.20 a tonne, and I imagine the government had to crank up its miserly projections prior to that. It has managed to crank it up a little bit, and that has pushed an extra half a billion dollars into the budget surplus. The government is obviously starting to crank up spending. We can expect that it will crank up spending this financial year and that this budget is going to be an election budget. I am sure government members are running around, working out where this largesse is going to go. The government is going to crank up its revenue a little bit—not to the point of reality, just a little bit. It will be a stepping stone.

The next step is the quarterly financial statement. That might even come out this afternoon. It would have been useful if it had come out this morning; we could have included it in this debate, but no. The government is a bit tardy. We might be lucky that there is a 29 February this year because it is due at the end of the month.

Hon Darren West: There's a lot going on!

Hon Stephen Dawson: It might've come out yesterday, but the news cycle got in the way!

Hon Dr STEVE THOMAS: It did. The Minister for Emergency Services makes a good point! I have been watching for it, and I am still watching for it. There will be economic debates in this house that I will still be very much part of, so government members should not assume for a minute that they are going to be let off the hook. They should not assume that it is all comfortable and easy now! This is still going to occur. I am going to stand up here and berate the government for its financial mismanagement. This will still occur.

Several members interjected.

The PRESIDENT: Order!

Hon Dr STEVE THOMAS: I am pleased to hear members on the other side talking about piles of cash, because I have been talking about it as well.

Hon Pierre Yang: That was yours!

Hon Dr STEVE THOMAS: Hon Pierre Yang just repeated it, so I thank him very much. He can go outside and repeat it a bit more. I am more than happy to be quoted. I will give Hon Pierre Yang some budget numbers that he can use, and guess what? He will be proved more right than the Treasurer. He will be far more accurate than Hon Rita Saffioti if he takes my numbers and starts talking about them—he is welcome to! I will send him a copy, if he likes. When the quarterly financial statement comes out, I will probably put out a press release, and I will probably send the member a copy of it, if he likes, because he can use those numbers! I should not seek interjections from the other side. Even though I am not in my previous role, I might still receive a letter later this year, despite that.

What has actually happened? We saw iron ore move up in the midyear review to \$US104.20, but what is the actual price today and what is the average for the year to date, bearing in mind that we are at the end of February and are about to go into March. We are eight months into the financial year. The average price to date is \$US121.49. Today's price, depending on which measure is used, is anywhere from \$US117 to \$US175 a tonne. The average for the year has been around \$US121. It has declined a little from \$US125-plus, but what does that mean for the budget of Western Australia? What does it mean for the money bin? That is what we are talking about; we are talking about the Cook Labor government's money bin from which it can throw money around. The price of iron ore has had an impact to date, to the end of February; I know we have one day to go, but let us assume it is not going to change much. It has added \$1 billion in revenue because the difference between the \$US121.49 actual and the budgeted \$US104.20 is \$US17.29. If we multiply that by \$US93—even members opposite could probably add that up, although some might have to take their shoes and socks off—over the year, it will be \$US1.6 billion. That is a billion dollars already. The government is a billion dollars wealthier than it is telling people it is.

It will be interesting to see what the quarterly financial statement that is due out today or tomorrow actually contains. Will the government crank it up a little higher because it is a little embarrassed about the process of keeping all that money hidden? It is very good at keeping money hidden. It takes revenue from normal government trading enterprises and keeps it in so that the dividends are retained and do not go through the budget papers. There are billions of dollars more that should have been flowing into the money bin, but they are in the little money bin. They are not sitting in the big Scrooge McDuck money bin. They are in the little government trading enterprises money bin, still sitting there ready for the government to use. If the government was a sound financial manager, as is traditionally the case, it would put it all together and it would say that, overall, its infrastructure spend is such and such. But no, the government puts it in the little money bin and says that is for the desalination plant. Let us face it, Water Corp gives the government the little money bin. The billions of dollars that are in the little money bin do not go through the budget papers in the same way, so the government gets to pretend they are not there. Instead of bringing it in and saying it is revenue, because it is revenue the government has received, the government runs a set of black books out to the side. The government is involved in a fanciful accounting process.

I am not going to have time to get into a lot of detail, but we could discuss what happens with the debt reduction account, which is another little black book and off-the-edge item whereby a bit of insurance corporation funding comes in, and what does is done with it? For the most part it does not go to debt reduction. It goes to this thing the government says is offsetting new debt. It is another fanciful accounting trick whereby it says it will pay money out of this particular account so it does not have to take on debt. It is another little fiddle on behalf of this Treasurer and this government. It is a few extra millions of dollars, hundreds of millions of dollars, that go through and a few extra billion dollars that look different. The government is very good at disguising what it is doing, and it is not very good at openness and accountability.

Other parts of the motion also need to be addressed. When I say that Western Australian families and residents continue to struggle, that is true. When I say that the Cook government continues to roll in and flaunt its wealth,

I suspect that we will never see that at a greater level than we are about to see in this budget process. We see Labor members rolling around the place waiting for the money bin to open and start pouring out revenue into electorates. That is what will happen. It is because the government has been very good at squirrelling it away. It has not changed anything. Labor financial management has not shifted—except in a few bad examples. For the first two years after Labor came into power in 2017, the debt and deficit forecast did not change. It was not new brush, new team in and different financial management. The financial management did not change until 2019. What happened? The current iron ore mining boom started.

The current iron ore mining boom has poured \$6 billion surpluses year in, year out, into the Labor Party money bin. It had a \$6 billion surplus. Until Queensland's surplus last year of, I think, \$9 billion, WA had the biggest surpluses of any state's history in the Federation of Australia since colonies. It was the largest amount of money a state has ever had year in, year out—\$6 billion surpluses. The wealth is astounding and not because of financial management. The government has been lucky to be the recipient during the biggest boom of royalties in this state's history. What will the government spend it on and how will it manage its accounts?

We are talking about financial management, which is interesting, because one of the things this government has done is throw out its very strict wages policy. All those who are on the right wing of the political spectrum and like to see good economic management also like to see a standardised and reasonably strict wages policy. Guess what? The new broom is in. The new Premier Roger Cook said he was chucking that out. What is the first thing that happened? There were public sector pay rises of \$40 000 and \$50 000 for people right at the top of the sector. How on earth is the government justifying that to nurses and teachers and people working at the bottom end of the process? Some people in the public service do not earn \$40 000 or \$50 000.

Hon Pierre Yang: It's SAT. It's not a government decision.

Hon Dr STEVE THOMAS: The member makes a very good point. I am going to give him credit here, which will probably destroy Hon Pierre Yang's career. The member has a brain and his input is not terrible, some of the time.

Hon Pierre Yang is absolutely right; the Salaries and Allowances Tribunal makes that decision. But do members know what? The Salaries and Allowances Tribunal takes the government's wages policy into account. The government removed the wages policy and SAT said, "What are we going to use to measure what public service wages should be? We've thrown the pullback model out the window. What will we use? We'll use competition with everybody else." Funnily enough, some directors general make \$600 000 or \$700 000. I am surprised it did not jump in and compare it with the federal sector, because it pays a bit better again. But it remains the case that because the government threw out its very strict wages policy, SAT had free range to give pay rises of \$40 000 and \$50 000, which is more than many of the people the Labor Party purports to represent earn in a year. There might be some public sector union representatives before the state. Is that the Missos? Who is in that group? I am not sure which union I should be referring to. The Labor Party represents people who earn less than the pay rises at the top end. I am interested to see how government members justify that and think that is reasonable.

Do members opposite know what the outcome of that will be? Everybody else is going to say, "If you're going to give \$40 000 or \$50 000 to the top end, do you think we're going to stand by and accept four per cent or five per cent?" Guess what? The government should get ready for the tsunami, a deluge. The government might say that because it is an election year, it will throw reasonably big pay increases at a lot of public servants. It is very dangerous making public sector wage rises a part of a political campaign, but maybe that is where we will end up. I suspect that the pressure will be high because now that the government has allowed the standard to be set, it will have a lot of very difficult negotiations on its plate. How do the unions feel—I do not know, but members opposite can tell me when they stand up to contribute to this motion—having accepted a pay rise of four per cent each year for the next two years when it is now open slather? I am sure the government negotiated fairly hard by saying that it had a standardised wages policy. That policy is now out the window.

I suspect that in this cost-of-living crisis in which we find ourselves, the impact on directors general is reasonably modest. If they have just had a \$40 000 pay rise, they can probably afford to plug their Tesla car into an electrical outlet. However, the standard worker is still struggling. Families out there are in crisis because of the higher interest rates. Yes, I understand that they are not as high as they used to be. I remember 15 per cent, 16 per cent and 17 per cent interest rates. Members who are getting a bit long in the tooth like me can probably remember that as well. The people of Western Australia are, in some cases, struggling to put a roof over their heads and food on the table, and that struggle is not benefited by \$40 000 pay rises to directors general and the government filling up its money bin. I suspect that in a few months, the government will open the door and throw some more dollars at people who are struggling, but here is a tip. Why did the government not throw open the doors last year? Why does it take an election year before the enormous money bin of the McGowan and Cook Labor governments is directed towards the cost-of-living needs of the people of Western Australia? Why has the government put the political expediency of the Labor Party and the McGowan–Cook Labor governments ahead of the needs of the people of Western Australia? Why will the government wait until the pre-election budget to do that? It could have done it last year or the year before. The boom started in 2019 and, at that point, the economy looked very different, but that is what it was supposed to do.

I used to have great economic debates with Hon Alannah MacTiernan, whom I miss, although I am sure that Hon Stephen Dawson will put in a valiant effort here. For those Keynesians in the chamber, let us talk about what Keynes said. He said that when things are good, governments step back, and when things are tight, governments step up their expenditure. Some people say that is communism or government intervention, but Keynes was pretty moderate. He was fairly middle of the road. What has this government done? As the economics developed, as we got into this boom, it increased its spending. Instead of following the so-called left-wing mantra of Keynes, those guys over there plunged into modern monetary theory. They are sitting there going, “We’ll just accumulate all this wealth and throw it out there with massive infrastructure spends”, at the expense of all those people trying to build houses. There is a reason why trying to build a house, which used to take 10 months, is now taking two years, and on occasions three. The building industry cannot get workers or materials. The government added a state stimulus package to a federal stimulus package and made it worse in Western Australia. It doubled up. Other states did not do it; they relied on the federal package. This mob put in a state package and overheated the marketplace. All this construction was suddenly trying to get into the marketplace, and, at the same time, the government shifted its state infrastructure spend up to \$8 billion and then \$9 billion; it is now \$11 billion. That was in direct competition with everybody trying to build a house. Is it no wonder that people are struggling to put a roof over their heads? They are in direct competition with the government.

It will be really interesting; we are about to go into a pre-election budget, and I think the government will make it worse. I think the government will walk in and start chucking a bit more money about. Maybe that is its plan. Maybe the government has it finally worked out that it cannot afford to add anything more into the infrastructure budget because it has overcooked the marketplace. It is a burnt sausage! It is blackened and sitting on the edge of the barbecue, and nobody can eat it. The government has overcooked this marketplace to blazes. Maybe the government’s strategy is to spend the money somehow, so it is going to chuck it into wages. The Minister for Emergency Services will maybe tell us about this and outline the magic strategy. The government cannot do anymore infrastructure; it has cooked that. Where is it going to put the money? I think it will be really interesting; the pre-election budget will have so much money that the government cannot spend. It means that the government has not been able to set things out over a time frame and it does not have a plan for infrastructure expenditure that actually works. It is a bit like its plan for power transition; that does not work either. None of these things are properly and strategically put together. Its economic management is actually bad, not good.

Despite everything the government says, it has been incredibly lucky in being the recipient of the biggest royalties boom we have ever had, but its economic management is falling down. The people of Western Australia are suffering. The group of people that the government is not giving a \$40 000 pay rise to are struggling to put food on the table. The government has overcooked the marketplace, so people have been waiting two years to get a house built. It has overcooked the marketplace. At the same time, the construction cost of a house has gone up by more than the combined state and federal grants that were handed out. A lot of those houses are now \$100 000 more expensive than they were when the build first started. The government has overcooked this marketplace to a point, and now it will try to chuck more money into it to buy the next election and save the reputation of this government, and the people of Western Australia will suffer for it.

HON TJORN SIBMA (North Metropolitan) [1.33 pm]: It is with a great deal of enthusiasm that I address the chamber today on the first substantive motion of 2024. If I speak in absolute wholehearted support of the motion, the spirit with which it has been written and the contents, it is because it behaves us to concentrate our minds on the flow of money in Western Australia. I use that phrase advisedly. Over my summer break I reacquainted myself with a number of film classics that I had never got around to viewing. One of them was *All the President’s Men*. Aficionados of American political history will understand the significance of that. A phrase was used when people were trying to get to the bottom of the President’s complicity in the Watergate scandal. The phrase was “follow the money”. I think any sensible observer of the state of politics in Western Australia and the performance of this government has to follow the money and not be mystified or waylaid by its enormous budget surpluses. It is a story about the way that surplus has been accumulated and how that funding has been utilised to address dire areas of public need in Western Australia. It needs to continually be the focus of this chamber.

I am a nerd, and like any good political nerd, I like to read government reports. My friend Hon Dr Steve Thomas likes to read government reports too, and he referred to one in the opening statement of his motion. I want to draw the attention of members present today to another catalogue of annual reports; I will not say that the reports are speedily published, but they are generally published annually. I will refer to a report that the Western Australian Electoral Commissioner is obliged to deliver. It is a report on the operation of part IV of the Electoral Act 1907. What is all this about? It is about political finance. Why would I bring that up? Well, it is a way of referring to a category of expenditure that every statutory department or government trading enterprise undergoes each year. It tries to measure how much of the money of the taxpayers of Western Australia is being given to advertising agencies, market research organisations, polling organisations, direct mail organisations and media advertising organisations. This is done by instruments of governments, not political parties—largely the public service.

I wondered how much money has gone out the door to fund propaganda over the course of the McGowan and Cook governments. These are statements of record and get to the sense of whether this is an appropriate level of expenditure.

Some variability can be explained, but I want to go through the sum totals. In the first year of the McGowan Labor government, \$92 million was spent on government propaganda; in 2018–19, \$103 million was spent; in 2019–20, \$107 million was spent; in 2020–21, \$115 million was spent; and in 2021–22, \$147 million was spent. That last figure can be explained to a degree by the COVID pandemic and the need for government communication. I am not saying that there is never any need to communicate to the public, but I am trying to understand if this scale and scope of huge expenditure is justifiable in the main.

The interesting thing about this is that those sum totals equate to about half a billion dollars. Half a billion dollars has been spent on advertising by this government. However, that is a dated figure. If I am to round it accurately, it is more around \$560 million. There is a delay in the reporting. I have asked the Electoral Commissioner for an explanation of why we do not have the most recent document, which was tabled in November last year in the last or second-last sitting week, available to us. It related to expenditure for the year up to June 2022. This report, the most present report, was already 18 months out of date. What should we assume the trajectory of expenditure has been since then? I think we can reasonably assume that about \$100 million was spent in the 2022–23 budget year. That would then take that total from \$600 million closer to \$700 million already.

However, that itself is a dated figure. I think we all understand that there has been a catalogue of government advertising campaigns since June last year, particularly related to Metronet and the transport portfolio. Hon Dr Steve Thomas is right; a momentum has been established. I can only anticipate that a reasonable political observer would think that the largesse, the expenditure on advertising and the devotion to propaganda will only increase at a frenetic pace until the issue of the writs in February next year. This is how the game is played, and this government plays it particularly hard. What will that mean? It is a reasonable expectation or estimate to suggest that by this time next year, the McGowan and Cook Labor governments would have spent the sum total of around \$800 million on propaganda purposes. When we put a figure like that to the people of Western Australia, it boggles the mind, but is that an appropriate level of expenditure? Does it indicate that this is a government that has come to grips with the needs of modern Western Australia and understands cost-of-living pressures and, we forget, cost-of-business pressures, particularly among small to medium-sized enterprise in the metropolitan and regional areas of the state that are still allowed to get on with their industry—if it is not stripped from underneath them, like the timber industry; is not threatened to be nationalised, like the rock lobster industry; or has not had fishing grounds constrained, like the commercial fishing industry? I have not even addressed live export yet. I will leave that to another time. What has happened under a Labor government is an absolute abomination by which it has demonstrated a lack of support and appreciation for those people who face tangible, difficult life choices in running a family budget or a business.

I will cite an example. The vegetable growers in Wanneroo face a dual problem. One is an increase in water charges; the other is a constraint on their capacity to draw water. What will this eventuate in other than a higher cost for produce, which means more expensive fresh fruit and vegetables for the local market? Local families cannot afford more expensive groceries. We all understand this. Why are we then pursuing, without any strategic cohesion, these episodic little fixes that complicate life and make it more expensive for producers in this state? It defies all common sense, all logic and all appreciation.

I understand that the government's recourse to addressing the cost of living is largely through rebates, and I appreciate that. The first big rebate relief was gifted by way of the resolution of the Bell case by the Insurance Commission of Western Australia. I refer to that organisation today not with any depth of focus, but I find it a necessity to put something very clearly on the agenda here. A bill was introduced to the other place on the last sitting day last year; it is called the Insurance Legislation Amendment (Motor Vehicle Claims Harvesting) Bill 2023. This bill proposes something noble and probably necessary—that is, to clear up a dodgy practice of claims harvesting among dodgy lawyers and other associated entities in their representation of individuals to settle a claim and take a take. That is a problem worth addressing. The bill does so much more than that, and I do not think it has been fully understood by the ministers responsible for the portfolio over the course of the last two years—that being, the ex-Treasurer, Hon Mark McGowan, and the now Treasurer, Hon Rita Saffioti.

I have spent the last two weeks wearing my justice portfolio hat and speaking to a number of eminent lawyers in this city about their concerns about the bill. Last Friday, I think there was a media release issued by the Australian Lawyers Alliance. I anticipate that the legal fraternity across the board and, indeed, across specialisations will become more vocal about this over the course of the next week. First and foremost, they are concerned that the proposed legislation, from a legal standpoint, is unworkable. But what they are concerned about at a human level, at the level of their clients and the capacity to obtain for them a fair and equitable outcome, is the pressure or the constraints that this new model would apply. These concerns are foremost. I will not betray the origin of this. I will provide a copy to Hansard, but I do want to read in something. Their concerns boil down and distil to two key points, and then I will describe how they are relevant to this motion. The concerns are —

1. ICWA's proposed legislation would prevent many claimants from commencing legal proceedings in order to obtain fair compensation after being injured in a motor vehicle accident or run over by a motor vehicle;

2. In many cases, the legislation would have the effect of forcing claimants to accept whatever amount ICWA was prepared to offer in the knowledge that the claimant was unlikely to be able to afford to commence legal proceedings.

I cannot think of a cohort of more vulnerable people than victims of motor vehicle accidents. This is a calamity that can befall any of us here present or any of our friends or loved ones at any time. What concerns me grievously is that we are, potentially and without reflection, in order to address a problem over here, causing a catastrophe on the other side of us and putting at jeopardy a fair and equitable financial and legal outcome for people who through no fault of their own have been injured in a motor vehicle accident.

I am not the kind of person who plays silly games, and that phrase has some sort of resonance among those who have been following along in the last few days. I have taken the view that I should read these very, very modest and very considered arguments into the *Hansard* if only to warn the government against its own legislation because I know a number of other things about this legislation and the correspondence that has occurred between the associated parties. This gets down to the nature of this motion. This is the richest state government Western Australia has ever seen or is likely to ever see again in 30, 40 or 50 years. I do not begrudge people their success or organisations their luck because I think to do so tempts the gods most grievously. I will accept my luck—good, bad or indifferent—and I will never, ever criticise a government for being lucky. But what I expect, at some level, is a concession or an admission that, frankly, we do not actually run a business here; we run a government, and our primary income source is derived from royalties. We do not set the price for those royalties. We do not set the supply and demand parameters for those royalties, but we have been gifted an enormous economic boom. What, then, is our responsibility? Maybe the government should target that expenditure or make good that surplus and address areas of dire need.

What the government should not do, in relation to this insurance matter that I am drawing some attention to now, is use every opportunity to penny pinch and give the public a take-it-or-leave-it deal. I think that is absolutely abysmal, and I expect better from a Labor Party. Perhaps we have forgotten something along the way. Perhaps we have become drunk! Perhaps the government has become a parody of itself. It is a get-rich government that got rich fast and lost its way. I think the government is doing that, unfortunately, but, with all due respect, it is not necessarily the members opposite who will suffer. The people who suffer here are the people we are elected to serve. The people who suffer from the misplaced priorities of the members opposite are the ones who trusted them and voted for them in overwhelming numbers. I am just here, from the opposition, humbly saying that the government needs to slow down and think about what it is doing. It needs to think about why it is spending on the projects it is spending on.

I will just round out with the obvious infrastructure project that is going to demolish and absolutely devour future budgets in Western Australia—that is, Metronet. I have said this 100 times, so let this be the 101st time: I believe in appropriate investment in public transport infrastructure. Of course it is needed. Do I think it was a bad idea to build a spur line to Yanchep? No. Do I think it was a bad idea to do the Morley–Ellenbrook line? No. Do I think it was a bad idea to go to Thornlie and beyond? No, of course not. However, the length of track in the metropolitan area was approximately 70 kilometres long up until about a year ago. What has happened through Metronet—the project that started at \$3 billion and has now grown by about 400 per cent to \$12 billion in capital terms—is that the government has expanded the network at a time when patronage is still lagging. It has now caught up to pre-COVID numbers. What will it mean in sheer discretionary spending terms? I have been putting a figure across for the last 18 months. I say this with respect because I respect her capacity: the now Treasurer, Hon Rita Saffioti, has never once said that I was wrong in saying that, effectively, the annual subsidisation expense and running costs will be at least \$2 billion a year. We need to start putting these things in proper proportion. If we consider, for example, the annual operating budgets for child protection services, or the Department of Communities more broadly, and the Western Australia Police Force, we find that an enormous amount of subsidisation has gone into making Metronet work and, frankly, and without playing silly games, making the Treasurer and Minister for Transport look particularly good. She is capable enough, but what we do not need to do is pay for it. We do not need to pay for it to the tune of an extra \$2 billion, which we will need to find from somewhere over the forward estimates.

Can I just counsel the government? The good times never last—ever. We have a completely dysfunctional global environment. We have absolute chaos in Gaza; the Red Sea freight routes are absolutely disrupted. We have a prolonged conflict in Ukraine that does not look like it is going to solve itself soon, and we have the potential impending catastrophe of the US presidential election at the end of this year. We are heading into a period of global and regional uncertainty, and we are just spending money willy-nilly on ourselves and promoting propaganda and not focusing on the pressures here and now, let alone the problems that we are going to face over the next five to 10 years. There is an opportunity for the government to fix this. This is not a condemnation; this is a warning. This is absolutely what it has been doing—and doing wrong. I imagine that the budget will be the government's opportunity to fix it and get itself sorted out, because if we continue at this rate, all the government is going to do is disappoint all those people who voted for it and not make their lives one little bit better. Please improve.

HON NEIL THOMSON (Mining and Pastoral) [1.52 pm]: I also rise to support the motion moved by Hon Dr Steve Thomas. We have talked before in this place about the cost of living. In fact, I spoke at length about this during the last budget process. I also aired my concern about the representative household table on page 316 of budget paper No 3 when I spoke on the appropriation bills. I am still waiting for a response on this matter from

the minister representing the Treasurer. There has not been an appropriate response to what I believe was a change in the methodology of the assessment of the impacts of cost-of-living increases on Western Australians. Yesterday, I spoke about the fact that there is not enough transparency. We had the report from the Auditor General about the Perth parking levy, and we saw the lack of transparency about that issue. I just make the point that I still think there has not been enough emphasis on reporting. I will continue to raise this issue during estimates committee hearings after the next budget. I put the Department of Treasury and the minister on notice that I want clarification on that issue.

Although the state government has a limited set of levers that can affect cost of living, it has some very important levers. It also has direct impacts. I will come back to that because there are issues here in the midyear review that I think are important to get a real cut of the jib of this government, in terms of understanding the style of this government and the way it operates around a whole range of things. We will debate the Residential Tenancies Amendment Bill 2023 in this place shortly. That is apparently going to limit landlords—those hardworking people who save up to own a house then buy another house as an investment property. It is going to put more limitations on them around what they can do and how they manage their own assets and provide affordable housing in Western Australia. I will tell members what: they do the heavy lifting for affordable housing. I can tell members that the government is not doing the heavy lifting for affordable housing. It is a serious issue. This government has been abysmal with social housing. There are fewer social homes now, with the government trying to invest at the last minute and increase social homes in Western Australia. We have seen a decline in the number of social homes. I have spoken many times on this issue.

Let us have a look at the style and hypocrisy of this government. With Osprey Village in Port Hedland —

Hon Dan Caddy: You are brave bringing that up!

Hon NEIL THOMSON: The other side mocks me because this is an embarrassment to the government. Osprey Village was established to provide affordable housing for critical workers, for the people who provide services into towns like Port Hedland and Karratha, where the cost of living is through the roof and it is really hard to get a rental. We know that the rental costs in those towns have again escalated, and to get a basic home—a three-by-two or whatever—in those communities, people pay over \$1 000 a week, maybe even more for a four-by-two in places like Karratha: \$1 600 to \$2 000 a week.

The embarrassment to this government is that on 1 July, through DevelopmentWA and through its own arrangements, it put up the rent! This is a model landlord, and we expect people to follow its example. We are talking about the Western Australian government. There is a whole range of apartments in Osprey Village. One of those is a three-by-two called the Acacia apartment. Critical workers can qualify to rent that apartment. On 30 June 2023, workers would have paid \$540 a week. People in Perth would think that is quite a high rent, but maybe now with the rising cost of living, people would say, “Okay, that is fair enough, especially if you are working up there.” Many of those people are only on \$70 000 to \$80 000 a year, working in the retail and services sector, providing critical services. The government put up the rent to \$648 a week.

Hon Dr Steve Thomas: That’s a big increase.

Hon NEIL THOMSON: That is a big increase! I think that is roughly 15 per cent—that is an off-the-top-of-my-head calculation. That is a big increase. What happened on 1 January, six months later? Six months later that rent went up to \$760 a week. There is a model landlord for you, folks. That is an example. Then the government has the audacity to bring a bill to this place to tell private landlords that they cannot charge a market-based rental, when the rent for a development specifically designed to provide support that critical workers need is increasing at a six-monthly rate over a period of time that —

Hon Stephen Dawson: Honourable member, you had better check your facts.

Hon NEIL THOMSON: I have the tables here.

Hon Stephen Dawson: I understand it was the agreement signed by your government —

Hon NEIL THOMSON: You are in charge. The government is in charge!

Hon Stephen Dawson interjected.

Hon NEIL THOMSON: We can see it pinches a nerve for the minister opposite, who has his office in South Hedland. It pinches a nerve because that is what is happening. That is the model landlord, called the Western Australian government, which has this incredible hypocrisy. That is where relief could be provided or directed. I have spoken about the incredible increases in stamp duty in relation to the rise in insurance costs. That is something of grave concern. We saw \$600 million of additional revenue just sneaked in through the midyear review last year. An additional \$600 million of stamp duty was thrown in because of the increased misery occurring across Western Australia, as we saw after those big storms. Of course, that flows through to the insurance costs. People have a right to insure their homes and protect their properties. In the face of the big fires and floods that we constantly face, people are now paying tens of thousands of dollars, or millions of dollars—\$600 million—in additional stamp duty on insurance. I checked and it was good to see there has not been a further increase, but it is still an excessive

amount. There is an opportunity to look at these things and, as part of the government's massive surplus, to focus on reducing the cost of living. The government could examine how we could have a fairer outcome. It could look at the report from the Australian Competition and Consumer Commission and its recommendations. It could be done in a way that is fairer regionally. I am talking for my own region where people face excessive costs in the north. Some of them are retirees who own homes up north, pretty much north of Geraldton, where insurance costs are escalating at a rapid rate. Many retirees are finding it harder and harder to live in regional communities because they cannot afford to insure their own homes.

Yet again, in the midyear review there is another massive increase in the stamp duty charged on motor vehicles. The government has to have taxation revenue to pay for things, but this is a very tangible duty that could be examined for its impact on people who are struggling to pay for the upkeep of their vehicles. What happened with COVID and the challenges with the supply chains around the world with the delivery of motor vehicles is there have been massive delays in the delivery of new motor vehicles. That had a direct impact on the second-hand car market. Over the last two years, there have been massive increases in transfer duties associated with motor vehicles. I am just giving these suggestions to the government. It could have looked at how it can provide a bit of relief, particularly for affordable motor vehicles. Someone on a lower income might have to purchase or upgrade their motor vehicle and often they cannot afford a brand new motor vehicle; they have to purchase a second-hand motor vehicle. Again, there are big increases in total revenue. It is not because the percentage is increasing. It is because the cost of motor vehicles has been escalating at such a rate. The basic needs for the Western Australian community are being able to get from point A to point B, take the kids to school, get down to work and access the services they need, particularly in the regions where we know that the need to have a safe motor vehicle is a very important issue. Motor vehicle safety relates directly to people's ability to drive safely from point A to point B. This is particularly when we see things like the patient assisted travel scheme flatlining over the last few years. An extra grant that was provided through the royalties for regions scheme was removed and no adjustment was made. People in the regions are really struggling, particularly retirees or people who may need more regular health treatments. Health service treatments have been removed in those communities and they cannot access health treatments. I talk to people in towns like Carnarvon, and they have to travel down to Geraldton quite regularly to get basic services because they cannot access those services in Carnarvon. They often have to drive because it is probably the cheapest way for them to do it.

Yet again, it is a challenge to ensure that those cost pressures are not there. The government could be doing many things to improve the cost-of-living situation for the Western Australian community. This is becoming more and more important. As presented very ably by my colleague Hon Dr Steve Thomas, we see an ongoing underestimation of the royalty revenue that keeps flowing into the coffers. It keeps pouring in like great rivers of gold. The opportunity to change those structural arrangements in Western Australia is not being addressed in a structured way, and the most basic of services continue to lack reliability.

This document shows a reduction in lithium royalties, which highlights that some emerging sectors are not guaranteed to succeed. We cannot guarantee that a critical minerals industry will emerge. The nickel industry has had terrible news, and it has been placed in huge risk because of regulatory pressures. This is going to have a direct impact on jobs in our community, particularly in Kalgoorlie. We saw terrible job losses in the alumina industry in Kwinana, and I will speak more about that another time. These are the challenges. This government has become reliant on the tap of royalties from our iron ore industry, the flow of money from increases in motor vehicle insurance and the misery tax on our insurance industry. This government has made the ongoing assumption that we will have continual growth, but it is not doing the hard work to deal with structural and cost-of-living issues in the Western Australian economy to make sure that our community is serviced and gets the best benefit from this amazing windfall.

The *Government mid-year financial projections statement* shows that incredible revenue is flowing in from the GST fix agreed to by the federal coalition government. That has been a major boon for this government but, again, the government has not taken advantage of it during a time of record inflation and record increases in, and challenges around, food prices that are faced by our horticultural sector, as outlined by Hon Tjorn Sibma. Hon Tjorn Sibma and I visited horticulturalists north of Wanneroo who are worried about the massive increases in fees for their water entitlements and the challenges that they will face in delivering seasonal food to our tables and growing greens that require cooler temperatures during the heat of the summer. We have to be careful with what we do. The government should look at everything it does through the lens of how it will affect consumers, the people of Western Australia, and how to make their lives less expensive. We should have the best outcomes in Australia.

For my last point, I will come back to the issue of housing. The midyear review shows a massive increase in the transfer duty associated with our housing market. Again, this government just rides on the back of inflation and gets all this revenue pouring in. It pours it into its hollow logs—those special purpose accounts—loading them up and not paying down the debt that it should be paying. As I said yesterday in my speech about the special purpose accounts, it is costing \$14 million—I should say \$14 billion. Excuse me. I am sure that Hon Dr Steve Thomas would have picked me up on that point. The \$14 billion in the special purpose accounts is not getting the best value out of the dollar. It costs \$50-odd million in lost revenue, which the state could get from offset interest if the government actually focused on reducing debt.

Coming back to the impact of the transfer duty, I will say that that is again having an impact. People who are moving in and out of the housing market and people who might want to downsize, for example, face challenges. Some limited intervention has occurred but, again, the government could pull more levers to ensure that our housing market becomes more affordable and make greater progress in that space. Again, I want to focus on how more could be done for social housing and for first home owners.

The Opening Doors program was very effective in delivering shared equity in Western Australia. People could go to the Opening Doors website to see whether they could get into a shared equity scheme for a house. It was a very effective scheme that ran for a number of years and provided a stepping stone for many people to get into the housing market. It was provided by the Housing Authority and previously had hundreds of home options available for young people to get into their first home. It was a great idea for low-income earners, service workers or those who work in the caring industry, which unfortunately probably pays too little for the tasks they do. Those people need a roof over their heads and the security to get out of the rent trap. I have been told that, apparently, if people go to the Opening Doors website now and look for a house, not a single house is available. I would love to hear from the government what is happening to shared equity; I think it has been completely abandoned. The government does not believe in it or in looking after the Western Australians who need it most.

As Hon Dr Steve Thomas put it, this government's midyear review yet again shows the continued underestimation of revenue, in particular, from the mining and iron ore sectors. There are some worrying signs on the lithium front. Since the midyear review was released, there has been even more worry and concern about some of the value-added areas in our mining sector. We cannot take that sector for granted. The structural changes have not been made.

Most of all, this government has failed the residents and families who continue to struggle with the higher cost of living. This government continues to flaunt its wealth and simply did not make changes when the opportunity was there.

The ACTING PRESIDENT (Hon Stephen Pratt): I give the call to Hon Dan Caddy.

Hon Martin Aldridge: Oh! The government response!

HON DAN CADDY (North Metropolitan) [2.13 pm]: Thank you, Mr Acting President. No, I am not giving the government response. I believe that my good friend the Minister for Emergency Services will give the government response. I was not going to speak —

Hon Martin Aldridge: One day.

Hon DAN CADDY: He will get there. He needs to listen to a lot of opposition members to get together any sort of substance that he can respond to. Therein lies the problem, and it has been a problem with opposition members for some time.

I was not going to rise today, but I take the opportunity to speak because a couple of things were said that struck me as odd. The contribution we just heard was an interesting one that went all over the place, as the contributions of members opposite often do. The member talked about what has happened in the light of decision-making and all sorts of things, and one thing he brought up was Osprey Village. I was staggered that a member opposite would bring up Osprey.

Hon Darren West: I think they've had enough own goals this week.

Hon DAN CADDY: Yes. The member is having a bad enough week already. It was interesting that he brought up Osprey; I am surprised that he did not bring up MAX light rail as well!

Osprey Village was fascinating. It was very much a jewel in the crown for the royalties for regions wastage under the previous government, and that is why I am so staggered that the member brought it up. There are obviously "super towns", and I will always support money being invested into the regions, but money went into some towns that then saw a decline in population. That was interesting. I will stick with Osprey, because it was fascinating. Many of us on this side have read the Langoulant report; I would implore the member to also read it. The report goes into great detail about Osprey Village and the process—one might say the lack of process—behind that development, which was acquired for \$115 million, despite retrospectively being found to be valued at only \$51 million. It cost millions in management fees, and it was never ever going to generate a return. I think it is really important that we in this chamber reflect on that poor decision-making, because when members opposite stand —

Hon Neil Thomson interjected.

Hon DAN CADDY: If the member would like to listen, he might actually learn something. If the member wants to stand there and bring up and talk about Osprey in this place, he needs to realise that it is one of the biggest own goals of the previous government.

Hon Martin Aldridge: Tell us about the Office of Shared Services!

Hon DAN CADDY: I am responding to the member. I appreciate your interjection.

Hon Martin Aldridge: Tell us about rapid antigen tests!

Hon DAN CADDY: I realise that the member's interjections will be wide and varied, but I am talking specifically about Osprey, which was mentioned by the previous —

Hon Neil Thomson interjected.

Hon DAN CADDY: Member, I listened to you.

Several members interjected.

The ACTING PRESIDENT (Hon Stephen Pratt): Order, members!

Hon Neil Thomson interjected.

The ACTING PRESIDENT: Order!

Hon DAN CADDY: It does not happen very often, but for once, I listened to the member in silence. That is the reason I felt compelled to get up and remind everyone of the history. This motion moved by Hon Dr Steve Thomas, which I do not agree with and do not support, was all around decision-making. The member was talking within that context, and it was within that context that the member chose to bring up Osprey Village. Now, I choose to talk about Osprey because it was, I quote, the “jewel in the crown” for the royalties for regions program. I suggest it was the jewel in the crown of the inept attitude and managing of that program. The minister at the time at one point had spent \$37 million on the project with no business case—not even an inadequate business case, a back-of-the-envelope drawing or an Excel spreadsheet on anything, as far as we are aware. The former minister spent \$37 million with nothing behind it, and that did not include the cost of maintenance, rates or strata fees. It was not any of the administrative costs; it was straight out —

Hon Neil Thomson interjected.

Hon DAN CADDY: Member, please listen. I am not taking interjections. I did not interject on the member; I normally do, but I did not today, so I would appreciate the same in return. I will not talk for long. I really want to get the point about Osprey Village on the record. I am happy to digress; I am happy to talk about other things. We can talk about Pelago West. That was a \$7 million waste. Then there was Pelago East. My recollection is—I am getting hazy now, because it was during the member's time—that it cost \$30 million to buy 50 units at Pelago East, but I will give the member one thing: compared with Osprey, it actually had a business case. The development may have been significantly flawed, but at least there was a business case in place. To quote Mr Langoulant's *Special inquiry into government programs and projects* report —

The State took on a significant risk associated with the development to ensure it went ahead.

That report was damning. If the member has not read it, I am very happy to provide a copy so that he can have a read. He will see written in the report that this project was undertaken on the run, had no planning and that the risk assessment undertaken was insufficient. All these things are in the report. The member then may be a little more circumspect when he comes into this place and starts throwing the Osprey project around because, my good friend, this was a classic example of policy on the run, spending on the run and the wastage of the previous government that led us to the \$40 billion debt we inherited as a government all those years ago.

Hon Dr Steve Thomas: You inherited \$32 billion.

Hon DAN CADDY: It was \$40 billion—\$32 billion? I am not sure of the member's position, as things have changed around a bit, but if the humble backbencher who was once a very fine shadow Treasurer says \$32 billion, and he is prepared to hang his hat on that, I will take \$32 billion! Who would argue over a few billion dollars? It is a hell of a black hole, my friend!

I know other members want to speak. I do not just want to talk when there is nothing left, but there is a lot left to say! I could go into the agreement with National Lifestyle Villages. I could go on about a whole lot more stuff. I just wanted to draw the member's attention to the history of Osprey, so he may think twice before choosing to bring it up again in this chamber and mention the name of what was one of the biggest own goals—there were quite a few of them—that the previous government kicked.

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [2.22 pm]: It looks like the government does not really want to respond to this motion. I am sure that in due course the minister will respond, and it will be riveting for all of us—as all our contributions are. I want to thank Hon Dr Steve Thomas for moving the motion. My colleagues ahead of me have spoken at great length in particular about limb (1) of this motion, which is about the midyear financial projections, the budget and so on. I want to talk a bit more about limb (2) of the motion, which reads —

calls on the Cook Labor government to urgently do more for struggling Western Australian residents and families.

I do not think that is an unreasonable request at all, even for those sitting on the other side of the chamber, because we can always do more for those in our communities who are struggling, particularly those struggling with the current cost-of-living crisis. I want to give a little bit of perspective to some of the challenges people face in our community. The wonderful service Lifeline Australia recently revealed that it received 39 per cent more calls in 2023 than

received in the year prior. That was 116 000 calls, and it was the first time as an organisation that it supported more than 100 000 people. That is an extraordinary amount of support that that organisation offers and a real indicator of the struggle people face in the current cost-of-living crisis. Organisations like Foodbank report that 36 per cent of all households in Australia experienced food scarcity in the last 12 months. That is a pretty significant statistic. It shows the level of pressure facing Australians and Western Australians to put food on the table and look after their families.

I was at an agricultural conference on Monday, the Grains Research and Development Corporation's Grains Research Update. Interestingly, one of the guest keynote speakers at the beginning of the day was a demographer. I cannot recall everything he talked about, but he was a fascinating individual, of German descent and very charismatic—that is the word I would use. He talked about Western Australia, in respect of its demographics, as being the youngest state in the nation. A lot of younger people are being attracted to the state, obviously as a result of the mining industry and its ability to attract people here. He also pointed out the issues that that brings, in terms of housing those people and providing them with the services they need while still providing services to the already existing community. He talked at length about what that actually means for our state. Although it is a good thing that we have a younger demographic, there are still great challenges facing us.

How will the government address some of those challenges? I am sure the minister, in his reply, will tell us all about the things that the government is doing to address the cost of living. I again reflect on the second part of the motion, which calls upon the government to do more. That is not saying that the government has not done enough; it is saying that we need to do more, and I think that is the important point here. We can always do more.

I have seen this a number of times and have done the odd soup run with those who provide food for the needy out there, and the first time I did that—a few years ago, now—I was surprised. People might have a stereotype in their head about what they expect to see when they deliver those sorts of services to the community, but the reality is that it may be the nicest house in the street, beautifully presented, with the most immaculate garden, and it may be just as much of a struggle for those people as it is for anyone anywhere else in the community. I think that is really the key here: this cost-of-living crisis is affecting so many people, from all demographics and from all walks of life. That really brings home to me the need for the government to make sure it works hard in this space.

What can the government do? Obviously, fees and charges are a big earner for government. My colleague Hon Neil Thomson talked about stamp duty. There are other obvious fees and charges in respect of motor vehicles and stamp duty on home purchases and so on. There are all sorts of relief measures that could be put in place or increased. Another challenge in respect of the additional costs that people face are the choices they have to make to not spend money on other things. This is a federal issue and one that I know will probably rile a lot of people up, but let us talk about nicotine addiction, for example. Let us talk about people who are addicted to nicotine, because that is ultimately what makes people want to smoke; no-one would want to smoke otherwise. The government thinks that increasing taxes on cigarettes is a way of addressing that problem, but when a packet of cigarettes costs more, it means that a person who is addicted to nicotine will ultimately spend more money on cigarettes and less money on putting food on the table.

Hon Lorna Harper: Are you suggesting that we reduce the price of cigarettes?

Hon COLIN de GRUSSA: I am not suggesting that we reduce the price of cigarettes; I am suggesting that we understand that people will make the choice to smoke because they are addicted. We need to treat the addiction. A financial penalty for that sort of condition is not always going to work. We need to understand the choices people make and we need to look at those options in terms of reducing the fees and charges that people are paying, to try to minimise the impact that they have on people's budgets.

No doubt, government members will talk about the government's plans for housing. I have seen that firsthand. A family of four moved in with us for five weeks over the summer recess because their landlord decided that they wanted to move back into the rental property, so they had nowhere to go. Obviously, we were in a position to help them and, luckily, they were eventually able to purchase a property to move into. That is the sort of thing people are facing now with the housing crisis. Builders are struggling to pay bills and build the houses that we need. I am sure that the government is acutely aware of all these issues—no doubt about that. I do not pretend that there is a silver bullet for all these things, but I think we could certainly provide more relief in fees and charges, whether that be motor vehicle licensing fees, stamp duty or business taxes. Let us remember that businesses may decide to cut someone's hours rather than have to pay them if that created a taxation issue for them.

I will leave it at this point. I am sure other members want to contribute to this motion. Again, I thank Hon Dr Steve Thomas for moving this motion. I hope we can have a rational discussion about the ways in which we can all work to address the cost-of-living crisis that is facing communities and individuals right across Western Australia.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [2.31 pm]: I thought I better get in just before we run out of time. I will not take up my whole time, so if other honourable members want to make a contribution this afternoon, they can. I was going to say I thank the shadow Treasurer, but I thank the person formerly known as the shadow Treasurer for moving this motion this afternoon and for his acknowledgement of the fine work that the government is doing to balance the budget.

Many members on the far side served in the last Liberal–National government and, of course, we are all aware of how they spent like drunken sailors at the time. Although they would have us do the same in government, we have not and we will not. We pride ourselves on good fiscal management and we will continue to do so.

I was busy scribbling notes as I was listening to the contributions of honourable members this afternoon. At least one honourable member spoke to us about his summer holidays and the fact that he got to watch some movies. I thought the honourable member should have watched *Monty Python's Life of Brian* in light of the headline on today's paper and the very pertinent line, "He's not the Messiah ... He's a very naughty boy!"

Of course, this motion makes members on this side feel like it is groundhog day. I have not gone back to last year's *Hansard*, but I think the same motion was moved numerous times. It is good to see the opposition is getting good at recycling because it was not very good at recycling when it was in government many years ago! The opposition has moved this motion and failed to acknowledge that when we gained the Treasury bench in 2017, we were left with a disastrous set of books. We have done the heavy lifting and worked incredibly hard to not only turn around the economy but also balance the budget and deliver for Western Australians.

One of the things Hon Dr Steve Thomas raised in his contribution was the dividends retained by Western Power, Water Corporation and the other government trading enterprises. He said that they were retained to reduce the surplus. I think that is conspiratorial. It makes prudent sense for GTEs to have money to start planning for the projects that are underway over the next few years in this state, including a new \$2 billion desalination plant and the road to decarbonise the state's economy in the south west interconnected system in particular, which is estimated to cost around \$3.5 billion or \$4 billion.

In his contribution, he also spoke about the Salaries and Allowances Tribunal and the fact that a number of senior leaders in the public sector got a pay rise in the past few weeks. I think it was disingenuous for him to say the government has done this, because those who pay attention in this place realise that the Salaries and Allowances Tribunal is independent of the government. Sometimes the Salaries and Allowances Tribunal makes decisions that we like and sometimes it does not. It is disingenuous to blame us for the decisions made by that body. The government continues to consult with the trade union movement in this state about its new wages policy because, at the end of the day, it wants to deliver fair wages to public sector workers, who do an amazing job. They certainly did an amazing job over the past few years during the trying times of the COVID-19 pandemic.

In his contribution, Hon Neil Thomson raised the issue of Osprey Village. I responded to him by way of interjection, but I will quickly touch on it now. Hon Neil Thomson said that Osprey Village rental prices had increased recently. This issue was brought to my attention earlier in the year by one of my constituents in Port Hedland. It was brought to my attention that the policy for these increases was set by the former Liberal–National government when Hon Neil Thomson was a senior —

Hon Neil Thomson interjected.

Hon STEPHEN DAWSON: The policy was signed, the agreement was signed, the contract was signed—we cannot get out of it. Although Hon Neil Thomson was not a member of Parliament at that stage, he was, of course, a very senior public servant in this state, so I am happy to lay the blame with him. Thought should be given to contracts like this that could have significant impacts on future generations. Hon Neil Thomson was asleep at the wheel when he was a senior public sector worker, because the contract that was signed by the former Liberal–National government has led to rent increases for people in my electorate.

Hon Neil Thomson: No responsibility.

Hon STEPHEN DAWSON: I did my homework for this motion—Hon Neil Thomson did not.

What has the government been doing? We are constantly criticised by the opposition. From time to time, the former Leader of the Opposition used to give us some kudos. I hope the new—I was going to say recycled—returned —

Hon Martin Aldridge interjected.

Hon STEPHEN DAWSON: Resurrected! I hope that, from time to time, the resurrected Leader of the Opposition will do the same and give us credit for the things we do.

We have been working incredibly hard. We cannot take one step without being criticised. We have been criticised numerous times over the past few years and, from time to time, the opposition talks down the Western Australian economy and, indeed, the state's construction and building industry. The Leader of the Liberal Party has been on the record about this. In May 2020, she said that Western Australia was facing a significant jobs crisis, and that the McGowan government should be doing all it could to invest in the Western Australian construction industry and local jobs. In June of that year, she said that infrastructure spending is an obvious and necessary stimulus area. In August that year, she said —

... Western Australia has record unemployment. What we need is local jobs right now.

At the time, the Master Builders Association of WA, the Housing Industry Association and individual builders requested that the government put in place cash grants and incentives to support the industry. That is what the

government and the commonwealth government did. Bear in mind, that was done at a time when we were told by treasury officials around the world that the economy was going to go south and there would be turmoil. Since then, we have made some difficult decisions, but we have also undertaken significant work to smooth out the pipeline of infrastructure projects beyond the current boom. That process will ensure that there is enough skilled labour and material to meet the needs of both public and private infrastructure projects. That has freed up skilled labour, such as bricklayers, carpenters and other tradespeople, and ensured that the construction of homes can be completed. I am advised that the number of homes under construction in WA is decreasing and the completion numbers are increasing, which is leading to shortened delays.

The cost of building a home in Western Australia remains lower than it does in most other states. Cost escalation has also been lower in Western Australia compared with that in other major states. Granted, I am aware that some people in the community—I acknowledge the contribution made by Hon Colin de Grussa; it was a tempered and even-keeled contribution—are doing it tough. The government will continue to ensure that it provides cost-of-living assistance to Western Australian households. We have done that a number of times over the past couple of years. We have invested in initiatives that are hopefully easing the cost-of-living burden on WA families. I am trying to talk about our time here, but I am reminded of the fact that when the Liberal–National government was in power, costs of household fees and charges increased significantly. We are working to limit those increases to keep the burden low on families in this state.

We have also provided an electricity credit to Western Australian households. In the 2023–24 budget, cost-of-living relief measures were about \$700 million or thereabouts. We delivered our second electricity bill credit of \$200 in December just gone, and another \$200 a few months before that. At the time, the then shadow Treasurer called them “untargeted cash handouts”. I think that was the language he used. He cannot say on one hand that they are untargeted cash handouts, when they are in fact helping ordinary Western Australians with the cost-of-living pressures that they are feeling. Of course, we did not just provide household credit, we also provided relief to the cost of public transport. There is free public transport for school student travel and free public transport for the entire community every Sunday, which is estimated to save families, particularly with children. I have to check the figure for *Hansard*, but I think the savings for a family of two school-age children is in the order of about \$560 or \$570 a year. That is significant for families. We had free public transport during the Christmas period from Christmas Eve until the end of January or thereabouts.

Our WA rent relief program is helping families stay in their homes. We are providing fee-free TAFE, which is providing about 22 000 fee-free TAFE places at the moment. I have spoken to families in my electorate who have benefited and participated in those free TAFE courses, which are helping people get jobs. They are upskilling and helping people get new well-paid jobs in the state. We also had a back-to-school payment for people who foster and grandparent carers—people who do tremendous work in our community looking after their grandchildren, as the case may be, or their foster children. We are very grateful to them for the work that they are doing. We are very happy to have been able to provide cost-of-living relief to those people. We have increased the amount that we provide in KidSport vouchers to Western Australians. They have doubled from about \$150 to \$300. We continue to monitor the Western Australian economy, as members would expect us to do. We are mindful that there are people in the community who are not doing as well as others. We will continue to make decisions in the best interests of all Western Australians.

Of course, while we have been providing cost-of-living relief, we have also been keeping fees and charges low. In the last budget, fees and charges rose by a lower rate than the consumer price index. We continue to keep those as low as possible. This is the fourth consecutive year that the rise in the cost of the basket of household fees and charges has been kept to below inflation. This is what we are doing in WA, in stark contrast to what is happening on the east coast, where it is vastly different and where electricity prices have risen by as much as just over 25 per cent. We are keeping energy bills low in WA because it was a Labor government that put in place the state’s gas reservation policy.

I am looking through my bits of paper to see whether I have answered the various points that were raised by honourable members in this place. The patient assisted travel scheme was raised by one of the contributors. Certainly, during our time in government—I think in 2021–22—we increased funding to PATS. That increased the nightly subsidy available for patients who have to stay in commercial accommodation. It also expanded the eligibility criteria for escorts to accompany patients travelling to receive specialist medical care. That has been fully implemented, with a significant benefit for Western Australians, particularly in my electorate, and also in the electorates of others around the state.

We have made, and continue to make, significant investments into our health services in regional Western Australia. Over the past 10 years, there has been significant investment into country health services, with the WA Country Health Service delivering a capital works program and spending about \$1.5 billion on over 80 projects right across the state. We acknowledge that we need to make sure that hospitals in the regions deliver a quality standard of care to residents in the regions.

Iron ore royalties were raised. It is a favourite issue of Hon Dr Steve Thomas, who raises it quite often in his contributions in this space. I have said before and I will say again that the iron ore price is extremely volatile. That

has been recognised by us in this state, the commonwealth and by treasuries across the country. Even this year it has swung—it is up there and it is down again. We have to budget sensibly and acknowledge that volatility exists. Our budget incorporates cautious iron ore price assumptions.

Yesterday I was told about a project. I think it was in Guinea. A significant investment is being made by international companies. They are building massive train lines—dual train lines that will help them move iron ore a lot faster than ever before. We cannot put all our eggs in one basket and say that the price of iron ore is going to stay as it is at the moment forever. We need to be cautious, sensible and smart.

Time and again, I have said that we have learned from the mistakes of the past Liberal–National government. That government really banked in very high-expenditure growth based on overly optimistic iron ore price assumptions. Of course, as we have heard, that trajectory led to the debt levels that we took on when our government was elected.

Regarding iron ore prices, the midyear review included an upward revision to the assumed iron ore price of \$US74.10 a tonne in the budget to \$US104.20 a tonne. That reflects higher average prices that were supported by demand from infrastructure and manufacturing activity in China and a lower assumed Australian to United States dollar exchange rate since the budget. We are always cautious with the iron ore price assumption because we have seen periods in which prices fell. Prices fell by more than 50 per cent from early April 2022 to late October 2022. That reflected weaker steel demand in China, and that will happen from time to time.

Hon Dr Steve Thomas: What were the prices at that time?

Hon STEPHEN DAWSON: They were high, but there was still a significant drop.

Hon Dr Steve Thomas: You are right, but if it drops from \$US235 a tonne to \$US180 a tonne, it is a significant drop, but the base price is still incredibly high.

Hon STEPHEN DAWSON: Yes, but the problem with the member’s government was that it banked every single dollar and spent it. It spent too much. The previous Liberal–National government spent too much because it did not have conservative assumptions.

Around that time, just a little bit later than that drop, in November 2022, the member said in media statements “The end of the boom is coming” and “The biggest boom in our state’s history ... had to end eventually”. He also said “the correction we all knew was coming has certainly started.” This is not *Chicken Little* with the sky falling in, but at the time, he did say “You know what, there is a bit of fluctuation. We can’t rest on our laurels.”

Hon Dr Steve Thomas: I am not disagreeing.

Hon STEPHEN DAWSON: But the member seems like he has changed his tune today!

I want to quickly go to the assertion by the opposition that we are not spending enough money on government services or that we are not supporting WA households. That is simply untrue. We continue to spend sensibly and be aware of what is going on in the community, but we do not spend beyond our means. I think Hon Dr Steve Thomas suggested in his contribution today that we were sitting on bags of cash. That is not correct.

Hon Dr Steve Thomas: Mountains of cash!

Hon STEPHEN DAWSON: There is no big mountain of cash up in Dumas House. We are not borrowing as much as the previous government did. It is not a case of having lots of cash. Hon Dr Steve Thomas says we are sitting on mountains of cash. I am saying we are not sitting on mountains of cash and we are not borrowing as much as we would be had we not been frugal or sensible.

Somebody—it might have been Hon Neil Thomson or Hon Dr Steve Thomas—spoke about the election coming up in March 2025. We are not focused on March 2025; we are focused on the job we were elected to do in 2021—that is, to deliver good, quality services for Western Australians. Undeniably, we will continue to do that.

I note that over the last few months, the Liberal Party has made—I do not know—in the order of \$3 billion worth of promises, so it continues to go back to its old ways. It continues to want to spend like a drunken sailor, but, of course, we will not do that. We did not follow the previous government’s footsteps after we took over government, and we certainly will not do it now. We will continue to deliver quality services for Western Australians and make sure that we are responsive to their needs.

The motion that the opposition has moved today is a political stunt and so, for that reason, I will not support it.

HON WILSON TUCKER (Mining and Pastoral) [2.51 pm]: I was not going to make a contribution, but I felt compelled to after listening to a few other contributions. I also note that the Minister for Commerce is away on urgent parliamentary business, so I would like to get a few cheap shots in in advance of the debate on the residential tenancies legislation reform. Members can certainly let the minister know. We expect the rental tenancy reform bill to be debated in a couple of weeks.

Hon Kate Doust: If you are afraid to say this when the leader is not here, should we just call you a gutless wonder?

Hon WILSON TUCKER: They are Hon Kate Doust's words, not mine. Is that parliamentary language; I am not sure?

Hon Kate Doust: It is!

Hon WILSON TUCKER: Okay. As long as Hon Kate Doust is sure! We will let that slide. Let us get back to debate.

The ACTING PRESIDENT: Hon Wilson Tucker, you have the call.

Hon WILSON TUCKER: Thank you, Acting President.

I would like to talk about renters. We heard Hon Neil Thomson lament the situation facing property developers and landlords at the moment—they are the ones putting up all the capital and taking a lot of risk—but I think we are ignoring people who really are doing it tough at the moment and they are the renters. They are at the bottom end of that contract. We also heard Hon Colin de Grussa speak about the younger demographic in WA. We know there is an intergenerational wealth disparity in Australia, and certainly in WA. Anyone lucky enough to be from the boomer generation or even older is probably sitting on five or six negatively geared properties, such is the policy that has been directed at that generation since the 1950s through concessions on stamp duty. The property market has been treated like an investment pool as opposed to an essential right for Australians and Western Australians. This has made it incredibly difficult for the younger generation to get into the property market. There are certainly reports that back that up. The Australian Housing and Urban Research Institute has put out some reports in that space. It says that 30 per cent of Western Australians are renters, which is just under one-third of the population. Of that 30 per cent, about 30 per cent of those renters do not feel they could ever get into the property market. Housing is a spectrum, including social housing and affordable housing. Renters in that affordable housing component are at risk in the face of cost-of-living increases that are quite targeted in how they affect people. If someone is lucky enough to have paid off their mortgage, with the cash rate and interest rates going up, they are not directly affected. But, certainly, if someone is renting, in the majority of cases, those increases trickle down and they are feeling the pinch. There is a large demographic of people renting in Western Australia—certainly the younger demographic—who are facing a very difficult situation right now.

The Minister for Emergency Services talked about the WA rent relief program, and it is a good program. I do not have any issues with it. Yesterday I received a response from the Minister for Commerce on that program. To date, 2 024 people have expressed an interest to participate in that program; however, zero people were identified as being critical applicants. I can certainly put the minister in contact with a number of people who are facing homelessness and, indeed, people who are homeless. If the minister needs any help connecting to the public, please let me know, because there are people who are at extreme risk of being forced out of their rental because they are unable to meet their rent payments.

I am having these conversations with renters. I am out there talking to people, and the mood on the street is pretty grim. We talk about the rent relief coming from the government, which is apparently pulling out all the stops—I cannot remember the exact terminology; is it all the tools in its toolkit?—but there is not much on the horizon that people get very excited about. I will get into the tenancy reforms when we get to debate the Residential Tenancies Amendment Bill 2023 in a couple of weeks, but when I have these conversations and try to give people a sense of relief about what the government is doing, there really is not too much in that bill to get excited about. People will be able to hang up some paintings and they may have pets, but there is nothing in the bill about rental caps.

The elephant in the room, and the thing that most rental advocacy groups are calling for, is to address no-fault evictions. Members will be familiar with that. A no-fault eviction is used when a tenancy expires and the landlord does not give a legitimate reason for not renewing the lease. A no-fault eviction can be used as a catch-all for landlords who want to raise the rent over a certain period, basically renewing the contract with a higher rate, and they do not need to give a reason for that at all. Addressing no-fault evictions is the one thing that renters are asking for to get some assurance in the situations they are facing. A lot of renters are renting for a longer period. As I mentioned earlier, and as highlighted in the AHURI report, a percentage of renters do not feel as though they will ever get out of the rental market. Giving them assurance with some definite terms in the contractual obligations between themselves and landlords is eminently sensible. I also note that WA is the only jurisdiction in Australia that is not looking at scrapping or completely removing no-grounds evictions. We can certainly get into that debate in a couple of weeks.

I will just say that it is not too late. The government has time to review its own legislation and listen to the general public on this point and put in place a very sensible amendment in the next two weeks. Rather than siding with the property developers in this state, the government has the opportunity to try to get a balance that is more in line with renters facing a very tight rental market. WA was heralded as the rent-rise capital of Australia. I think Perth had the tightest rental market of any other place in Australia for a while. Rental availability got down to about 0.1 per cent. In some regional areas, it was basically zero. People on fixed incomes or any sort of government subsidy could not afford a rental anywhere. The balance is not right. Renters want some more security and assurance in the current rental situation, which they are facing for longer periods. One way of achieving that security very, very quickly and effectively would be through removing no-grounds evictions. The government has an opportunity to listen to the voice of reason and to other states and territories, put its finger into the wind to gauge the sentiment on the street with the population and include removing no-grounds evictions in upcoming tenancy reform.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [2.59 pm]: I stand to make a few comments on this motion. I understand that the mover has a five-minute right of reply. We seem to have this continued infatuation by the current government with the governing modus operandi of the previous government. Although that seems amusing, it is not because it is so serious. It reminds me of a similar circumstance under the last Labor government. Its obsession with the opposition cost it government. I remind members of that. It became so obsessed with the Liberal–National opposition in 2007–08 that the Premier called an early election. The Labor government thought it would capitalise on the opposition. It forgot that we had massive teacher shortages all over the state and the lowest paid nurses in the nation. We had people on trolleys in our hospitals and we had the great escape down at the Supreme Court, if members remember that one. Everything was going haywire, but the Liberal Party was having leadership problems at that stage. There was a lot of disruption and conjecture. What did the Premier do? He called an early election in August to capitalise on what was perceived as dysfunction within the opposition, forgetting what people out there were thinking about. Ljil and Eric were swanning around in Onslow on holiday. No-one knew about it: “We’re going to take advantage of the Liberal disaffection and have an election.” Do you know what happened, Acting President? We won. I do not know how we did, but we won. The public out there saw through it.

After seven years, the public is sick to death of hearing you guys talk about the Barnett government, but members opposite come in here day after day and relentlessly do exactly that. We have had Coldplay, the wrestling and all the rest of it. What did Juvenal, the Roman poet, say? If you throw them bread and circuses, they will forget about what is actually going on. If they have this distraction of bread and circuses, they will forget what is going on. I will tell members what is going on out there. A total of 473 police officers resigned the year before last and over 300 resigned last year against an average of 150. That is what is going on. The police are completely and absolutely disillusioned. The nurses are so satisfied with this government that they are starting their own political party! That is what is going on out there. The police are starting their own political party because they have had enough as well. That is what is going on out there. Members can walk down any street in Western Australia now and see dozens of people without a home. That is what is going on out there. The Standing Committee on Estimates and Financial Operations did a wonderful report on homelessness throughout Western Australia. Members should have a look at what is going on in Kalgoorlie, Bunbury and Geraldton and up in the north. They will find people all over the streets and women with nowhere to go because they are the victims of domestic violence. What did this government do? The recommendation in the committee’s report was to provide increased services for women in crisis, but you guys rejected it. The government is too busy worrying about having a barney with the Lord Mayor of Perth to fix the problems with domestic violence and crisis care. That is exactly what is going on out there.

After seven years, members opposite are still obsessed with us. I have a cautionary tale for members: do not forget 2008. I should not be giving members this advice. Let us remember that in 2020, you guys suffered a 9.4 per cent swing in Darling Range, Labor lost government federally and our polling, which would have been reflected in Labor’s polling, showed that we were going to win six to eight seats. Believe it or not, that is why I am still sitting here. As a result of that, members opposite were cactus after one term; they might have just scraped across the line. Yes, they had the cover of COVID and the adulation that was bestowed on the then Premier. Guess what, guys? That is gone. COVID is finished and Premier McGowan is gone. Now members are being judged on their own performance. If they can honestly say, hand on heart, that things are peachy with our service workers and things are peachy in the community and that the cost of living is not having an impact, they have their heads in the sand.

It is all well and good for the government to sit there and muse and be so emboldened by the massive majority it has and continue to treat this place with contempt. As it did in 2008, the public will not judge the government on the opposition’s performance. The public will judge it on its performance. That is what it will do. The public will look back and ask, “Are we better off now than we were eight years ago or are we worse off?” That is exactly what it will do. Members of the public will look at how long they have waited in a hospital ramping line; they will look at their education system and see whether they have a qualified teacher in their classrooms. They are going to feel whether they are better off than they were eight years ago. Come March next year, we will find out. That is what we will find out. As I said, the cake and circuses mentality, in which the government throws things at the public as a distraction, might work for a moment, and there is a bit of a sugar hit when it gets publicity and a couple of front-page headlines et cetera, but when it comes down to it and the public goes to the ballot box and asks, “Are we better off?”, that is what the government will be judged on in about 12 months.

Evidently, we have challenges on this side of the chamber and we are working on them. All we know is that every one of us hears from members of the public that they are not happy. We are going to try to be a voice for them in the next 12 months and give them a viable alternative come March 2025. I encourage the government to keep doing what it is doing. It should keep its obsession with the opposition. That is great, because its cake and circuses approach is not going to work in 12 months’ time. Ultimately, it will be judged on its performance. Having said that, I emphatically support the motion of Hon Dr Steve Thomas.

HON DR STEVE THOMAS (South West) [3.06 pm] — in reply: There are a few things I would like to reply to. There is probably no point in replying to the repetitive responses from the Labor Party. Once again we raised significant issues, which were brushed off by the minister. He goes back to previous governments and goes

back to standard replies. He does not answer the questions properly. He drags out a few bits and pieces. Rather than waste the chamber's time in picking apart the contribution of the Minister for Emergency Services, I thought I would make this contribution useful and respond to the intelligent commentary from Hon Wilson Tucker. I urge Hon Wilson Tucker to try to have a slightly different view on tenancy and landlords, because, in my view, it is not the case that landlords having investment properties is driving young people out of the investment market. There is an issue with the baby boomers and generation X—my generation, not his—in terms of the impact of young people being able to afford a house, and it is the price of housing. What has changed significantly is the price of housing. It is not the fact that there are people investing in housing—that is not driving up the price of housing as much as all the other things; it was originally the price of land. It is an open and competitive market and the price of land was driving the additional price of residential housing for nearly 20 years. Now it is less the price of land and more the cost of construction, thanks to the things I mentioned earlier, such as investment strategies and government grants that blew up that particular housing market.

Hon Wilson Tucker: Wages have not kept up with housing prices. That is valid. It is down to negative gearing, which is a policy that is incentivising investment into that finite pool of property. That is a direct competition, I think, when you are talking about first home owners.

Hon Dr STEVE THOMAS: Negative gearing is a tax deduction for a legitimate expense and, if it is not a legitimate expense, the tax office will not allow it. Ultimately, there is no point having negative gearing forever because people will be losing money on their investment forever. It is not the case that negative gearing is the great enemy that people think it is. The federal Greens hate negative gearing. Negative gearing is a tax deduction for a legitimate expense. Where we see the difference is in the incredible growth in the price of housing. I can show members a chart. I think I have probably tabled it before. It is the comparison of wage rise increases and the average cost of a house. I have said this before. When I bought my first house, my wage was \$25 000. That was the average Australian wage at the time and I bought a residence for \$42 500, so it was one and a half times the average wage. Today, the average wage is in the \$90 000s; let us round it up to \$100 000, just for easy maths. The average house price in Western Australia has now hit \$600 000, so what was one and a half times the average wage is now six times. That is what is keeping young people out of the market, including, ultimately, my children at the moment, who have to rely on the bank of mum and dad, like so many others. Most of those young people have to go into rentals because of the purchase price. The problem is that if the government has policies that drive down the value of houses, that is not going to make it popular, particularly with everybody who owns a house.

Hon Louise Kingston: Look at Manjimup!

Hon Dr STEVE THOMAS: Yes, that is right. The government can close down the timber industry and people do not want to be there. They have to shatter the town. Collie will go the same way, as the government destroys the coal sector and the power stations. That is exactly right. Unless you destroy the economy of a region, you are not going to change the housing price. I would urge members to have a look at that aspect because, if there is an issue that young people might feel a bit aggrieved on, it is the fact that almost two generations of landowners have made their wealth out of the capital growth of their own homes. Probably far too many people have; that is their only major asset, but that is where the growth is. Reversing that would be a very dangerous trend. The message I would give is do not demonise landlords for what is ultimately not their fault.

Division

Question put and a division taken, the Acting President (Hon Dr Sally Talbot) casting her vote with the noes, with the following result —

Ayes (10)

Hon Peter Collier
Hon Donna Faragher
Hon Nick Goiran

Hon Louise Kingston
Hon Steve Martin
Hon Tjorn Sibma

Hon Dr Steve Thomas
Hon Neil Thomson
Hon Wilson Tucker

Hon Colin de Grussa (*Teller*)

Noes (21)

Hon Klara Andric
Hon Dan Caddy
Hon Sandra Carr
Hon Stephen Dawson
Hon Kate Doust
Hon Sue Ellery

Hon Lorna Harper
Hon Jackie Jarvis
Hon Ayor Makur Chuot
Hon Sophia Moermond
Hon Shelley Payne
Hon Stephen Pratt

Hon Martin Pritchard
Hon Samantha Rowe
Hon Rosie Sahanna
Hon Matthew Swinbourn
Hon Dr Sally Talbot
Hon Dr Brian Walker

Hon Darren West
Hon Pierre Yang
Hon Peter Foster (*Teller*)

Pair

Hon Martin Aldridge

Hon Dr Brad Pettitt

Question thus negatived.

COMMITTEE REPORTS — CONSIDERATION*Committee*

The Deputy Chair of Committees (Hon Dr Sally Talbot) in the chair.

*Select Committee into Cannabis and Hemp — Final report —
Medicinal cannabis and industrial hemp in Western Australia — Motion*

Resumed from 29 November 2023 on the following motion moved by Hon Lorna Harper —

That the report be noted.

Hon SHELLEY PAYNE: It is great to have an opportunity to continue some of my comments from the last time that we dealt with this report a couple of months ago. Again, I would like to thank the members of the Select Committee into Cannabis and Hemp for their work on this report: Hon Dr Brian Walker, Hon Lorna Harper, Hon Matthew Swinbourn and Hon Jackie Jarvis. I think the last time I spoke on this report I talked about the cannabis side. In the seven minutes that I have now, I want to talk briefly to the research that the committee did into industrial hemp in Western Australia, because that is also an important part of the committee's work. I particularly want to note recommendation 16 that talks about the Department of Primary Industries and Regional Development and its investment into research in the industrial hemp industry. The finding encourages us to continue to provide financial support for that research and refers to the future opportunities for industrial hemp for food production, particularly in relation to plant-based diets. We all know that hemp seeds are highly nutritious, so a lot of this work was great.

I want to talk about some of the government initiatives to support the hemp industry and its development, particularly through the difficult time of the COVID pandemic. I hate to mention the word "COVID", but during the COVID pandemic, a lot of great initiatives helped a lot of small businesses.

The first one that I want to talk about is the Access Asia business grants that the government began in 2021, during COVID, to help our small businesses maintain their competitiveness in Asian markets and contribute to our economic recovery. I want to talk particularly about the money that was given to the Vasse Valley hemp farm. It was given \$10 000 through this program to help get its product into Asian markets. Members might have been to the Margaret River markets and seen Vasse Valley's products available now. If members have not tried them, I encourage them to try them. The hemp hearts, salad sprinkle, hemp seed oil and dukkah that it makes are great and can be added to some food products.

Some members might remember that last year's Plating Up WA, which Hon Jackie Jarvis launched, was done through the Buy West Eat Best program. It is great to know that hemp hearts were on the menu during the Plating Up WA program, which was held at 60 venues throughout Western Australia that served up Western Australian produce. It was the first year that it was extended internationally to Singapore.

Another program that helped the hemp industry is our value add investment grants. This was something else that came through in 2021 as part of the COVID recovery program. One company, Margaret River Hemp Processing, got a big grant of \$399 000, a funding boost for its hemp processing facility. A user of its products is Hemp Homes Australia, which builds houses in Margaret River. That was another great initiative of the ongoing value add agribusiness investment attraction fund that helped a lot of our businesses, alongside hemp businesses.

Another initiative I want to talk about is the regional economic development grants, which I have talked about a lot. The grants have done a fantastic job in our regional communities to help economic development and diversification and to bring jobs to the regions. The grant program has helped a number of companies trying to start up in the hemp industry, starting in 2022 with round 4. In round 4, Hemp Squared, which is a hemp lime block manufacturer, received \$100 000 through the program to support it to start commercialising its hemp building blocks. The grant helped it construct a new shed and purchase a pneumatic block press and some other equipment. Hemp Squared participated in a five-month business incubator program, the Harvest Accelerator agtech program. That great business development program has been running for a number of years and is supported by the Department of Primary Industries and Regional Development. It was a great program for Hemp Squared to participate in, helping it in all aspects of its business development, including marketing, business planning, and looking at other companies and how they started up. I was pleased to go to the launch of the final program, at which Hemp Squared staff talked about what they had learnt through the five-month program and how it had helped their business start and develop.

Round 5 of the grant program also helped one of our hemp processors, Harvey Hemp, which received \$50 000 for scaling and expanding its project. I want to mention that it was great that the committee visited Harvey Hemp and heard some of its concerns about the processing it is doing. The report contains some recommendations about how we can further support Harvey Hemp with hemp processing to sell some of its products in other countries where recreational cannabis use is legal. That was great for round 5.

For round 6, we also supported some of the hemp businesses. Just quickly, because I am nearly out of time, a \$70 000 grant went to the Cannabis Botanical Distillery. Members who have been to the dam in Denmark know that they can buy ginger beer made of hemp. That funding will help scale up the distillery's manufacturing capability from 3 500 litres per annum to 35 000 litres per annum. I encourage members to visit that distillery.

Hon Dr BRIAN WALKER: First of all, I thank the members who spoke in my absence during the last session when I was taken down by COVID. I appreciate the help. I also thank Hon Shelley Payne for her response.

The first thing I want to say about the report, *Medicinal cannabis and industrial hemp in Western Australia*, is that I am immensely proud to have been a member of the Select Committee into Cannabis and Hemp and I am also immensely proud of the members of the committee. The highest standards of behaviour were required, for a number of reasons, but mainly because we were talking about a topic that is very sensitive, which is the idea that cannabis is something to be laughed at, disregarded or criticised in some way as being an illicit drug. Some people believe that the medicinal use of cannabis is often a cover for using cannabis in the wrong way. The committee members who were on board had never experienced cannabis before and were required to deal with a difficult topic, including the barrier that the use of medicinal cannabis is somewhat of an unknown quantity. The members were required to have open and receptive minds while facing potential attacks against them. Therefore, the highest standards of behaviour were required. I thank my fellow members, Hon Matthew Swinbourn, deputy chair, and Hon Jackie Jarvis and Hon Lorna Harper. The behaviour they exhibited in our long search was admirable, and I am proud to be associated with them. That was very important because had we not exhibited such standards, the reputation of this report could have come into disrepute, and that is patently not the case.

The challenges that we had to face were to keep an open mind and be able to research this topic at its deepest levels. A challenge for me, as members can well imagine, was that because I am a proponent of cannabis for medicinal use and for decriminalising all drugs because of a variety of very sensible reasons, I had to be sure that I did not put my own thoughts foremost into this report and overreach and make a determination beyond the capability of the committee. Rather, I had to remain open, clear and unbiased about the facts. Removing my perception of bias was one of my successes. I also thank the committee members for holding me back at times. The findings contained in this excellent report are a clear, balanced, fair and very exciting highlight of my political career, at least, and we can truly say that the report is groundbreaking. It sits in parallel with the report of Hon Fiona Patten of Victoria, who did a similar report on recreational cannabis.

This inquiry was a learning curve. There is a lot of stunning information in it that I will go through in a moment. The learning is still going on. Just today, I learnt more about the use of cannabis in treating ADHD and autism. To digress, I deal with this in my clinical career quite a lot. I have had a lot of success in managing autistic and ADHD patients by using cannabinoids. Today I learnt even more about its benefits and, in some cases, the possible risks of using cannabis were brought home to me. I can say that one of the recommendations of the report is to do more research. More research is, of course, always needed. We have just scratched the surface of the science of cannabis.

The committee received 81 submissions, which is quite a lot. I regret that some venerable bodies did not choose to make a submission, but that is part of life. The committee undertook some visits, including with members of United in Compassion. I make very clear the immensely good work that Lucy Haslam is doing. She is the mother of a young man who was dying of bowel cancer and was in great pain. She was the leading light in New South Wales for recommending that cannabis be prescribed as a medicinal substance for managing palliative pain, and that work is ongoing.

We also visited the south west. We mentioned a number of areas that have received financial benefit from the government, and we saw exactly what they are doing there. Just the other week, I was in Margaret River again to visit Margaret River Hemp Co. I looked at one of its hemp paddocks, which is used for building houses, and visited a hemp house, once again admiring its absolute perfection in nature. The stunning thing we discovered then is that if we were able to banish the red tape and have full use of the plant, an industrial hectare of hemp, if used completely, would be worth about \$23 million. In comparison, a hectare of wheat is worth about \$700 or \$800 a hectare. That was stunning information. The Select Committee into Cannabis and Hemp also had the great privilege of travelling to Europe to visit the Czech Republic and Germany, and also to Israel. What struck us in all of these areas—the south west, Europe and Israel—was the amount of scientific effort going into the development of cannabis as a medicinal and social product that can very much improve outcomes, compared with alcohol. As a medical practitioner, I was also struck by Israel's intention to identify individual cannabinoids and terpenes that could be tested on individual diagnoses to construct a valid, medically observed treatment plan or approach and the components of a healing herb could be used to manage quite major diseases. In fact, one thing we got from, I think, Dr Yuval Landschaft, who is in charge of the medical cannabis movement at the government level in Israel, was that they are using this form of cannabis to treat ovarian cancer. I thought that if this was just one part of our approach, what a wonderful tool we would have for use in the future, and there are many other uses we could find as well. I found that very interesting.

Much as it had been admitted from those who did not contribute before, some admissions mirrored part of the problems. Maybe I should not be surprised, but one of the contributions was from the Chamber of Commerce and Industry of Western Australia, which was remarkable in its inability to provide any solid information beyond bias. The concept that there are major issues regarding fly-in fly-out workers and their safety at work using medicinal cannabis was roundly rebuffed as prejudice and ignorance, yet it continues to this day. I understand that Rio Tinto's zinc operation has now made clear in its new alcohol and other drugs handbook that it will not tolerate medical cannabis, even if it greatly improves patient outcomes or improves their ability to work without impairment. The

bias there shines through. That was one of the things that the committee identified as one of the barriers to use of medical cannabis. We saw a number of barriers there; the closed minds and anti-scientific approach to what we are dealing with, and the assumption that cannabis can be used only as a drug, has to be thoroughly banished. I think the committee did an excellent job in making that very clear.

We went on to discuss what cannabis is as a plant. It was demonstrated that something with over 100 cannabinoids, and terpenes as well, has the potential to derive, again, huge amounts of revenue, simply from growing a plant, whether for medicinal uses or industrial uses. Just the other day, I was talking with someone who came to me for medical cannabis, who has a company—I will not give any names because it is sensitive for the Australian Defence Force—that creates housing for electrical motors, which is bulletproof and bombproof. It is very useful for the Australian Defence Force. That housing is made from a combination of hemp, Kevlar and carbon. Here we are seeing the innovative use of a plant that could greatly enhance the ability of our armed forces to be protected in areas of great danger—one of over 20 000 potential uses for the plant. I think what disturbs me is the understanding that because of our ongoing prejudices, we are still not seeing investment in an area that would give so much benefit to our society. I am deeply hopeful that our current Minister for Agriculture and Food, who was a member of that committee, will bear this in mind when looking at further investment in hemp, especially in the south west.

[Member's time extended.]

Hon Dr BRIAN WALKER: Indeed, going on from this is the concept that with hemp as an industrial hemp product, we could move into markets with our partners in Asia and further afield, with great benefit to our economy, perhaps even overtaking our iron ore export economy, which reflects on a debate we have had in this house today.

I found it very interesting to read in the report that according to international law, cannabis is still a prohibited narcotic. I am interested in this because “narcotic” is a medical definition. Cannabis absolutely fails in every respect to merit the definition of a narcotic, and yet our laws are predicated upon the assumption that cannabis is a narcotic. From that assumption derive the laws that are making it so difficult to access the use of this plant either socially or medically, therefore inhibiting our ability to derive serious profits from industrial hemp. As politicians, are we able to medically define something, even if that definition is a false definition? Let us call it a lie. On that base lie, we now have international laws that are severely hampering the potential for countries to develop their own economies. As a committee, we did not go into this at all, but the evidence speaks for itself, when reading the report and the definitions and descriptions we have given. I think that this is another part of our groundbreaking report. We ought to point out that lies have no place in law.

Moving on from that, it was fascinating for me to discover that in Western Australia, the Department of Health has described a cannabis leaf as a schedule 9 drug. A schedule 9 drug is a drug for which no medical use can be found. This leaf, which has no measure of any higher function effect, has purely food properties. For example, four leaves made into a green smoothie would make an excellent treatment for COVID or for enhancing people's wellness on a regular basis and is certainly far tastier than kale in a green smoothie. I think that it has been described as a schedule 9 drug due to an abundance of caution on the part of people who believe or have bought into the concept that cannabis is an illicit, dangerous drug. I can see where they are coming from, but that concept has no basis in science whatsoever.

That led us on to the concept that we really ought to follow the advice of Hon Wayne Martin that after five years, we should take some action and revisit the Misuse of Drugs Act, as has been promised, because people are suffering. I hope that our report goes some way to helping ease people's burdens so that they suffer less.

Another main issue in the report—I am sure that members were expecting this—is tetrahydrocannabinol and driving laws. The government has given its response to our report, and I am very thankful for that. Most of the recommendations we made have been agreed in principle. The recommendation we made for THC and driving was that these laws should be revisited and rewritten. A working group has been formed, and I thank the government very much for its promise that there will be a good scientific look at the concept of THC and driving. I note that in today's paper there is mention of the world's first program for assessing driving impairment. This is a fantastic idea for the ability to test the safety of not only roads, but also drivers on the road, and not just for cannabis but for other drugs and also sleep impairment.

Again, this is groundbreaking. I think WA is leading the way in this. I hope this gets carried on into the THC driving working group. I have high hopes for that. We might, perchance, follow in the footsteps of Germany, the country we visited back in November 2022 and with which I was very much in love. Those carefully crafted laws are now coming into place to allow a society to develop in which medical cannabis and, indeed, recreational cannabis can be used and in which the safety of all is considered. As Hon Burkhard Blienert said in a discussion I had with him in Germany, they are protecting the health of minors—I am not talking about coalminers; I am talking about children. That makes eminent sense for me.

In the few minutes I have left I will go on to talk about industrial hemp. We need to go on to industrial hemp because that is where the vast majority of income from hemp could be derived by our government. Medical cannabis is quite a small part of the potential benefits to our society and government. On the one hand, the wellness benefits that medical

cannabis can provide to people is very important because people will begin to contribute better to society and to our gross domestic product, but, on the other, industrial hemp has a multitude of uses. The ability to use every part of an industrial hemp plant is severely curtailed by our fear of THC. As we all know, THC has caused not one single death. As a dangerous drug, we have to say that it is nowhere near being a problem. People have argued that if we gave industrial hemp to animals to eat, they would have THC in their bodies and that we should not eat that meat because we would get high. A question I posed in Parliament some months ago was: how many whole cows would we have to eat to get one high? I have not counted it, but having to ingest three cows in one sitting to get one high puts the point very clearly that the fear of feeding industrial hemp to animals is grossly oversauced. We ought to take a clear look at this, especially in view of the vast benefits that we, as a society, could gain from using a plant that has so many uses, ranging from pet bedding to making materials that can be sent into space as part of high-end scientific developments.

Hon Shelley Payne mentioned hemp as a food. Again, I could not encourage this more. I mentioned earlier the concept of using four cannabis leaves as part of a regular green smoothie. When I visited the hemp paddock, I sampled some of the leaves just to find out how fresh and healthful they were. I note, of course, that these leaves contain the acid form of the cannabinoids; they have not been heated. The leaves can be put into a juicer and used as part of a regular healthy diet. The leaves contain omega-3, omega-6 and omega-9 oils. They are a healthy supplement that could be used by everyone to their benefit. Indeed, the evidence is such that it could be used as a way to prevent and treat COVID. We are also looking at whether it could be a treatment for long COVID. How many thousands or millions of dollars could be saved by society if we used a health food rather than expensive drugs with little effect?

One area that the committee looked at was the issue of regulations and red tape. The abundance of red tape is making it difficult for people to access both medical cannabis and industrial hemp products. This is one area in which the government could take an active part in this process, by regulating honestly, openly and without fear of THC. It could reduce the regulatory and red-tape burden to allow a potentially innovative industry to arise that would take a forward-thinking approach to using a natural material that can grow abundantly. Hemp has the added benefit of transforming topsoil from a depth of a few centimetres to a metre and a half. It can also change the quality of topsoil and its microbiome, making it suitable to use in all areas. From a farming point of view, that would enable greater yields of wheat, canola and lupins. It would also enable a transformation of the water supply to our rivers and lakes. Of course, it would also have an effect on the microclimate. That is to say nothing of the potential for the industrial woods that we could create. Rather than chopping down trees, we could perhaps use this as a substitute to make very high-quality wood materials. It has the added benefit of being able to be harvested three or four times a year and can capture carbon, the price of which would substantially add to our state's financial bottom line.

Consideration of report postponed, pursuant to standing orders.

*Standing Committee on Estimates and Financial Operations — Eighty-fifth report —
Consideration of the 2021–22 budget estimates — Motion*

Resumed from 10 May 2023 on the following motion moved by Hon Peter Collier (Leader of the Opposition) —

That the report be noted.

Hon NICK GOIRAN: This report has been on the table of the house for more than two years. Members would think that after two years somebody in the WA Labor government might have thought to not only read the report that has been in this house two years, but also care to respond to it.

I want to take a moment to bring to members' attention chapter 5 of this report found at page 11 entitled "Provision of information". In this chapter, there are eight occurrences in which a minister of the Crown has made the deliberate decision and has purposefully decided not to provide information to Parliament. This report has been listed on no less than eight occasions. The ministers who were affected at this time—as I said, this has been in the house for more than two years—were the Minister for Housing on one occasion, the Attorney General of Western Australia on two occasions, the former Premier on two occasions, the Treasurer on two occasions and the Minister for Emergency Services on one occasion. The Standing Committee on Estimates and Financial Operations brought to the attention of this chamber, one of the two houses of the Western Australian Parliament, that members of the executive government decided on eight occasions not to provide information to Parliament—not accidentally, but on purpose.

It might be worth reminding members, particularly members opposite, that there is a law in our state about this. It is found in the Financial Management Act 2006. The relevant provision that must be complied with is section 82, which demands that if a Western Australian minister of the Crown decides not to provide information to Parliament, they must do two things as a matter of law—not if they feel like it or arrogantly wave it away and pretend that it does not exist. One is to provide a notice in this chamber and the second is to provide a notice to the Auditor General. The question that remains unresolved after more than two years is: has this occurred? Do members opposite care about the rule of law in Western Australia or not? This is at least the fourth occasion that this matter has been before us. Under, I believe, standing orders 110(2A) and 110(2B), these types of debate get adjourned. Those standing orders apply after these debates have continued for more than one hour. The absolute maximum time for debate is four hours. I predict that after this final hour of debate on this issue, the arrogant WA Labor government will have said nothing about this breach of law regarding section 82, and this matter will simply go off into the ether. After

two years of debating this and drawing it to the chamber's attention, not one member opposite will have risen to their feet and said, "Actually, we thank the committee." Remember, there were five members of this committee—two from the opposite party. No members opposite will say, "We thank the members of this committee for drawing this to the attention of the chamber, and we're pleased to report that the Minister for Housing, the Attorney General, the Premier, the Treasurer and the Minister for Emergency Services have complied with their obligations under the Financial Management Act 2006." Is that too much to ask—that someone might respond to the particulars of this report, which has been sitting on the table for more than two years? It would seem that, after three adjournments of this debate, that that is too much to ask and that there is no member opposite who is capable of getting to their feet and answering those questions.

In fairness to members of the backbench, it is the responsibility of the government frontbench to do that. There must be a minister who is responsible for representing the government regarding this report. Has the Minister for Housing—who has no doubt changed since this originally occurred—complied with this provision? Have the Attorney General, the Premier, the Treasurer or the Minister for Emergency Services done this or have they not? If they have, we can move on, but I suspect the reason there has been deafening silence on this issue for more than two years is that they have not complied with the law of Western Australia and they are ashamed of that, and so they should be. I hope, in this final hour of debate—noting that we will probably adjourn at some point today and take this up again next month—that we will finally resolve this matter.

Time is of the essence and marching on, and I want to draw to members' attention other interesting things that can now be observed, more than two years after this report was tabled by the Standing Committee on Estimates and Financial Operations. Members will see at page 20 of the report that there was a hearing with the Department of Transport on 19 October 2021. Two and a half years ago, members of the executive government were cross-examined by the committee. One of the issues that arose were waiting times for accessing a driver's licence assessment. Now that we are two and a half years on, do members think that the waiting times for accessing a driver's licence assessment are now better than they were at the time of that hearing? The feedback I get from my constituents is that it is worse now. It was appalling then, but now constituents are saying that they have just given up. They have teenagers, they have done the 50 hours of driving supervision, but they cannot get an assessment time. It is far worse now than what it was before.

I also note that the Department of Education appeared before the committee on 20 October 2021. One of the issues addressed was harmful sexual behaviours in schools. There is reference to the then recent report from the Commissioner for Children and Young People and the risk assessment management plan framework, numbers and charges laid—what is referred to as RAMPs. There is a bill that has been before this house since June last year that would address this issue. This was first brought to the attention of the chamber back on 20 October 2021, but it does not seem to get any priority. It is constantly buried by the government. It would meaningfully address victims of sexual abuse who, at the moment, are forced to face their attackers at school. This is something that I have raised repeatedly for years, yet it does not get the priority it deserves.

The last thing I want to draw to members' attention is the plethora of matters addressed on 21 October 2021, when the Department of Justice and the State Solicitor's Office appeared before the committee. One of those issues was the legal costs associated with *Crawford v Quail*. Can members believe that this fiasco involving Magistrate Crawford and President Quail continues, two years later? It continues in the form of expensive litigation in which the state of Western Australia is seemingly trying to defend a piece of legislation pushed by the retiring Attorney General, and we are waiting for a court decision on that matter. The legal costs associated with the genesis of this matter continue to increase.

Most disturbingly, another thing that was addressed on that day was initiatives to address elder abuse. Members may recall that earlier this week I gave notice of a motion. It has been seven years since the infamous commitment was made by WA Labor that it would expedite changes to our elder abuse laws, yet here we are seven years later and nothing has been done. I note also that the Coroner's Court supposedly had a backlog of 810 cases on 30 June 2021, which is two and a half years ago. Again, I encourage members to ask themselves: Has the backlog in the Coroner's Court improved over the last two and a half years? Is it the same or, indeed, has it got worse?

Last but not least, two cases involving the Legislative Council of Western Australia were infamously caused by the retiring Attorney General of Western Australia.

Hon KLARA ANDRIC: I rise to take this opportunity to speak on the eighty-fifth report of the Standing Committee on Estimates and Financial Operations. I have made previous contributions to this report. However, I welcome the opportunity to speak on the report titled *Consideration of the 2021–22 budget estimates*. The eighty-fifth report was tabled in November 2021 by Hon Peter Collier, who is over there now—I noted the member there—and is a consideration of the estimates of spending contained in the 2021 appropriation bills.

Hon Peter Collier: I move around.

Hon KLARA ANDRIC: The honourable member can stay there; I have noted it for now. The report considered the 2021 appropriation bills and the 2021–22 budget papers. I know that I have spoken a few times on this report so I will try not to be too repetitive. However, I thought I would outline the key findings and recommendations listed within

the eighty-fifth report. The committee's inquiry was quite extensive, with the thorough examination of 15 agencies and then less detailed examinations of a further 12 agencies, totalling 27 agencies. I was pleased to read in the report that the level of scrutiny given to the 2021–22 budget estimates was considered appropriate by the committee.

As I said, the committee made three findings and two recommendations, which can be found in the executive summary of the report. I will read them out to members —

Finding 1

The Committee's capacity to scrutinise agencies improved with the expanded level of information in the Budget Statements for government trading enterprises.

...

Finding 2

The Committee's consideration of the 2021–22 estimates of expenditure was not adversely affected by Ministers' decisions not to provide certain information.

I know Hon Nick Goiran touched on page 11 of the report. It continues —

Finding 3

The Committee's consideration of the 2021–22 estimates of expenditure was not adversely affected by the omission of the provision for the Social Housing Investment Fund in the table in Appendix 7 of the Economic and Fiscal Outlook.

Three findings and, as I have said, two recommendations were made in the eighty-fifth report. Recommendation 1 of the report is —

The Department of Treasury ensure that the term 'forward estimates' is consistently applied in the budget papers to improve readability.

On the next page, recommendation 2 is —

For the occasions of non-provision of information due to legal professional privilege, commercial sensitivity or agency resourcing, the relevant Minister consider issuing a notice under section 82 of the *Financial Management Act 2006*.

When I previously spoke on this committee report, I talked about the role of agencies, and I take this opportunity to briefly speak on agencies again. Agency-level information to support the estimates is provided in chapter 3 of budget paper No 2; I believe I spoke about this when I last made a contribution to this report. The budget statements outline how an agency fits into the government's broader roles, the services an agency intends to deliver, how effectively and efficiently an agency has performed and intends to perform, and financial information. The agencies examined can be found under paragraph 3.5, "Agencies examined in detail", on pages 3 and 4 of the eighty-fifth report. The committee examined the following agencies in detail: the Commissioner of Main Roads, the Department for Communities, the Department of Education, the Department of Jobs, Tourism, Science and Innovation, the Department of Justice, the Department of Primary Industries and Regional Development, the Department of the Premier and Cabinet, the Department of Transport, the Department of Treasury, the Forest Products Commission, the Public Transport Authority of Western Australia, the State Solicitor's Office, WA Health and the Western Australia Police Force. Collectively, the agencies had 51 desired outcomes, 89 services, 200 key effectiveness indicators, 148 key efficiency indicators and seven other key performance indicators.

Chapter 5, "Provision of information", which Hon Nick Goiran referred to in his contribution, discusses the non-provision of information. As members know, ministers can exercise a power to not provide information for certain reasons, such as legal professional privilege or the unreasonable impact on the privacy, security and safety of those directly or indirectly involved with an agency. Other reasons for the non-provision of information include commercial sensitivity, security reasons and when the disclosure of information would require a substantial amount of resource allocation. It should be noted that the table on the non-provision of information does not apply to certain things, such as hearings, in which members can pursue information, and when a minister has advised that the information requested does not exist or is not held within the relevant department. The occasions on which there was non-provision of information are outlined in table 4 on pages 11 and 12 of the report. With 50 seconds to go, I will not be able to list all the examples. I might just leave my contribution there because if I were to start, it would take me a lot longer than 30 seconds. I will instead use this opportunity to thank the members of the committee, who work very hard in what they do. I commend the committee for the very diligent work it completed on the eighty-fifth report. I am sure that I will have another opportunity to speak on this report, and look forward to continuing my remarks at that time.

Hon DARREN WEST: That is a great segue from the honourable member, because she finished her fine contribution with an acknowledgement of the members and staff of this committee. I have been in Parliament a little while now, and I acknowledge the great work done by the Standing Committee on Estimates and Financial Operations. The committee is a very important part of our parliamentary process, and I acknowledge Hon Peter Collier for his work

in chairing this committee. It is really important that we go back over budget estimates. I remember that when I first came to this place—others may remember—Hon Ken Travers was Chair of the Standing Committee on Estimates and Financial Operations. He was a very diligent chair. Hon Ken Travers is one of the few people I know who can recite every standing order off by heart. He really knew his way around parliamentary processes. He has been a great friend and mentor to me. As members may know, he occasionally arrives at our farm to drive a hay rake. He is the tallest hay rake driver in Western Australia and was a great chair of the estimates and financial operations committee. That good work continues. I acknowledge all members of the committee, the committee staff and, in particular, the chair, Hon Peter Collier.

As has been stated, this report is the consideration of the 2021–22 budget estimates. Members should cast their minds back to that time, towards the end of COVID, when the budget and expenditure were very much affected by COVID. The Premier of the day, Hon Mark McGowan, was determined that our economy would remain strong. We had come through a period of recession in Western Australia. We had come through a period when there was a lot of uncertainty. I do not know whether members can recall it now, but at the time we came to government it was actually very difficult to sell a house. A lot of people were out of work, so local jobs was our number one priority. Has that not been a successful legacy of the government so far? We were at the back end of COVID and the government was very popular. We had just won an election, with the best electoral result ever by a government in the history in Australia. With that massive majority, the responsibility was on us to act responsibly with the budget, as we had done since we came into government in 2017. We had to make some difficult decisions, deal with the massive debt and deficit that beset us and manage our way to economic prosperity. We have done that and we continue to do that. Obviously, keeping the mining industry operating through COVID was a big part of that. We were able to keep our mining industry strong and keep those jobs. We made some decisions that were unpopular around Australia with certain mining tycoons, but we stand by everything that we did during that period, and we were rewarded by the Western Australian people. We were coming back into government with the 2021–22 budget estimates, beginning to get through the worst of COVID and beginning to reopen the economy with a fierce determination to keep people at work, keep COVID out and keep our economy strong.

This excellent eighty-fifth report is the result of the Standing Committee on Estimates and Financial Operations' consideration of the estimates of expenditure contained in the 2021 appropriation bills and detailed in the 2021–22 budget papers. It made some good findings, including finding 1, which states —

The Committee's capacity to scrutinise agencies improved with the expanded level of information in the Budget Statements for government trading enterprises.

I think government trading enterprises are a very important part of government, but I believe we have a difference in philosophy about them. Some of us believe it is best if they are publicly owned while others believe they should be privately owned. That is a debate for another day. However, I think this mechanism will give everyone a full view of the operations and workings of those vital public utilities. The report continues —

Recommendation 1

The Department of Treasury ensure that the term 'forward estimates' is consistently applied in the budget papers to improve readability.

That is actually an excellent recommendation. For all of us who do not mind a bit of a look through budget papers, I think that will make it easier to pour over the outyears and what the potential investment by government might be. It continues —

Finding 2

The Committee's consideration of the 2021–22 estimates of expenditure was not adversely affected by Ministers' decisions not to provide certain information.

There are many reasons that ministers might not want to provide information, but it is good to know that it has not had an impact on this committee's important work. It continues —

Recommendation 2

For the occasions of non-provision of information due to legal professional privilege, commercial sensitivity or agency resourcing, the relevant Minister consider issuing a notice under section 82 of the *Financial Management Act 2006*.

That is a very wise recommendation, I would say. It continues —

Finding 3

The Committee's consideration of the 2021–22 estimates of expenditure was not adversely affected by the omission of the provision for the Social Housing Investment Fund in the table in Appendix 7 of the Economic and Fiscal Outlook.

It is very good to bring that point to the government's attention. I guess the bit that jumped out at me about the appropriation bills was in chapter 2 of the report. I am going about this in this way for those watching today who are

not as familiar with the way budgets work. The bit that jumped out to me was about what is new in the appropriation bills. A comparison was made with the appropriation bills from the year before; 12 items were added and 11 items removed from the 2021 appropriation bills. The report states at paragraph 2.3 —

Of these:

- the Department of Treasury will administer ten new payments, of which five relate to new commitments notionally funded by the higher than expected operating surplus in 2020–21.

It is a nice change to have an operating surplus from the decade before. That is great. The footnote mentions three new recurrent items and seven new capital items. That is a combination of the two. It continues —

- the decision to make the State Solicitor’s Office a sub-department of the Department of Justice on 1 October 2021 means new recurrent and capital Items were required. The State Solicitor’s Office is now separately listed in the budget papers.

That is a very good point that is worthwhile bringing to the attention of the reader of the report. It continues —

- the decision to incorporate the Equal Opportunity Commission into the Department of Justice on 1 December 2020 means a separate recurrent Item is no longer necessary. The Equal Opportunity Commission is no longer separately listed in the budget papers.

Again, it was worthwhile pointing that out. It continues —

- most removed Items were foreshadowed in the 2020–21 Budget, as they related to payments of a temporary nature.

We know that there were many of those around at that time.

The request for funds in the 2021 appropriation bills is \$5.2 billion higher than in the 2020 appropriation bills, of which \$3.6 billion related to funds transferred to a list of projects, such as the women’s and babies’ hospital account, which received \$1.8 billion. We look forward to the awarding of a tender on that important piece of public infrastructure. The social housing investment fund received \$750 million. We know that housing has become an issue in Western Australia. There are those who may remember that, when we came into government, houses could not be sold. Houses were on the market for six months with no buyers. Houses could not be rented. Naturally, the number of houses being built at that time declined to about 5 000 dwellings a year. We are now behind in housing as a consequence of that difficult financial time in the state, when there was poor financial management as well.

The digital capability fund received \$500 million. Of course, that is very important. Information technology and digital capability is probably not that sexy, but when things go wrong, it is a big problem, so it is good that there has been investment into that.

The softwood plantation expansion fund received \$350 million. For 10 years we hardly planted any pine trees in Western Australia, so it is really good that the forestry initiative of the Forest Products Commission and the Minister for Forestry got around that. The climate action fund of course is something that we are working with, and it received \$168 million.

Those were the significant investments for the future of Western Australia made by the state government at the time. I am pleased that the Standing Committee on Estimates and Financial Operations saw fit to list those investments in the report, because it is important that people understand that investments are scrutinised and know where their money is going when they pay their taxes and charges.

Like Hon Klara Andric, I am running a bit short on time; however, this is a really extensive report and it is a good read. There is some great information in section 3 of the report about the application of higher operating surpluses and a chart that refers to how those funds will be allocated, which people can access. I commend the work of the committee. I give a shout-out to the committee staff. All of us who are on committees know the importance of their work.

Hon KLARA ANDRIC: Given the opportunity, I thought I would speak again on this report. I will continue my remarks from where I had left off—table 4, “Occasions of non-provision of information”, on pages 11 and 12 of the eighty-fifth report. Although I will not make members listen to every single one of those occasions, I will read out some of the examples that I noted. The examples include the withholding of property condition reports for Government Regional Officers’ Housing by the Department of Communities to protect the privacy, security and safety of occupants, which I think is a self-explanatory reason, and the redacting of the names of Western Australian police officers who accompanied ministers on chartered aircraft, once again for both privacy and security reasons.

With this in mind, I wish to take the opportunity to turn members’ attention to finding 2, which I read out earlier. It states —

The Committee’s consideration of the 2021–22 estimates of expenditure was not ... affected by Ministers’ decisions ...

I am pleased that the committee performed its inquiry, and I agree that it is reassuring that the committee's scrutiny was not affected by the decisions that I have just mentioned. In fact, it indicates the effectiveness of the committee's oversight role.

Consideration of report postponed, pursuant to standing orders.

Progress reported and leave granted to sit again, pursuant to standing orders.

PERTH PARKING MANAGEMENT BILL 2023

Committee

Resumed from 27 February. The Deputy Chair of Committees (Hon Steve Martin) in the chair; Hon Stephen Dawson (Minister for Emergency Services) in charge of the bill.

Clause 1: Short title —

Progress was reported after the clause had been partly considered.

Hon NEIL THOMSON: I have communicated to the minister that I do not intend to spend too much longer on this in Committee of the Whole, but for the knowledge and understanding of members, I expect that we will continue after question time. I appreciate that the officers from the department are here, so thank you for being patient with this progress.

Before we move off clause 1, I would like to ask an omnibus question about this rather detailed bill. There are a number of changes to the specifications for a whole range of processes for the CEO involving the granting of licences, the duration of licences et cetera. Has a regulatory impact statement been undertaken in relation to the bill? If there is an ability to comment generally, I note that there appears to be a lot of black-letter law in this bill and a lot of specification that was not there before. Has a regulatory impact statement been undertaken to date, and has that regulatory impact statement considered the impact on landowners, specifically in relation to reporting and compliance expectations?

Hon STEPHEN DAWSON: I am told that a regulatory impact statement was undertaken in about 2017 or 2018. It is important to remember that the beginning of the work on this bill started under the previous government, although the majority of the work has happened under this government. Although a RIS was undertaken early in the process, the advice was that we did not need to do a second one at a later stage. I do not believe that the impact on landowners in relation to reporting and compliance was considered as part of that.

Hon NEIL THOMSON: Although I have concerns generally about making sure that businesses comply with the new provisions, I also want to touch on the role of residential strata bodies and their requirements. I want to talk a bit about some of the mixed uses when we move on to clause 9, "Exempt circumstances", particularly Airbnb situations within a strata body. What is the view of the obligations on a strata body to meet the requirements of this legislation, given that we will see a significant increase in penalties, for example? My concern, from the point of view of a residential strata, is that there may be some noncompliance at the edges of the law, and that might place a strata body in a difficult position. I imagine that potentially there will be increased exposure for those bodies simply due to the increase in penalties.

Was an assessment done by the department of the obligations of a strata body when it is a residential establishment, given that some bays within the apartment unit may be interpreted to be subject to the levy?

Hon STEPHEN DAWSON: There are a couple of things I could say. Detailed consultation on the bill took place in 2017–18 with relevant local governments, including the City of Perth, as well as other peak bodies, such as the Property Council of Australia.

In relation to strata, residential parking in a mixed-use strata development will continue to be exempt from the levy under the bill before us; however, strata companies will continue to be considered the property owner for the purposes of licensing parking bays within a development. It has been suggested that the Department of Transport should bill individual owners within a strata title development separately; however, the department has advised that it does not have the capacity or resources to implement this business practice. Since it has no access to information to distinguish between individual tenants and units within a mixed-use development, and no way of being kept up to date when there is a change in ownership, it is only practical to deal directly with the strata company to licence the overall site.

During drafting of the bill, the department was advised that strata companies have both the ability and the power to comply with the act, and it remains the strata company's responsibility to ensure that the cost of the levy is not applied to residents. Residents within the strata development who are paying the levy should contact their strata company to resolve the issue.

Hon NEIL THOMSON: If we stay on clause 1, we may be able to close off this aspect in relation to strata units. From what the minister is saying, residential strata developments—apartments—will be exempt, although there will be parking lots that have individual parking bays that could be subject to the levy. Is that correct?

Hon STEPHEN DAWSON: Honourable member, just to be clear, there will be no change to the treatment of residential parking. As per the current act, residential parking solely for use by permanent city residents will continue to be exempted from the requirements of the act, regulations and policy. In relation to strata, there will be no change under the legislation before us from the existing act.

Committee interrupted, pursuant to standing orders.

[Continued on page 499.]

QUESTIONS WITHOUT NOTICE

LIVE ENTERTAINMENT INDUSTRY — SUPPORT PROGRAM

29. Hon PETER COLLIER to the parliamentary secretary representing the Minister for Culture and the Arts:

I refer the minister to his response to question without notice 1, asked on Tuesday, 27 February.

- (1) How many organisations represented by Live Entertainment WA received funding from the Getting the Show Back on the Road program?
- (2) With respect to three promoting companies associated with LEWA, how much of the Getting the Show Back on the Road funding did each receive —
 - (a) Mellen Events;
 - (b) Zaccaria; and
 - (c) Boomstick?

Hon SAMANTHA ROWE replied:

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

The answer is not available in time for today. However, an answer will be provided tomorrow, Thursday, 29 February.

BANKSIA HILL DETENTION CENTRE AND UNIT 18 DETAINEES — SUICIDE ATTEMPTS AND SELF-HARM INCIDENTS

30. Hon PETER COLLIER to the minister representing the Minister for Corrective Services:

- (1) How many —
 - (a) suicide attempts; and
 - (b) self-harm incidents were there at Banksia Hill Detention Centre in 2023?
- (2) How many —
 - (a) suicide attempts; and
 - (b) self-harm incidents were there at unit 18, Casuarina Prison in 2023?

Hon STEPHEN DAWSON replied:

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

The Department of Justice advises the following.

- (1) Between 1 January and 31 December 2023, at Banksia Hill —
 - (a) There were 15 attempted suicide incidents.
 - (b) There were two serious self-harm incidents and 372 minor instances of self-harm.
- (2) Between 1 January and 31 December 2023, at unit 18 —
 - (a) There were five attempted suicide incidents.
 - (b) There were 12 serious self-harm incidents and 308 minor instances of self-harm.

AUDITOR GENERAL'S REPORT — ADVERSE OPINION

31. Hon COLIN de GRUSSA to the Leader of the House representing the Premier:

I refer to the Treasurer's response to question without notice 3 regarding the Auditor General's adverse opinion and findings set out in the *Financial audit results—state government 2022–23*.

- (1) Given the measures outlined by the Treasurer to address the Auditor General's findings and to lift financial management capability in the public sector, does the Premier admit that the machinery-of-government initiatives implemented by the Labor government have directly compromised financial management and accountability in the public sector?

- (2) Given that the adverse finding and concerns expressed by the Auditor General specifically relate to repeated failures by state government entities to address serious qualifications to their financial reports and controls, why has it taken until 2023–24 to address this issue?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. I answer on behalf of the Leader of the House. The following response has been provided by Premier.

- (1) No.
- (2) The premise of the question is entirely incorrect. This government's longstanding investment in boosting capability in the public sector is having a differential impact. This is demonstrated by the fact that the number of financial and management weaknesses identified by the Auditor General in 2022–23, in the report referred to by the member, is lower than the number of weaknesses identified by the Auditor General during every single year of the previous Liberal–National government.

ELECTORAL ACT — REGULATIONS — CONSULTATION

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

I refer to the passage of the Electoral Amendment (Finance and Other Matters) Bill 2023.

- (1) Has drafting of all regulations pursuant to the now act commenced?
- (2) Has the Western Australian Electoral Commission commenced consultation on the implementation of the act's provisions with registered political parties; and, if so, with which parties, and on what dates?

Hon MATTHEW SWINBOURN replied:

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

- (1) The commission has commenced work concerning the drafting of regulations required as a result of legislative amendments to the Electoral Act 1907.
- (2) It is anticipated that briefings with all registered political parties will commence in early April 2024.

KIDS HELPLINE — CONTACTS

33. Hon DONNA FARAGHER to the minister representing the Minister for Community Services:

I refer to the Kids Helpline counselling service for young people aged five to 25 years and the Department of Communities. In 2023, what was the total number of contacts made to the Kids Helpline service from children and young people in Western Australia via the following methods —

- (a) telephone;
- (b) email; and
- (c) webchat?

Hon JACKIE JARVIS replied:

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

The Department of Communities advises that this data cannot be provided in the time frame given as it requires consultation with an external service provider. Should the member wish to place the question on notice, the minister will endeavour to provide a response.

GRIFFIN COAL — CONSULTANTS

34. Hon Dr STEVE THOMAS to the minister representing the Minister for State and Industry Development, Jobs and Trade:

I refer to the government's ineffective outsourcing to find a solution to the ticking time bomb that is the insolvent and foreign-owned Griffin Coal via its engagement of a coterie of consultants and advisers, including KPMG, Ad Astra, Preston Consulting, Sternship Advisers and Ashurst. As at 27 February 2024 —

- (1) Apart from the aforementioned advisers and consultants, has any other government ministry, agency, department or entity within government engaged consultants or advisers for the provision of advice pertaining to the insolvent Griffin Coal company?
- (2) If yes to (1), who are the consultants and advisers, when were they contacted and engaged and for what purpose and rationale, and which ministries, departments, agencies or entities were party to the contacts?
- (3) What is the value and time frame of the contracts?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer has been provided on behalf of the Minister for State and Industry Development, Jobs and Trade.

- (1) No.
- (2)–(3) Not applicable.

PERTH AND PEEL STRATEGIC ASSESSMENT

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

On 22 December 2022, the Minister for Environment announced via a media release that the state government would discontinue the strategic assessment of the Perth and Peel regions—SAPPR—instead prioritising regional planning to help provide certainty over land usage planning while addressing cumulative environmental impacts.

- (1) In the last 14 months, has the government progressed conservation and restoration plans for the Perth and Peel regions?
- (2) What is the progress?
- (3) Will the government consult publicly regarding the content of these plans?
- (4) How many FTE staff has the Department of Water and Environmental Regulation allocated to delivering these reforms?
- (5) Will the government alter the manner in which offsets are delivered in the Perth and Peel region?
- (6) Has the removal of the SAPPR altered approval time frames in the Perth and Peel region for part IV approvals?

Hon DARREN WEST replied:

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

- (1) Yes.
- (2) A census of existing data, mapping, policies and plans is almost complete. Refinement of environmental values mapping is underway.
- (3) Yes, the government intends to consult as the plans are developed.
- (4) It is three FTE.
- (5) Offsets are applied in line with the current offsets framework.
- (6) Not applicable. SAPPR was not applied in the Perth and Peel region.

HOUSING — HEART OF BEACONSFIELD DEVELOPMENT

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

I refer to the Heart of Beaconsfield housing development, in particular the vacant blocks and boarded houses between South Street, Lefroy Road, Caesar Street and Fifth Avenue.

- (1) How many lots are owned by the state government?
- (2) Of the lots owned by the state government, how many are vacant land, unoccupied houses and occupied houses?
- (3) Why has there been no redevelopment since demolition started in 2017?

Hon JACKIE JARVIS replied:

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

- (1)–(3) The state government is continuing to progress significant redevelopment and renewal projects to make way for new housing and improve the quality, affordability, diversity and amenity of social housing stock. The state government owns 41 lots within the area bound by South Street, Lefroy Road, Caesar Street and Fifth Avenue. Social housing tenants are progressively and sensitively reallocated from properties earmarked for redevelopment to allow for staged demolition and redevelopment of the site. As the reallocations of the existing social housing tenants at the Beaconsfield site occur, the state government is advancing detailed planning for the site and a staged delivery of the redevelopment. The state government will make further announcements on the project in due course.

METROPOLITAN CEMETERIES BOARD — DATA BREACH

37. Hon WILSON TUCKER to the minister representing the Minister for Local Government

I refer to the recent data breach involving the publishing of sensitive and confidential information on the Metropolitan Cemeteries Board's website, as reported by WAtoday on 5 February 2024.

- (1) Has the MCB identified the cause of this data breach?
- (2) As a statutory authority, does the MCB comply with the WA government cybersecurity policy?
- (3) If yes to (2), has the MCB completed a baseline report and annual implementation report as required by the policy?

Hon JACKIE JARVIS replied:

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

- (1) Yes.
- (2)–(3) The MCB continues to work to remain compliant with the WA government cybersecurity framework, including through relevant reporting.

CANNABIS — UNIVERSITY ADMISSIONS

38. Hon Dr BRIAN WALKER to the Leader of the House representing the Minister for Education:

I refer the minister to a recent study published in the January edition of the peer-reviewed journal *Contemporary Economic Policy*, which found that states in the United States that had legalised recreational cannabis had seen a 5.5 per cent increase in public college and university applications compared with states that had not yet legalised cannabis, alongside a noticeably higher standard of applications.

- (1) What increase, if any, in university applications have we seen in WA since the pandemic, and what projected figures, if any, do we have going forward?
- (2) Will the minister urge his department to consider this latest research, which could yield important insights into university admissions, especially in terms of WA's attractiveness to interstate and international applicants?
- (3) If no to (2), why not?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The following response, which I provide on behalf of the Leader of the House, has been provided by the Minister for Education.

- (1) It is not possible to answer this question in the time available and I therefore ask the honourable member to place this question on notice.
- (2) No.
- (3) Although not familiar with the study to which the honourable member referred, I do not consider legalising the recreational use of cannabis to be a valid university student recruitment strategy.

*INDEPENDENT REVIEW OF WA ENVIRONMENTAL APPROVAL
PROCESSES AND PROCEDURES — RELEASE*

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

I refer to the government's response to my question yesterday regarding the Vogel–McFerran review of the processes and procedures of the Environmental Protection Authority, the full report of which has not been released despite several freedom of information requests. The government replied that the full report was cabinet-in-confidence.

- (1) Are there any plans to release the full report?
- (2) If so, when?
- (3) If not, how does the government expect the people of Western Australia to accept that changes to the operations of the EPA are in the interests of both the economy and the environment if they are not party to the analysis behind them?

Hon DARREN WEST replied:

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

- (1)–(3) The government's proposed reforms will continue to ensure the highest levels of protection for WA's unique environment. Further consultation with industry and conservation groups will be undertaken as part of the reforms.

MATERNITY SERVICES — CARNARVON

40. Hon MARTIN ALDRIDGE to the parliamentary secretary representing the Minister for Health:

I refer to the state government's decision to close maternity services in Carnarvon, forcing expectant families to travel up to 1 000 kilometres to give birth in Geraldton or Perth.

- (1) How many families have been impacted since the cancellation of maternity services in February 2022?

- (2) Has a date been set to resume maternity services in Carnarvon?
- (3) Noting media reports last week that several families have been left with out-of-pocket expenses as a result of the closure, can the minister confirm that every family that has been required to travel to access maternity services has been fully reimbursed for their transport, accommodation and any other associated costs as a result of the government's decision to close maternity services in Carnarvon?
- (4) If no to (3), why not?

Hon PIERRE YANG replied:

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

- (1) Since February 2022, 186 families have been supported to birth at alternative health services.
- (2) No. This is a temporary closure of maternity services in Carnarvon, with the WA Country Health Service continuing to undertake work to ensure that consistent and sustainable workforce coverage is maintained in Carnarvon.
- (3) Since February 2022, Carnarvon women have been fully funded to relocate to access birthing services that are temporarily unavailable at Carnarvon Health Campus. This includes the full cost of accommodation, travel and groceries, on the provision of receipts. Reimbursement of all maternity-related expenses is facilitated through a local process to ensure that Carnarvon women are paid for their expenses while they are away from their community.
- (4) Not applicable.

FIREARMS — LICENSED

41. Hon LOUISE KINGSTON to the minister representing the Minister for Police:

I refer to the minister's response to question on notice 1752 regarding reported incidents involving a firearm, to which the minister did not provide information on incidents involving unlicensed firearms.

- (1) Of the 517 incidents reported in 2023, how many involved an unlicensed firearm?
- (2) How many of those offences were committed by a person without a firearms licence?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) The Western Australia Police Force advises that the firearms licence status of the firearms involved in the recorded incidents are unable to be provided due to recording limitations, and that the firearm or firearms involved are not always recovered by police for every incident.

FIREARMS BILL 2024

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

I refer to the briefing provided to the opposition on 26 February 2024 on the Firearms Bill 2024.

- (1) Is the minister aware that the opposition was told that around 90 per cent of the recommendations in the Law Reform Commission of Western Australia's *Review of the Firearms Act 1973 (WA): Project 105 final report* will be implemented by the bill?
- (2) What are the 10 per cent of recommendations that will not be implemented?
- (3) Will the bill implement anything that is inconsistent with a recommendation made by the Law Reform Commission?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) The Firearms Bill 2024 implements, or exceeds, the majority of recommendations arising from the Law Reform Commission's report. The recommendations not included relate to silencers for non-government entities, the firearm lending scheme, airsoft and gel blaster licensing and mutual recognition of licences.
- (3) The Firearms Bill 2024 has numerical limits and does not authorise category D firearms for non-government entities.

KEYSTART

43. Hon STEVE MARTIN to the minister representing the Minister for Housing:

I refer to Keystart.

- (1) For the calendar year 2023 how many Keystart loans were —
 - (a) applied for;

- (b) approved; and
 - (c) rejected?
- (2) For the calendar year 2023, how many Keystart loans were approved for —
- (a) low-deposit home loans;
 - (b) shared ownership home loans;
 - (c) access home loans;
 - (d) Aboriginal home loans;
 - (e) rural home loans; and
 - (f) urban connect home loans?

Hon JACKIE JARVIS replied:

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

- (1) Keystart is incorporated under the Corporations Act and is regulated by the Australian Securities and Investments Commission. Keystart approves loans in line with its obligations to ASIC and in accordance with responsible lending practices. For the calendar year 2023, Keystart has provided the following.
- (a) There were 770 loans applied for.
 - (b) Of those, 534 were approved. This includes 472 loans that were committed to, four that were formally approved, three loans approved in the year prior that moved to formal approval and 55 pre-approved loans.
 - (c) Of the 770 loan applications, 101 applications were declined by Keystart in line with its responsible lending obligations. There were 137 loan applications withdrawn by customers, and one loan application was deferred.
- (2) As the data for the answer to question (2) is in tabular form, I seek leave to have the response incorporated into *Hansard*.

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

Low Deposit Home Loans	447
Shared Ownership Home Loans	34
Access Home Loans	15
Aboriginal Home Loans	31
Rural Home Loans	0
Urban Connect Home Loans	7

POLICE — RECRUITMENT

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

- (1) How many recruit applications were received in 2023?
- (2) How many recruits graduated in 2023?
- (3) Of those referred to in (2), how many were men, women and other?

Hon STEPHEN DAWSON replied:

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

- (1) There were 3 122 recruit applications received in 2023.
- (2) There were 377 recruits who graduated in 2023
- (3) Of those referred to in (2), 272 were male, 105 were female and none were other.

WEST COAST DEMERSAL SCALEFISH RESOURCE

45. Hon COLIN de GRUSSA to the parliamentary secretary representing the Minister for Fisheries:

I refer to the minister's response to question without notice 16 about legal cases brought against the state government regarding the west coast demersal scalefish resource management arrangements.

Can the minister please list the cases that have been brought against the state government?

Hon PIERRE YANG replied:

I thank the honourable member for some notice of the question. I answer on behalf of the parliamentary secretary representing. The following answer has been provided by the Minister for Fisheries.

The cases that have been brought against the state government are CIV 1849 of 2023 and CIV 2321 of 2023.

INSURANCE LEGISLATION AMENDMENT
(MOTOR VEHICLE CLAIMS HARVESTING) BILL 2023

46. Hon TJORN SIBMA to the minister representing the Treasurer:

I refer to the Insurance Legislation Amendment (Motor Vehicle Claims Harvesting) Bill 2023.

- (1) Can the minister absolutely guarantee that should this bill pass, no future genuine insurance claimant will be denied the opportunity, or will have their claim unfairly obstructed, in their attempt to obtain adequate compensation for injuries sustained due to the negligence of other drivers?
- (2) If yes to (1), on what basis does the Treasurer guarantee that future genuine claimants will be not be left worse off?
- (3) If no to (1), what is the Treasurer's justification for causing the bill to be introduced in its current form?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) There will be no change to the basis on which compensation is payable under the motor injury insurance scheme or a claimant's ability to pursue compensation for injuries sustained. It will remain the same. The bill seeks to curtail claims harvesting in motor vehicle injury insurance claims in Western Australia including the sale of personal details and unethical proponents prey on vulnerable Western Australians. The bill seeks to curtail the predatory practice of claims harvesting in motor vehicle injury insurance claims in Western Australia, which is estimated to cost taxpayers \$14 per vehicle premium paid.

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE —
ANNUAL GOVERNMENT PROGRESS REPORTS

47. Hon DONNA FARAGHER to the minister representing the Minister for Child Protection:

I refer to the Western Australian government website and the page titled "How the WA Government is implementing the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse" that states —

The Western Australian Government has committed to table annual progress reports in Parliament for five consecutive years, pursuant to recommendation 17.2 of the Royal Commission's Final Report.

When will the 2022 progress report be tabled in Parliament?

Hon JACKIE JARVIS replied:

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

In line with recommendation 17.2 of the royal commission's final report, the minister intends to table the 2022 progress report in the first half of this year.

GRIFFIN COAL — AD ASTRA CORPORATE ADVISORY

48. Hon Dr STEVE THOMAS to the minister representing the Minister for State and Industry Development, Jobs and Trade:

I refer to the answer to my question without notice 729 of 22 June 2023 that confirmed the government's engagement, effective from 5 April 2023, of Ad Astra Corporate Advisory as a consultant adviser to the insolvent and foreign-owned Griffin Coal.

- (1) As at 27 February 2024, under the no-fixed-term, hourly rate contract, what is the totality of payments that Ad Astra has been paid by the state government?
- (2) What reports, additional to the report of 15 September 2023, has Ad Astra delivered to government?
- (3) In what formats and structures and on what dates were the reports delivered?
- (4) To whom were the reports furnished and will the minister table the reports in the house?
- (5) Is Ad Astra still engaged by government as a consultant on the insolvent Griffin Coal, and when is it envisaged that its consultancy will cease?

Hon SUE ELLERY replied:

On behalf of the Minister for Emergency Services representing the Minister for State and Industry Development, Jobs and Trade, I thank the honourable member for some notice of the question.

- (1)–(5) An amount of \$561 061, including GST, has been paid to Ad Astra for advice on a range of matters relating to Griffin Goal in a number of formats. Ad Astra remains engaged as a consultant to provide commercial advice as required in the future.

NATURE POSITIVE — COMMONWEALTH REFORM

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

I refer to the risks being imposed by the commonwealth's Nature Positive reforms.

- (1) Has the minister made any representations to the commonwealth about the impact of duplicating an environmental protection agency at the commonwealth level?
- (2) If yes to (1), what was the nature of those representations?

Hon DARREN WEST replied:

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

- (1) Yes, I have met with Hon Tanya Plibersek about the Nature Positive reforms multiple times, most recently last week in Perth.
- (2) Western Australia has sought to understand the intent and implementation of the commonwealth's Nature Positive reforms, particularly the implications for Western Australia. The Department of Water and Environmental Regulation has coordinated feedback of Western Australian departments to the commonwealth, aiming to guide the design towards a system that protects the environment and streamlines the approvals process in the state.

CONVERSION PRACTICES — LEGISLATIVE REFORMS

50. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Attorney General:

I refer to Premier Cook's comments at a press conference in Albany on 5 February 2024 that defining conversion practices in a statutory sense is "very difficult".

- (1) Why is it very difficult in Western Australia to do this, when the Victorian Labor government passed gold-standard laws three years to the day before the Premier made those comments?
- (2) How is defining conversion practices different in WA when compared with Victoria?

Hon MATTHEW SWINBOURN replied:

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

- (1)–(2) The Cook government remains committed to banning conversion practices in Western Australia, and legislation to implement the ban is currently under development. It is important that the legislation is not merely a cut-and-paste from other laws but takes into account the context of the Western Australians the laws will be designed to protect. Consultation with the LGBTIQ+ community and victim-survivors has commenced, and the legislation will be introduced to Parliament as soon as it is ready.

FIREARMS — BUYBACK PROGRAM

51. Hon WILSON TUCKER to the minister representing the Minister for Police:

I refer to the government's firearm buyback compensation scheme. What peak bodies or industry experts did the government consult to determine the appropriate buyback fee payable for the scheme?

Hon STEPHEN DAWSON replied:

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

The Western Australia Police Force advises that due to confidentiality agreements, the agency is unable to provide the requested details regarding the consultation participants. These agreements were made with industry stakeholders, who were consulted to determine the appropriate buyback fees payable for the scheme. Due to confidentiality and privacy concerns, the requested details may cause commercial impact and potential risks to their businesses.

METROPOLITAN CEMETERIES BOARD — AUDIT

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

I refer the minister to a recent security failure on the part of the Metropolitan Cemeteries Board that has potentially exposed thousands of sensitive and confidential documents to public scrutiny.

- (1) When was the MCB last audited by the Office of the Auditor General?
- (2) Is the minister aware of claims by at least one whistleblower from within the MCB that its procurement practices have been less than transparent in recent years?
- (3) Is the Auditor General further aware that the MCB reportedly has more than \$74 million tied up in privately managed investment funds?
- (4) In light of each of those points, will the minister join me in encouraging the Auditor General to turn her team's attention to the MCB and its systems as a matter of urgency; and, if not, why not?

Hon JACKIE JARVIS replied:

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

The following response has been provided by the Minister for Local Government.

- (1)–(4) The Metropolitan Cemeteries Board advises that the Office of the Auditor General already conducts regular audits, including of the MCB's financial statements. The MCB's audited financial statements, including information about its investments, are available as part of its annual report.

TAFE — MEDICAL CANNABIS

53. Hon SOPHIA MOERMOND to the parliamentary secretary representing the Minister for Training and Workforce Development:

I refer to the Federation TAFE in Ballarat, Victoria, which recently announced a partnership to provide Australia's first nationally accredited training course in medicinal cannabis cultivation and production, ensuring that Victoria will have a strong foothold in reaping the benefits of the medicinal cannabis industry.

- (1) Is the minister aware of this training course on the cultivation of medicinal cannabis?
- (2) Are there any plans to hold this course at a Western Australian TAFE?
- (3) If not, does the minister consider this as a training opportunity for Western Australians?

Hon MATTHEW SWINBOURN replied:

I thank the member for some notice of the question.

The following answer has been provided to me by the Minister for Training and Workforce Development.

- (1) Yes. The training course that is to be offered by Federation TAFE in 2024, AHC33920 certificate III in medicinal cannabis cultivation and production, is on Western Australia's 2024 priority industry qualification list and is eligible for publicly funded training.
- (2)–(3) Information available on the national register of vocational education and training suggests that no training providers in Western Australia or nationally currently have this qualification on scope for training delivery. The decision to offer a training course by a training provider is dependent on the curriculum and teaching capacity and the demonstrated needs of prospective students.

SMARTRIDER CARDS — MEMBERS OF PARLIAMENT

54. Hon MARTIN ALDRIDGE to the minister representing the Minister for Transport:

I refer to the distribution of SmartRider cards by Labor MPs to the public via their parliamentary electorate offices.

- (1) Are these cards being provided to Labor MPs by the state government?
- (2) If yes to (1), what has been the cost to date and the number of cards provided for distribution?
- (3) If yes to (1), does this program apply exclusively to Labor MPs?
- (4) On what dates did the distribution of the cards first occur?

Hon STEPHEN DAWSON replied:

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

The following answer has been provided to me on behalf of the Minister for Transport.

- (1)–(4) To assist constituents who wish to access the government's free public transport initiatives, an initial 15 SmartRiders, and later an additional 50, loaded with a minimum balance have been offered to each member of the Legislative Assembly. Fifteen SmartRiders were posted to each opposition MLA on 9 January 2024. A further 50 per MLA were offered to the opposition in February, with the allocation for Liberal MLAs delivered to 2 Parliament Place on 14 February 2024 and the allocation for Nationals WA MLAs delivered to Parliament House reception on 20 February 2024, as requested by opposition staff members. The SmartRiders that were not collected by government MLAs have been offered to government members of the Legislative Council. Requests for additional SmartRider cards can be made to the minister's office and will be facilitated when possible.

NATIVE FOREST — ECOLOGICAL THINNING

55. Hon LOUISE KINGSTON to the Minister for Forestry:

I refer to the concerns raised with my office that the Forest Products Commission is currently paying contractors whose purpose is to conduct ecological thinning.

- (1) Why did the FPC commence engagement of the contractors if the government does not currently have a plan for ecological thinning?
- (2) What is the value of the contracts?

Hon JACKIE JARVIS replied:

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

- (1)–(2) The Cook government has now ended commercial logging of WA's iconic and unique jarrah and karri forests—a policy the opposition wishes to reverse. A new forest management plan commenced on 1 January 2024. The Department of Biodiversity, Conservation and Attractions has identified suitable areas that meet the criteria for ecological thinning and is in the process of planning and approvals for these areas. Ecological thinning for forest health is not the same as commercial logging. It is important that small business operators and their staff transitioning from commercial logging to ecological thinning activities are supported to undertake training and ensure their equipment is configured for ecological thinning activities.

VIOLENT SEX OFFENDERS — PAROLE

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

I refer to the answer to my question without notice 1373, which informed the house that as at 7 November 2023 46 return to prison warrants were outstanding.

- (1) How many of those 46 warrants have now been executed?
- (2) What is the total number of return to prison warrants currently outstanding?
- (3) How many have been outstanding for more than 12 months?

Hon STEPHEN DAWSON replied:

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

Western Australia Police Force advises —

- (1) Thirteen as at 27 February 2024.
- (2) Forty as at 27 February 2024.
- (3) Of those 40 outstanding return to prison warrants, 31 have been outstanding for more than 12 months, as at 27 February 2024.

WHEATBELT SECONDARY FREIGHT NETWORK — FEDERAL FUNDING

57. Hon STEVE MARTIN to the minister representing the Minister for Transport:

My question is to the parliamentary secretary representing the Minister for Transport. I refer to the wheatbelt secondary freight network.

- (1) Is the minister aware of when the federal government will sign off on the wheatbelt secondary freight funding for 2023–24?
- (2) If yes to (1), when will that be?
- (3) Can the minister outline how many local governments are impacted by the delay in signing off from the federal Minister for Infrastructure, Transport, Regional Development and Local Government?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. It is I who represents the Minister for Transport! The answer is provided on behalf of that minister.

- (1)–(3) Main Roads has been working with the federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts to progress the signing of the program proposal report for the wheatbelt secondary freight network.

DUST EMISSIONS — GERALDTON PORT

58. Hon COLIN de GRUSSA to the Leader of the House representing the Minister for Ports:

I refer to the ongoing fugitive dust emission issues at the port of Geraldton.

- (1) Does the minister acknowledge that, notwithstanding the installation of the DustTamer fencing and dust reduction initiatives undertaken at the port during 2022–23, the community of Geraldton is still being impacted by fugitive dust emissions from the port of Geraldton?

- (2) If yes to (1), what specific actions are being undertaken by Mid West Ports Authority to address this situation?
- (3) Did the minister or his office received a briefing from Mid West Ports Authority specifically regarding the dust issue during 2023 or 2024 to date?
- (4) If yes to (3), on which dates did these briefings occur?

Hon SUE ELLERY replied:

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

- (1)–(4) Mid West Ports Authority continues to monitor dust emission performance of all its facilities and has a program of ongoing works to maintain standards. The minister been briefed on the issue on his visits to the port of Geraldton and is regularly updated on the progress of works.

POLICE — RESIGNATIONS AND RETIREMENT*Question without Notice 2 — Answer*

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.03 pm]: I would like to provide an answer to the Leader of the Opposition's question without notice 2, asked yesterday.

I seek leave to have the response incorporated into *Hansard*.

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

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

The Western Australia Police Force advise:

- | | | |
|-----|-----|-----|
| (1) | (a) | 32 |
| | (b) | 8 |
| (2) | (a) | 29 |
| | (b) | 6 |
| (3) | (a) | 403 |
| | (b) | 78 |
| (4) | (a) | 35 |
| | (b) | 11 |

Notes:

Separation figures may change due to the processing time of separations for police officers.

ENVIRONMENTAL PROTECTION ACT — COST RECOVERY*Question without Notice 20 — Answer*

HON DARREN WEST (Agricultural — Parliamentary Secretary) [5.03 pm]: I would like to provide an answer to Hon Neil Thomson's question without notice 20, asked yesterday.

I seek leave to have the response incorporated into *Hansard*.

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

- (1) The Department of Water and Environmental Regulation (DWER) released the Interim Guideline: Determining compliance priority rating for cost recovery as an Interim Guideline as there was insufficient time to consult industry on the Interim Guideline prior to annual compliance fees being introduced and implemented on 1 July 2023 for this financial year.
- (2) The Interim Guideline will be updated following a planned consultation process outlined in response to Question 3.
- (3) DWER will consult on the Interim Guideline in the coming months. Based on the feedback received the Interim Guideline will be reviewed and updated.
- (4) Public consultation will take place. All key stakeholders including all proponents will have an opportunity to provide feedback as part of both consultation processes. It is expected to be finalised within six months.

PERTH PARKING MANAGEMENT BILL 2023*Committee*

Resumed from an earlier stage of the sitting. The Deputy Chair of Committees (Hon Sandra Carr) in the chair; Hon Stephen Dawson (Minister for Emergency Services) in charge of the bill.

Clause 1: Short title —

Committee was interrupted after the clause had been partly considered.

Hon NEIL THOMSON: I wanted to continue my line of questioning on strata units. Would a group of units or a development in a solely residential strata be obligated to have licensed parking bays?

Hon STEPHEN DAWSON: I am told they do not need to be licensed if it is all residential.

Hon NEIL THOMSON: I suppose that leads to other questions because some of those strata units—it varies depending on the strata rules—from time to time would be used for short-stay accommodation. I understand there are various licensing restrictions in the City of Perth, for example, around the use of short-stay accommodation. Some of them may have more liberal rules or may have applied through the City of Perth to allow for some short-stay accommodation, such as through Airbnb. Under that arrangement, is it true that if a residential strata had some apartment owners operating an Airbnb, they would have an obligation to report? Is that the case? I would like clarification on the arrangements for residential strata.

Hon STEPHEN DAWSON: I am told that if the planning approval is for residential, we would not know about Airbnb use. I asked the advisers a further question in case the member is going down this track. I asked: if it came to our attention that the residential building was being used for Airbnb, what would the process be? If it came to our attention, we would alert the local government and we would suggest to them that it might want to change the residential planning approval that exists for that building.

Hon NEIL THOMSON: My understanding is that people have to apply to the City of Perth to have an Airbnb and some strata units do not allow Airbnb; that is part of the strata arrangements. My point is it relates to this issue of penalties being increased substantially in a number of cases and understanding some of the strata bodies are not the most well resourced; volunteers operate within the context of a residential strata. It would appear from what the minister is saying that the government is not actively policing residential strata where there might occasionally be an Airbnb. That would be a matter to really focus on. If it came to the government's attention that a residential strata had one or two Airbnbs operating in it, the first line of call would be with the local government and finding out what planning approval they had. Therefore, I take it that if they had planning approval to run the Airbnb, the department would follow up with the strata body to ensure that they licensed those bays? Would that be the approach?

Hon STEPHEN DAWSON: Yes, that is correct.

Hon NEIL THOMSON: Just by way of comment, this might be an opportunity for some further educative process within the department. It is not called consumer protection; I think it is now the Department of Jobs, Tourism, Science and Innovation that manages the strata.

Hon STEPHEN DAWSON: It is the Department of Energy, Mines, Industry Regulation and Safety.

Hon NEIL THOMSON: It is DMIRS. Obviously, a residential strata will still need to maintain a level of compliance. Given that those people are generally volunteers within the residential complex, effectively, they could become responsible for any breach and resulting penalties. That leads to the other question: if there were a penalty for noncompliance in a strata-type situation, who would be liable for that penalty—would it be the strata body, the body corporate or the apartment owner?

Hon STEPHEN DAWSON: It would be the body corporate.

Hon NEIL THOMSON: Again, I stress that it is important for DMIRS to provide that advice through its channels to those bodies corporate. They are not paid; they are there as a representative body and they are usually volunteers co-opted by their neighbours to do that job. I think that is important, given that the penalties are quite significant, with a fine of \$30 000 for five or fewer vehicles.

If we can stay on clause 1, we might potentially be able to knock this off. I want to ask about charging stations. Charging stations seem to be becoming available across company car parks, and potentially even in public car parks, although I have not seen any; I have not been in a public car park for a while, but I assume they are starting to become available. We have some here in our own parliamentary car park. Increasingly, free or metered charging stations seem to be becoming a thing, importantly, as we move to electric vehicles. Will those charging stations in a public, corporate or even residential car park to be used by people who have access to that car park be subject to the parking levy and licensing requirements?

Hon STEPHEN DAWSON: I am advised that if it is a fast charging bay and it is used by numerous cars to fast charge, it will be exempt. If it is a parking bay that has a charging station and the vehicle is charged while it is parked overnight or for a period, it will not be exempt.

Hon NEIL THOMSON: A fast charging bay would be defined as a time-limited bay whereby someone goes in for only a half-hour to charge. Is that the definition of what that would look like?

Hon STEPHEN DAWSON: This will be in the new regulations. I said “fast charging”. It would not necessarily have to be a half-hour; it might be an hour. Provided the purpose of the bay is to charge multiple vehicles, it will be a charging bay as opposed to a parking bay—so that will be worked out in the regs.

Hon NEIL THOMSON: That will be picked up in the new regs. I expect there will be some time limit on that; that will have to be defined. I assume that an upper limit will be put on that?

Hon STEPHEN DAWSON: Quite probably, but it is really about the purpose of the bay because, as the member knows, technology changes quite rapidly. Although it might take an hour to charge a car now, it might only take

10 or 15 minutes in the future. Consideration may be given to a time frame, but really it is about that purpose. If it is a fast-charging bay that multiple cars use—they are in and out and it is not being used to park a vehicle—that would be exempt. If the bay is used primarily to park a car and the charging is ancillary, that would be captured.

Hon NEIL THOMSON: I ask whether there is scope for loopholes. We would not want Wilson Parking—I am not picking on Wilson particularly but a public car park—to say that all its bays are fast-charging bays. I am sure that could not happen, but the government will have to define it somehow. Will there be a limit to the percentage of fast-charging bays in the regulations? Is it anticipated that there will be a limit as a percentage to the total number of bays that might be licensed?

Hon STEPHEN DAWSON: No, there will not be a percentage. I guess it is something that the department will monitor. There is the potential for people to game the system; it is something that we are mindful of. If there are 100 fast-charging bays in a 100-bay car park, questions will be asked.

Hon NEIL THOMSON: That covers off clause 9. If the minister is happy for me to truncate this process, I will ask questions on other clauses in clause 1.

Hon Stephen Dawson: Honourable member, if you're telling me this is being truncated —

Hon NEIL THOMSON: It is! I promise you, minister!

Hon Stephen Dawson: — then I am very happy for you to ask me.

Hon NEIL THOMSON: I will truncate my questions to the greatest extent possible —

Hon Stephen Dawson: If that is what is happening, I am happy to participate.

Hon NEIL THOMSON: — noting that the officers here would like to go home to their families this evening before it gets too late. I do not wish to detain them on irrelevant questions.

I turn to the penalties. This truncated method will help with clause 11 even though we are talking about it in the general sense under clause 1. I note the unusual structuring of the penalties; this is more of an observation. There is a penalty of \$6 000 per bay for small offences involving five or fewer bays but a penalty of only \$1 000 a bay for offences involving 100 bays or more. What is the logic of the graded penalty system?

Hon STEPHEN DAWSON: I am told that the graduated regime will ensure that penalties remain effective but also reflect the scale of the offence.

Hon NEIL THOMSON: I do not want to promise that this is my last question. When I have done that before, minister, I have gone on to ask another 10 questions!

I turn to the parking policy in a general sense. When local government owns a car bay, there is different ownership. Parts of this bill talk about the different ownership of state and local governments. The treatment of federal, state and local governments is entirely equitable, is it not? I know federal government arrangements have been considered and there has been some clarification about federal and local governments. Will the provisions of the bill have any impact on the collection of revenue for arrangements under which those bays are owned by federal, state or local governments? Were there any issues under the previous arrangements?

Hon STEPHEN DAWSON: The expansion of the definition of “owner” in clause 5(2) is intended to pick up all owners so that everybody will be equally liable. That includes the three jurisdictions that the member mentioned.

Hon NEIL THOMSON: Is the minister saying that under the current law, some were escaping the net in relation to ownership and some were not able to be picked up?

Hon STEPHEN DAWSON: I think the point is that there was a lack of clarity in the existing act.

Hon NEIL THOMSON: Was that potentially impacting some owners—for example, the federal government? Were any federal government-owned bays being treated as exempt?

Hon STEPHEN DAWSON: I am told that they were not, but they could have been.

Hon NEIL THOMSON: I thought that might have been the case, but I was not sure because I was just reading it and it looked like some federal government agencies might not be paying. Effectively, the government is tying up a loophole that would stop that ever happening in the future; I accept that.

Just to get clarity from the deputy chair, I have one question on the Perth Parking Management Amendment Bill 2023. I am happy to terminate this part. I know it is a cognate debate, but could that question be picked up under clause 1 of this bill? I am just trying to get clarification of what I need to do and whether I let us finish at clause 1 of this bill and start again on the other bill.

The DEPUTY CHAIR (Hon Dr Brian Walker): The member is quite correct, when we do the second bill, it will be included with this bill, in clause 1.

Hon NEIL THOMSON: Can I ask a question on the other bill—I only have one question—under clause 1 of this bill?

The DEPUTY CHAIR: Yes, you can.

Hon Stephen Dawson: I guess we are doing it cognately.

Hon NEIL THOMSON: It is a very simple question, minister. The amendment bill is not very big, and clause 4, “Section 145 amended” will insert the following condition —

To the extent that a fee under this Act (including a fee determined under regulations made under this Act) is a tax, the fee is imposed.

Basically, is this an acknowledgement that this is a new tax that will be imposed by the state government?

Hon STEPHEN DAWSON: No, it is not a new tax. It will replace a previous instrument. The reason it is in different legislation and in this language is because Parliamentary Counsel drafted it this way. It is not a new tax; it will replace something that has been in place since 1999.

Hon NEIL THOMSON: I will not go into the Constitution to look at the definitions of taxes, but my understanding was that this was defined as a tax in the previous act. Is that because it was more of a direct cost-recovery arrangement? Has there been any widening of the definition of the purposes for which these revenues might be used, necessitating the inclusion of this provision in order to comply with the Constitution?

Hon STEPHEN DAWSON: No.

Clause put and passed.

Clauses 2 to 194 put and passed.

Title put and passed.

Bill reported, without amendment.

PERTH PARKING MANAGEMENT AMENDMENT BILL 2023

Committee

Bill proceeded through committee without debate and reported without amendment.

PERTH PARKING MANAGEMENT BILL 2023 PERTH PARKING MANAGEMENT AMENDMENT BILL 2023

Report

Reports of committees adopted.

Third Reading — Cognate Debate

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.27 pm]: I move —

That the bills be now read a third time.

HON NEIL THOMSON (Mining and Pastoral) [5.27 pm]: I have some brief comments. I thank the minister for his flexible responses for the sake of the officers here so that they were not detained unnecessarily. I think we covered a few good helpful points. I will reiterate the point that the opposition opposes this bill in principle, notwithstanding some clarifications given by the minister during Committee of the Whole about the contiguous projects and the inclusion of additional ferry services—which I saw announced in the paper today. The opposition would say that those sorts of services could be justified out of the existing arrangements, possibly with some minor amendments to allow for those connecting services, with certain limitations. We know that, geographically, the further we go from the city, the less benefit there is to those people who are paying the fee.

Notwithstanding all that, the considerable issue of the government’s track record on reporting remains. I will not repeat them, but I raised the points of the Auditor General’s report. The opposition lacks confidence in the future expenditure of this fund. We will await and watch for the sorts of projects that will be funded, given the very broad extension of the types of projects that can be funded. Ultimately, the projects must provide a benefit to businesses and local governments that are impacted by the cost imposed on the motoring public that comes into the city and that pays considerable parking fees, which are not necessarily affordable. In this time of cost-of-living rises, some significant burdens are placed on people who have no alternative—notwithstanding the provision of public transport services or for personal reasons—to travel to the city but by motor vehicle. Although the minister has been very helpful in his responses, this bill has provided us no comfort; therefore, we retain our position to not support it.

I will also be interested in watching the regulations as they come through, and I think they will be further scrutinised given the changes. We talked to some degree about charging stations et cetera. One of the challenges in our future is the motoring configuration to provide energy to electric vehicles. When that occurs, and as we move in the direction of both electric vehicles and the automation of vehicle technology—we discussed this to some extent—there might be the scope for further consideration on the negative impacts on our network because of the improvements in technology. But I guess that is a discussion for another day. I will make the point that we will be watching the regulations and making sure they work.

The last point I would make is that—again, because of the significantly increased penalties, which was a matter I stressed in the Committee of the Whole—I certainly would not want to see bodies corporate facing penalties. It is hard enough to get those bodies corporate to engage, and we rely on our volunteers to make sure our apartment living works. This is a very important part of our future growth in housing people in Perth as we move through that infill situation. Bodies corporate become a much bigger configuration of the Perth metropolitan area, yet there is an increasing burden on them. I make the point that the Department of Energy, Mines, Industry Regulation and Safety has the very important job of extending information to those bodies corporate by providing them with support. That is probably something for further discussion on another day. We should not be placing the volunteers in a body corporate into the awkward position in which they may face some sort of penalty. Notwithstanding the stress that will come with it, usually those volunteers are ably supported by professional organisations that will, it is always hoped, keep their affairs in order.

Those are my summing-up points on the bills. I reiterate that we still have some serious concerns about where we are going with this. I think the minister should reflect very much on the report that was provided by the Auditor General.

Questions put and passed.

Bills read a third time and passed.

CORRUPTION, CRIME AND MISCONDUCT AMENDMENT BILL 2023

Second Reading

Resumed from 30 August 2023.

HON TJORN SIBMA (North Metropolitan) [5.36 pm]: I rise to address the Corruption, Crime and Misconduct Amendment Bill 2023. Before I venture into the content of the bill and identify its redeemable and commendable elements, and also reflect on what I think are some significant and dangerous flaws, I first wish to acknowledge that this may be one of the final pieces of legislation that bears the imprint of the Attorney General, Hon John Quigley, who announced in recent weeks that he would not be seeking to contest the state election to be held in March 2025. On a personal note, I wish to convey my best wishes to the Attorney General. I have over the course of my life—this extends to before politics as well—found him to be a most intriguing character.

Hon Sue Ellery: Mad genius.

Hon TJORN SIBMA: Your words, leader!

Hon Sue Ellery: We say that with the greatest affection!

Hon TJORN SIBMA: I think *Hansard* should acknowledge that that sentiment was expressed with love. Indeed, the genius dimension and the other dimension—I do not wish to engage in the silly game of labels—are not to be divorced absolutely from our contemplation of this bill, because there is a certain imprint that I have noted the Attorney General leaves on all the bills that I have dealt with in my time in this chamber. At a personal level, I very much wish him well. I have found him to be a formidable individual, and the description of “formidable” can be taken either way. If I am to engage in this kind of discussion, I would describe him as a maverick, a person of unbridled energy and intellectually restless. On his best days, he is an absolute genius. On his less good days, he is particularly troublesome and worrisome. I think that that individual has earned the right to respect, but I do not believe that any individual should have their history rewritten for them. I say this very politely: the political commentaries—I will not say obituaries, but that is the best way to describe them—have been very kind. If we took them literally, one would think that we farewell a latter-day Cicero or Cato the Elder. I do not think that is absolutely the case here; it is not.

If I am to put it bluntly, in my time in this chamber and in my brief time in this portfolio, I have been troubled by some of the methodology and implications of the Attorney General’s work, and this is another one of those occasions. Why would I say that? Like the curate’s egg, this bill has good bits and bad bits that I find barely digestible. What does this bill propose to do? I think we should go to the government bench’s fount of credibility and hard work in this chamber and read the second reading speech given by Hon Matthew Swinbourn, the hardworking parliamentary secretary.

Hon Darren West: Intelligent!

Hon TJORN SIBMA: Yes, I agree with all these compliments.

Hon Darren West: Highly attractive!

Hon TJORN SIBMA: Again, we have evidence of the government going a bit too far in self-congratulation, but it is nice to see the support.

This bill proposes to do two things. It proposes to, effectively, change the manner in which a commissioner or an acting commissioner of the Corruption and Crime Commission is appointed. The second matter will provide for the creation of a new role, with the title of deputy commissioner, within that organisation. In my view, one of those elements is absolutely meritorious and has been demanded and recommended for a number of years—almost 20 years, I think. That latter dimension is the creation of an addition role to, effectively, provide some executive leadership for the organisation’s important functions; however, the first bit, the creation of the new appointment process, is perilous and, in my view, establishes a very dangerous precedent. It is not as dangerous as the earlier

precedent in 2021, which was a bill of four or five clauses—I have been told it was five clauses—that named one John Roderick McKechnie. If I have his middle name wrong, I give my apologies to the commissioner. This was an absolute departure from a good 20 years’ practice in this state.

Therefore, the position we adopt on this bill is that we will not get in the way of it. We will not oppose the passage of this bill for the very sensible reason that the CCC requires a deputy commissioner to be appointed. We do not want to thwart, at the institutional apex of investigations, that organisation’s capacity or ability to manage its workflow at a senior level. We want to provide it with the resourcing and the capability it needs to tackle serious crime and corruption in this state. That is what a responsible political party would do. However, the first element, the actual priority of this bill, is not necessarily to enable, improve or provide additional resources and capacity for the CCC. It is, again, to play a bit of a silly game with the appointment process. Should we look a little warily at the proposition that the Attorney General has asked us to accept without criticism? I think we absolutely should look at that.

It is often the case that this chamber will deal with a single bill on its merits, almost quarantined from a historical context. That is not always the case, but we often deal with bills that are straightforward and provide some operational enhancement and the like. A range of noncontroversial bills come before this house and, between the government and the opposition, I think it is fair to say that we probably agree on 80 per cent of them. However, certain bills have consequences, even if the legacy they might leave is not readily apparent. In that respect, I think the pretty clear legacy of this bill is part of a continuum, an exercise or an approach adopted by the Attorney General, particularly since the Labor government won the last election—that is, a take-it-or-leave-it approach. I find that deeply problematic. I argue that the debate on and contemplation of this bill should not be divorced from revisiting and reviewing the last at least three or four years of political history in this jurisdiction.

To recap, around 2020 there was an impasse, to describe it politely, on the government’s preferred appointee to the position of Corruption and Crime Commissioner. The impasse involved the Joint Standing Committee on the Corruption and Crime Commission, which then comprised two Labor members, a Greens member and an ex-Liberal MLC, Jim Chown. The personalities were not the issue; that was the composition of the committee. The desire to appoint Mr McKechnie for a second term was not endorsed by that committee. The test was that majority and bipartisan agreement had to be reached, and it was not. Because that committee formed the view that that individual was not appropriate to appoint to that role, fingers were pointed at one solitary Liberal MLC. After that, the issue of the appointment of a person to a position and an organisation that should be completely apolitical was politically weaponised by the previous Premier, Hon Mark McGowan, and the continuing Attorney General, Hon John Quigley. I recall being part of a group that was demonised, harassed and defamed. Effectively, the argument was that Liberal members were protecting corrupt members of their own party. That was it. That was about the most disingenuous and disgraceful episode we have seen in recent political history. This position should be beyond politics. However, not satisfied with that, the previous version, or version 1, of the Labor government committed, as an election pledge, to name one individual—Mr McKechnie—to that position. I had never seen that happen before in the annals of Western Australian political history, which has been pretty interesting on occasion, as we have been reminded this week. I had never seen that happen before. That was very, very poor. At that point, absolutely and incontrovertibly, we politicised that organisation and an individual in that organisation. That should not have happened.

I have not addressed another thing that was running concurrently. I refer to the laptop saga, Operation Betelgeuse and, effectively, the warfare and lawfare engaged in by the now Attorney General against the dignity of this chamber and of former President Hon Kate Doust. We fought a battle for which no-one was awarded but everybody suffered. However, the principle was upheld, and that was the principle of parliamentary privilege. It is interesting and appropriate that this debate is occurring on a Wednesday because ordinarily our process on Wednesdays is to reflect upon committee reports. Probably the most substantial committee report was tabled in this house before the forty-first Parliament came into effect, in May 2020. I wish to remind members of certain elements of that report. I will briefly quote from the then President’s statement. I refer to the sixty-first report of the Standing Committee on Procedure and Privileges titled *Progress report: Supreme Court proceedings and matters of privilege arising in the 40th Parliament*. That report should never be forgotten. The consideration of that committee report was the only opportunity to get on the record what the privileges committee had to do. I was a very recent member of that committee at that time. I was put on it in October or November 2020. Part of the statement the President made reads as follows —

The committee has been restrained —

I emphasise “restrained” —

in what it has been able to say publicly in deference to the ongoing CCC and police investigations and its own privilege inquiries, and, crucially, during the various legal actions to determine the validity of the CCC notices to produce and defend against the Attorney General’s —

Extraordinary —

legal action to diminish parliamentary privilege and the powers of the Parliament.

That is why I do not go in for the full lionisation of the Attorney General. It is not out of any disrespect, rudeness or incivility, and I like those words.

I will also draw members' attention to the very brief executive summary of the report, which, with members' indulgence, I will read, because I think it focuses the mind somewhat on the kinds of substantial issues that we are dealing with when we see a bill like this. I will read paragraph 3 of the executive summary because it is important. It states —

Over the past two years the plain facts in this matter —

This relates to the broader issue —

have been obscured and misrepresented in the media, as well as in both the Legislative Council and the other place, and in various correspondence and reports emanating from the CCC.

This is the parliamentary privileges committee of the upper house reporting on the bipartisan committee—remember that. Paragraph 4 states —

To be perfectly clear, this matter is not about an orchestrated attempt by a so-called 'Opposition-dominated' Legislative Council to hide a former Opposition Member's 'dirt file' from examination by law enforcement agencies. Nor is it about any person or body's aim to hinder a CCC investigation, or to prevent the reappointment of the Commissioner of the CCC. And nor is it about the PPC intentionally trapping innocent senior public servants in 'no win scenarios' in order to score some perceived political advantage over the government.

Paragraph 5 states —

Quite simply, it is the PPC's view that at the heart of this matter is an entirely inexplicable sudden cessation of good faith negotiations between the PPC and the Commissioner of the CCC. This coincided with the bald usurpation of the powers and privileges of the Legislative Council through the calculated intervention of the Attorney General and State Solicitor's Office (SSO), to the potentially unlawful benefit of the CCC.

This is why I do not come to a bill like the Corruption, Crime and Misconduct Amendment Bill 2023 with an easy, breezy attitude and wave it through, because I know what the game has been. After this point in June 2021, a month after, we dealt with the most appalling piece of legislation any government has brought in—one to traduce the independence of the CCC. That was the four to five-clause bill I previously mentioned. Members will recall that the *Hansard* shows that the opposition opposed it because it was wrong. It was ethically, morally, politically and institutionally wrong. It was a bill through which the government named its man, and I said so at the time.

This is not how we deal with an organisation as vital to good governance and supervision in the state of Western Australia as the CCC. We do not politicise that, yet the government has done so.

Through the course of that debate and the regurgitation of invective and slurs in the other house, there was an admission or an indication that there was another bill coming to deal with what the Attorney General perceived to be a flaw in the appointment process. That is now nearly three years ago. According to the Attorney General and the government the flaw is any necessity for bipartisan agreement on the appointment of a Corruption and Crime Commissioner. I know that this is problematic for the government and an obsession for the Attorney General, because he has sought, through this bill, to remove any reference to the bipartisan requirement to appoint a future commissioner and the deputy commissioner that we are about to enable. Again, the deputy commissioner function is a very sensible function. We are not getting in the way of that. But I do not want us to forget recent history. If I have been forced to re-learn the political history of Western Australia over the last 30 or 40 years, the government has done me a service, but I want to reciprocate and remind the government about recent political history.

What is the government's problem with bipartisanship when it comes to the appointment of the Corruption and Crime Commissioner? This is the question I have been asking for a long time, and I have not received an adequate response, other than the process being described as a flawed process. How can anyone possibly mount a respectable argument to suggest that bipartisanship is a dispensable requirement for the appointment of a person to a position as powerful and necessary as this one? It is also, to be perfectly honest, discordant from what I understand to be the appointment process for the position of Auditor General. I do not know whether it is still the process, but I recall being involved in the appointment of the current Auditor General when I was a member of the Standing Committee on Estimates and Financial Operations in the last Parliament and, therefore, also a member of the Joint Standing Committee on Audit. The process involved, I think, the Public Accounts Committee of the other place. That process ran something like this: the Treasurer received nominations for the role, he wrote to the committee, and it mulled over it. I am not necessarily sure whether it had the right of veto, but there was at least a process that involved other parliamentarians and required at least their concurrence to the recommendation.

We have a disaggregated and fragmented approach to the way that we appoint people to these kinds of roles. Frankly speaking, at a more sensible level there is an opportunity to revisit and harmonise this in a way to attempt to avoid what is so evidently clear here and has been evidently clear since 2020, and to avoid these fine people being sullied by some sort of partisan association. I do not want to do that to Mr McKechnie. I do not want to do that to any fine public servant. But that is what this government will do, because it is explicitly, yet inexplicably, dispensing with the need for any sense of bipartisanship. It says a majority will do. Guess what? There will be an

occasion in this state—I hope it is soon; I might have to wait—when an overwhelmingly Liberal government controls both houses of Parliament. Does the Labor government want to think about this in the medium to long term? Would the government think it is appropriate for a Liberal government or a Liberal Premier or a Liberal Attorney General who had the gift of both houses of Parliament to appoint whomever they wanted to the Joint Standing Committee on the Corruption and Crime Commission and to name their person and wave it through? What would a Labor opposition do? If Labor is as good as I think it is when it is not in power, its members would complain bitterly. Guess what? They would be right. They should oppose things.

We need to consider the legacies that we leave. The Attorney General is a crafty fellow. He has devised a means by which there will be a process of veto and set a time by which the joint standing committee can exercise that veto. Okay. Do government members foresee reasonably, as intelligent people here to serve the public, and imagine an occasion when the roles are reversed—or perhaps this will continue, unfortunately—and this committee would ever defy a powerful Premier or Attorney General and exercise that veto? I do not think so. I do not think so because I have seen what happened to two Labor women of integrity the last time this happened. I do not want to mention these people to embarrass them, but I think their dignity and their commitment to principle needs to be articulated by someone today, and that person will be me. Hon Margaret Quirk and Hon Kate Doust paid a price for not toeing the Premier’s line or the Attorney General’s line.

Hon Steve Martin interjected.

Hon TJORN SIBMA: I am reminded that Hon Adele Farina was also a victim in this imbroglio.

My question is: Why would the government make this worse? Why not look at it as though it is doing exactly what it is doing, which is politicising the appointment process yet again, albeit through a different manner, and pretending that it is not, or pretending that it is okay, or waving it away because the Attorney General is a fine fellow with an interesting life? He is a maverick—a “mad genius”, in the words of the Leader of the House. This bill could only have been put together by a mad genius, but it has been enabled by effectively two Premiers in succession and the entire cabinet, and caucus members nodded along with it if they received a briefing on the matter at all. Why have the fight? It is because it can, and it will win. That is absolutely guaranteed.

There is possibly a means of remediating this, and I think it is still a travesty, because it is a sleight of hand. One way would be for this house and the other place to revisit the standing orders and reconsider what an appropriate composition of the Joint Standing Committee on the Corruption and Crime Commission should look like, because, frankly, I do not think that its membership of four solitary individuals has assisted this process over the last few years. I reflect very positively on the four hardworking members presently on that committee; however, frankly, I think it would be to the benefit of the Parliament overall if we were to expand that to five members. We know that members of Parliament are reasonably flexible. We have had a Standing Committee on Legislation in this house, which I think has been troubled by the contemplation of one bill in the entirety of the last three or so years of this Parliament. It might also receive a bit of work from the Minister for Police. Perhaps that is a different committee.

Hon Steve Martin: It’s a different committee.

Hon TJORN SIBMA: There we go; that is a different committee.

This house might reflect upon referring that bill later; whether that will be accepted, I do not know, and I am not running the play on that. But I think that sometimes we need to be cautious with the processes we enable and the motivations we bring to a bill. I do not necessarily think that the people in the Department of Justice have willingly provided this advice on the appointment process; I think they have been acting on instruction, and that is fair enough. But I honestly think that this bears all the hallmarks of the Attorney General and a particularly vindictive, bullying and political approach to an organisation and an individual that should be inoculated from this kind of carry-on. Okay; I have said my piece on that.

Members will see from my proposed amendment on the supplementary notice paper that I am attempting to remediate this grievous situation. I expect that my amendment will be opposed, but I want to have a fight. I wish to raise this issue because even though it is likely to go over the heads of the majority of the public of Western Australia, it is an important issue to debate.

Let us get to the good bit. Again, I reflect on the fine words of the honourable parliamentary secretary. He said —

I now turn to the second key reform in this bill, —

I keep going on about the use of “reform” —

the creation of the deputy commissioner position. It was recognised some 20 years ago by the Standing Committee on Legislation, which was charged with closely scrutinising the then bill during its passage through Parliament, that workload pressures would eventually require positions to be established to assist the commissioner in discharging their duties, in particular, the crucial non-delegable powers set out in section 185(2). This resulted in a requirement being included in section 226 of the act to specifically consider the need for the appointment of —

Quote, unquote —

assistant commissioners in the next statutory review of the act. Accordingly, the statutory review, conducted in 2008 by Gail Archer, SC, as she was then, specifically considered the significant workload of the commissioner due to the volume of non-delegable powers, and recommended that the legislation be amended to “allow for the appointment of deputy commissioners to whom specific functions may be delegated by the commissioner, and who are able to act as the commissioner in the commissioner’s absence”.

There are a number of reasons why the commissioner would be absent. The second reading speech continues —

This call for a deputy commissioner has since been repeatedly echoed in successive standing committee reports in 2011, 2012, 2014 and 2020. Although the reports often referred to such positions as assistant commissioners, it is clear from the descriptions within the reports that the term encompassed what the 2008 statutory review referred to as a deputy commissioner.

This bill delivers on the long-awaited deputy commissioner position to assist in managing the workload of the CCC and support impartial decision-making on an ongoing basis.

I have absolutely no argument with any of that—none. This bill has been a long time coming. What has also been a long time coming, it must be said, in relative terms is debate on this bill in this house. The first briefing that I can recall the opposition receiving on this bill was in May last year. I thank the hardworking staff who, on that occasion, briefed me on the bill’s purpose and likely effect. Sorry, I tell a lie; the bill was introduced in May last year and the opposition received a briefing in July. What I find interesting—I thank the Attorney General’s staff and the departmental officials—is that recently I was offered a refresher briefing, in which Hon Matthew Swinbourn was also a participant. I thought the refresher briefing was good and helpful, but the fact that I had to have a refresher reflected the government’s sense of urgency on this matter. I have been anxious the entire time at a policy and parliamentary level that if it has been identified that the Corruption and Crime Commission needs additional support to manage its workload in the realm of unexplained wealth investigations—that is a matter I might get into briefly either in questioning or in passing during this second reading contribution—we should just get on with it. Let us appoint this person and potentially all the other subfunctions that fall out of it. Opposition members try to get more information than people necessarily want to yield at any given time. When I received the briefing in July after the bill had been introduced in May, I asked whether funding was attached to support this role. If I recall correctly from my notes at the time, that was not the case. I then thought that there might be a reference to the creation of this position in the midyear review. I cannot recall seeing that. I stand corrected if I misapprehended that. Additional funding may have been provided to assist an unexplained wealth function, but I do not necessarily think it was attached to the creation of this role. The government considered a number of bills and priorities more important than dealing with this legislation, particularly the bit that would enable the creation of the new position of deputy commissioner. Frankly, I find that odd because, yes, in all likelihood, the government might have received a harangue from me for whatever that would have been worth—40 or 60 minutes of the government’s time—with the obvious play of me or another speaker moving an amendment. The government could have dealt with this bill last year, but it did not. I do not know why. It is bizarre. Anyway, there we have it.

I want to talk very briefly about another report in passing, because it is germane to this debate and I want to get to the point about how these kinds of issues are linked. I am referring to the Joint Standing Committee on the Corruption and Crime Commission’s sixth report, *The Corruption and Crime Commission’s unexplained wealth function: The review by the Honourable Peter Martino* from March last year. Its explicit area of focus is how the Corruption and Crime Commission has the capacity, or what its constraints are in a logistic, technical and human person capability sense, to deal with what I categorise as a growth area in misdemeanours, criminality and unexplained wealth. The report by Hon Peter Martino reflected on two aspects: the effectiveness of the commissioner’s processes in contributing to the aims of referral powers under the Criminal Property Confiscation Act; and what, if any, changes are required to policy, procedure or legislation to improve the effectiveness and efficiency of the commissioner’s work under the CPC act—not this one; this is a distinct statute. This report notes that in February 2022, Hon John McKechnie, QC, told the joint standing committee that the CCC —

... cannot continue to undertake this function and properly fulfil its other functions within current resourcing. Commissioner McKechnie added that ‘[we] set out to prove the concept that [we] could make a difference ... we think we have proved the concept ... and it is work that we hope to continue to do’.

In his foreword, the committee chair, the member for Kalamunda, Matthew Hughes, said —

Hon Peter Martino says that adequately resourcing this function includes the need for there to be a Commissioner and Acting Commissioner at all times. It is ‘highly desirable’ that the commissioner who examines a person about confiscable property was not involved in earlier decisions to use the commission’s investigative powers in same matter.

That is very, very important. Again, dated 2 March 2022, two years ago, this was observed —

In September 2021 Commissioner McKechnie told the committee that consideration should be given to appointing a second acting commissioner but the commission is at the stage where a deputy commissioner

is required. This was said in the context of discussing the Department of Justice’s current project to modernise the *Corruption, Crime and Misconduct Act 2003*. The power to appoint a deputy commissioner should be considered during that project.

That was Mr McKechnie’s view. Again, I am casting no aspersions on or impugning bad motives to the commissioner in this forum, but after he was appointed in the manner in which he was appointed, he clearly signalled that he needed to create this function for this organisation to be effective and that he would get on with it. I am very interested to know what has happened between that expression occurring in September 2021 and now, being nearly March 2024.

Debate adjourned, pursuant to standing orders.

ALBANY PRIDE FESTIVAL — CITY COUNCILLOR COMMENTS

Statement

HON PETER FOSTER (Mining and Pastoral) [6.20 pm]: I rise tonight to make a few comments about Pride to reflect on the importance of celebrating Pride, but also to give an example of why events like Pride are still very important. As we know, Pride is very important to promote diversity, equity, inclusion and belonging in our community. Pride came about following peaceful protests to open the eyes of the community to see that both gender and sexuality are fluid. Pride is about reclaiming the spaces that had been denied to our community for many years. We were demonised, harassed and discriminated against. To me, Pride is very much about education, but it is also about bringing people together. We all know that there are a lot of parties and celebrations on Pride weekends, and so we should celebrate as we have fought as a community for a very long time for rights—most recently, of course, for marriage equality.

This weekend, a number of Pride events will take place in Albany on the south coast and up in Broome. I will head up to Broome on Friday and I will be participating in some of those events, proudly supporting them with a number of my colleagues from this place and the other place. I particularly want to spend some time to talk about Albany Pride. It has not always been easy for the crew and organising committee down at Albany Pride, and I want to acknowledge and thank them for their hard work over many years to organise the event and bring it together. They have faced opposition from community members, church groups and even businesses, would members believe? A lot of people from Perth are travelling down to Albany this weekend to participate. They will be spending money at local shops and for accommodation and they will be participating in all the events. It makes sense to have a Pride event in your town; it brings tourism and adds to the diversity and economic vitality of your region.

It was great to see that for the first time this year, the City of Albany stood up and said, “We support Albany Pride.” It took some time, but it was great to see that the City of Albany has signed on as a sponsor of Albany Pride this year. I understand that at last night’s council meeting, it was a topic of conversation.

I bring members’ attention to an article posted on ABC news earlier today entitled “Albany councillor Thomas Brough slammed for homophobic comments during week of pride”. Of all the times to make these types of comments, he chose to make them on the eve of Pride in Albany. The article goes on to state that Thomas Brough falsely claimed that paedophiles were welcomed in the LGBTQIA+ community. His reasoning for that is that the LGBTQIA+ is a coalition and that paedophiles are welcome. This is why events like Pride are so important; we need to educate people like this Albany councillor. To make matters worse, he continued his views on radio this morning. He stated —

“I just think we’re talking about a broad coalition,”

...

“People are rightly concerned about some of the people who come into that coalition.

“I’m not interested in what people get up to in the bedroom — it’s none of my business.

“However, incorporation of people who are adults sexually attracted to children, minor-attracted persons, is a cause for concern if you’re adding them into a coalition.”

Well, I am sorry; they are not welcome into the coalition.

I had never heard of this gentleman before, so I did a bit of googling. He has form; he has made comments previously. The City of Albany formed a Youth Advisory Council back in 2022 and the group was asked to design a logo to best reflect the group. It came up with a logo. It is a puzzle with four pieces and represents the LGBTQIA+ community, Indigenous Australians, the culturally and linguistically diverse community and those living with disabilities. When it came to debate in council, all the councillors around the table praised it and were supportive—all except Councillor Brough, who said that the logo was a waste of ratepayers’ money. He continued —

“You can’t genuinely demonstrate inclusivity and valuation of human uniqueness with a logo,” ...

“This logo politicises identity characteristics such that, in a quest to become inclusive, it becomes an epitaph for Animal Farm: all citizens are included but some citizens are more included than others.”

Councillor Brough, we have fought very long and hard for our rights, our equality and for marriage equality and just to be able to reclaim the spaces that we have been denied for many years. That is why these logos and these events are very important. I continued to google as I was listening to debate this afternoon to really get a better understanding of this

gentleman. I understand that he is an emergency medicine doctor down at Albany Health Campus. I also discovered that he is a member of the Liberal Party. I also discovered that he is shortlisted or has intentions to run at the 2025 state election for the seat of Albany. That is a real concern to me, and it is a real concern to the LGBTQIA+ community.

I have been corresponding today with the member for Albany, Rebecca Stephens. Her office has received quite a number of calls and emails from concerned constituents about this particular individual's comments. I want to read one of the emails that she received today. Of course, the gentleman who sent this email has asked that his identity be withheld, and I think we can all understand why: he is fearful of this individual. According to my notes, he writes —

Hi there,

I'm a law abiding, tax-paying and pretty boring gay man who happens to spend a bit of time in your catchment area.

Can you please let me know how I or any of my friends can feel safe presenting to your emergency department now we know one of your clinicians think we're paedophiles or that we condone paedophilia?

Members of the LGBTQIA+ community already experience worse health outcomes than other Australians.

This kind of stuff only makes it worse.

People won't seek care or treatment and if they do, the issue will be more advanced and harder/impossible to treat as a result of it.

What is Albany Hospital going to do to ensure members of the LGBTQIA+ community know that they can present to hospital and know they will receive the care and treatment they need which is free of discrimination and homophobia?

I am sure this gentleman is not alone in being fearful to present himself to the hospital due to this individual. The ABC news article shows the councillor's face. The councillor's face can be seen on the city's website. I am sure a member of the community who rocks up to Albany Health Campus and sees this individual's face will be extremely fearful of what that individual thinks of them. I did a little bit more searching on the City of Albany website, and there was a little bio or profile about this councillor. It states —

Values important to Cr Thomas —

Sorry, Brough —

include sustainability, an orientation towards strengthening local communities.

The platform he ran was to strengthen local communities. I am sorry, but comments like that seek only to break down and divide communities. They are shameful and they should be called out.

I would like to finish up by showing my massive support to the LGBTQIA+ community right around WA, but in particular in Albany. I understand that quite a large number of events are planned for this weekend. I wish everybody the very best. I congratulate the City of Albany for getting behind it. I also acknowledge and thank the local member, Rebecca Stephens, who is also supporting this weekend's events. I understand that her office window is decorated appropriately for this weekend's celebrations. I say to the Liberal Party members in particular: be very careful who you preselect this year because we are watching.

LGBTQIA+ INCLUSION

Statement

HON DR BRAD PETTITT (South Metropolitan) [6.28 pm]: I also stand to talk about LGBTQIA+ community issues. I ask the government, which has a large majority in both houses, to get on and do what it has promised this community it would do for a long time. One of the reasons I am standing up is that I heard the Labor government's recent announcement that it has a new strategy for LGBTQIA+ inclusion. When people from the OUTinPerth publication recently asked Hon Hannah Beazley, MLA, whether the strategy would be supplemented by the law reform for which the community has been calling for a long time, she said, and I quote, that she did not want to pre-empt what comes out of its development.

Frankly, I am pretty tired and frustrated at seeing this can continually kicked down the road, and I know that many others in the community are too. I want to add my voice in the chamber today to the voices of advocates, including TransFolk of WA, Intersex Peer Support Australia, Gay, Lesbian, Bisexual, Transgender & Intersex Rights In Ageing (GRAI) Incorporated, Living Proud, Just.Equal Australia, Equality Australia and Rainbow Futures WA, which have all urged the government to follow through on its promised law reform. I am concerned that this new strategy will be another excuse for the government not to act now in this term of Parliament before another election cycle. Remember, this commitment goes way back to the election in 2017—almost eight years ago. Since that election, we have had a Labor government, and for the last three years, the Labor government has had a huge double majority in both houses, yet we still have not seen action on this.

The outdated legislation continues to affect LGBTQIA+ lives daily. In WA at the moment, religious schools still hold a licence to discriminate against LGBTQIA+ staff and students, harmful conversion practices that seek to change

sexual orientation and gender identity remain legal, the process for trans and gender-diverse people to legally update their gender remains the worst in the country, surrogacy laws make altruistic surrogacy unavailable to people who are not women or heterosexual couples, and intersex babies and children continue to be subjected to deferrable medical interventions without their personal consent. Sometimes I think these things appear abstract to us, so, keeping that in mind, today I want to read some stories from people in our community whose lives are being impacted on a daily basis by this government's inability to act on its own commitment to reform pathways to gender recognition, end conversion practices and protect LGBTQIA+ people from religious discrimination in schools and organisations.

When we reached out to the community, we were overwhelmed with responses. I am sorry that I cannot read them all today. I will read only three today, but I will read some of the others at a later time. The first response I want to read is from Benji, who, according to my notes, writes —

As a queer trans person going into my 9th year of transitioning, I've given up vying for the government to see me.

When I came back to Perth 5 years ago, it should have been relatively easy for me to be approved by the Gender Reassignment Board and be marked as adequate for their classification of a man. I met all the punitive binary standards they asked for—here's the evidence that I've had Hormone Replacement Therapy, Surgery, letters from a psychologist, an endocrinologist and my GP, here are even the bio-markers in my blood to prove to you that I lie within your acceptable range of male.

It's horrendous thinking back on it, I was so desperate to be seen, to belong to this crowd, that I let wider parts of my queerness die in the background. I couldn't be anything other than the binary, and I couldn't live if I was Female, so I had to at least be marked as Male. But I wasn't.

They told me they needed more, they needed detailed letters from friends, family, and one must come from someone who wasn't a friend or family and knew me for at least 12 months. I was stunned, horribly crushed, freshly 19 but much smaller and younger in that moment.

Who are you when your government decides you don't exist? I decided then, and I carry it now, that I make the rules about who I am—actually. I never replied, and I ticked male on government applications anyway. What, would they arrest me? They imprisoned me anyway—to make it physical would just be laughable. I decide who I am, and it is the only thing they cannot take from me.

Another one is from Mys Alexandria and, again according to my notes, states —

Dear Members of Parliament

Four years into my transition, I feel more myself than I ever have, but on every legal form lays a lie; "Mr Alexandria".

Do I want it changed? Of course! But who gets to judge if I'm trans enough to change it?

Is it the man who attacked me at Woodbridge station, or the one that groped me in Northbridge last week; I was certainly woman enough for them.

My body is treated as nought but an object on a daily basis and there's nothing I can do about it, because the Board has to deem if I'm "trans enough" to be a woman. Are the hormones not enough, is my wardrobe not enough, what about me makes you get to judge who I am, because of the way I was born? What makes you get to drag your feet on something you promised to get rid of before I even started to transition? I didn't choose to be trans, but you chose to give up on me.

Sincerely, Mys Alexandria

Finally, Lorien Watts, who wrote, according to my notes —

My name is Lorien.

I have known I was nonbinary since I was 17, although I would likely have realised sooner if I'd had the language. Almost 5 years later I am out to everyone in my family and community, and I am undergoing medical transition to feel comfortable in my body.

If I was a binary trans person I would be able to change my gender legally—but it's not just the humiliating process of the gender reassignment board that presents a barrier to me, but the fact that under the current policy, i do not even have an option to choose my nonbinary gender.

Psychologists have viewed gender as separate from sex since the 1950s, and nonbinary genders have existed in cultures across the globe for thousands of years. Regardless of your own personal opinions of nonbinary people, we are in your community. I am in your community, and it is your responsibility to serve me as my elected representatives. It is to my shame that we are the last state in the country that has not recognised nonbinary genders, despite promises to do so.

How long will we have to keep waiting?

I want to thank those three individuals—Benji, Mys Alexandria and Lorien—for sharing their stories with me and allowing me to share them with members in this place today. There will be more stories from other community members and I look forward to sharing them soon.

It is not the funding or the strategy itself that I am criticising. Hon Hannah Beazley said in her government media statement —

“We know that young LGBTQIA+ people are far more likely to face discrimination and exclusion, which is completely unacceptable in 2024.

I agree. It is unacceptable for anyone in the LGBTQIA+ community to face discrimination, so I ask the government: are you really going to make the people we have heard from tonight wait many more years for law reform? Please show some leadership and act now, before the next election.

ALBANY PRIDE FESTIVAL — CITY COUNCILLOR COMMENTS

Statement

HON DARREN WEST (Agricultural — Parliamentary Secretary) [6.37 pm]: I rise tonight to support the very heartfelt comments made earlier by Hon Peter Foster in which he outlined the dreadful situation that we again face in Albany. I do not know about anybody else in the room, but I could hear the distress and hurt in the honourable member’s voice when he spoke tonight. I will stand in support of him and everyone who will celebrate Pride over the next week, particularly in Albany. I will stand up to Councillor Thomas Brough and the misinformed, wrong and quite bizarre statements he made over the last short period of time. I join the chorus of opposition to what he said are his views and beliefs. He made outrageous references to there being a connection between paedophiles and our good friends in the LGBTQIA+ community.

Last year, I went to Albany for the Pride celebrations. Hon Dr Sally Talbot was also there. I went down there at the request of my good friend Darren Moir, a farmer from the Borden area. I was picked up from the airport by the best chauffeur in Albany, Tiger Bird, and we had a great night. I met some wonderful people that night. I showed them support from someone who is outside the LGBTQIA+ community, and I did that for a few reasons. The first was that I obviously knew some of the people involved in Albany Pride and was happy to be part of the event in the absence of the fabulous Rebecca Stephens, the member for Albany, who was away at the time. I did it to show that there was support from outside the community and that the majority of the broader public are supportive of Pride events.

We need only look at the broad spectrum of people who participate and choose to get involved in and support these events. We appreciate the work that Councillor Brough does as a doctor. We will thank him and acknowledge him for that, but his views on this subject are way off the mark and are wrong. I encourage him to think again about some of those views and educate himself about the reality. It is ridiculous to suggest that that link exists. I grew up in a town with a paedophile priest. We can look everywhere for this criminal and abhorrent behaviour, so why would he look only in that corner of the community? I encourage the councillor to seek some better advice. I acknowledge the Mayor of Albany. Although he called Councillor Brough a good councillor—I am struggling to see how that could be the case—the mayor condemned the comments Councillor Brough made. I also acknowledge the Leader of the Liberal Party, Libby Mettam, for her assessment of the comments as bizarre. I think she is absolutely right about that.

The councillor doubled down again this morning when he was questioned. I thought that was an opportunity for him to perhaps reflect on and accept that he was wrong on this point. As Hon Peter Foster said, this person is a member of the Liberal Party. I hear that he would like to have his name on the ballot paper next March when the voters go to the ballot box to elect the next member for Albany. I wholeheartedly hope that the next member is Rebecca Stephens. Perhaps I should encourage the Liberal Party to preselect someone who is out of touch with modern views in the community. This situation is also concerning to me. As if the week has not been difficult enough for the Liberal Party, this certainly has not been helpful.

The councillor is wrong. It is very hurtful and distressing to many people to make the comments that he made today. I think he should reflect on them, retract them and engage in the celebration of Pride, and particularly the Albany Pride Festival, because it is a wonderful event. He might learn something and perhaps appreciate that we are all different. We can all be who we are and we should all be loved. Perhaps he might just enjoy the fabulous Pride celebrations. On that note, I am proud to support Hon Peter Foster. He is a wonderful advocate for Pride Week and, more broadly, I think many members appreciate his work in this space.

I wish everybody, right across the state, a happy Pride.

House adjourned at 6.43 pm

