



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2023

LEGISLATIVE COUNCIL

Thursday, 16 November 2023

Legislative Council

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

FIREARMS ACT — REFORM — CONSULTATION

Petition

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [10.01 am]: I present a petition containing 105 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 call on the Legislative Council to urge the State Government to extend the consultation date for their proposed firearm reforms from one month to three months. This extension is necessary to ensure all stakeholders have the appropriate time to understand the Government's proposed changes and provide feedback ahead of new legislation being introduced in Parliament in 2024.

The Firearms Act Reform Consultation Paper is a 62-page document outlining significant changes to all aspects of the licensing and regulatory regime, including:

- A proposed cap on the number of firearms for licensed owners
- An overhaul of the property letter system
- The application of health and mental health requirements to hold a gun licence
- And various changes relating to the secure storage and safe handling of firearms

In the interests of ensuring genuine consultation with firearm owners, dealers, recreational and sporting shooters, primary producers, and collectors, we urge the Government to extend their consultation timeframe.

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

[See paper 2832.]

PAPERS TABLED

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

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

Fourth Report — City of Gosnells Bush Fire Brigade Local Law 2023 — Tabling

HON LORNA HARPER (East Metropolitan) [10.03 am]: I am directed to present the fourth report of the Joint Standing Committee on Delegated Legislation titled *City of Gosnells Bush Fire Brigade Local Law 2023*.

[See paper [2833](#).]

Hon LORNA HARPER: The report that I have just tabled advises the house of the committee's view that the City of Gosnells Bush Fire Brigade Local Law 2023 is invalid.

Firstly, the City of Gosnells did not follow the mandatory procedures prescribed in sections 3.12 and 3.13 of the Local Government Act 1995 when it made the local law. In making the local law, the city breached section 3.12(4) by adopting a local law that was significantly different from that which was proposed. Further, in that scenario, section 3.13 of the Local Government Act 1995 required the city to recommence the local lawmaking procedures prescribed in section 3.12. However, the city failed to do so.

Secondly, the City of Gosnells Bush Fire Brigade Local Law 2023 is invalid by failing to regulate the matters covered by section 62(1)(a) of the Bush Fires Act 1954. The regulatory scheme created by the Bush Fires Act 1954 contemplates that where a local government decides to regulate matters specified in section 62(1)(a), it is required to do so by local law. The local law does not deal with the appointment, employment, payment, dismissal and duties of bush fire control officers. It presumably leads to the bush fire brigade operating procedures substantive matters governing its structure.

Thirdly, the City of Gosnells Bush Fire Brigade Local Law 2023, in providing for the chief executive officer to establish and implement bush fire brigade operating procedures, contains an unauthorised sub-delegation of legislative making power. The sub-delegation is not authorised by the Bush Fires Act 1954.

In the committee's view, the local law is invalid and not within the power granted by the empowering acts. The committee recommends that the local law be disallowed.

I commend the report to the house.

JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE

Seventh Report — Annual report 2022–23 — Tabling

HON NEIL THOMSON (Mining and Pastoral) [10.06 am]: I am directed to present the seventh report of the Joint Standing Committee on the Commissioner for Children and Young People titled *Annual report 2022–23*.

[See paper [2834](#).]

Hon NEIL THOMSON: I am very pleased to present the committee's third annual report for tabling. It highlights the important work of the committee, particularly the inquiry that resulted in the report *Hungry for change: Addressing food insecurity for children and young people affected by poverty*. This was the culmination of approximately 18 months of work for the committee. The inquiry looked at a range of measures and experiences across Western Australia. It involved a study tour to Tasmania where a trial school lunch program is being run, which was very interesting indeed. The inquiry commenced in April 2022 to find out how to address food insecurity for children living in poverty, while acknowledging that every child has a right to sufficient good food every day. A number of hearings were conducted, including in Albany, Katanning and remote communities in the Pilbara, the Gascoyne and the goldfields. The committee met with witnesses who made it very clear that the physical problems of under-nutrition and malnutrition can turn into mental health problems and social problems. The ability of students to complete their education or to pursue training opportunities that could lead to employment is compromised and they tend to become stuck in the cycle of poverty. The inquiry found that it is time to find a way to break this cycle, but with an ongoing solution. There certainly are no quick fixes.

The committee received 494 submissions for the inquiry, of which around 450 were from students who attended Catholic schools across WA. I congratulate the Catholic school community for participating in such an active way, including those from some of the most remote areas in which Catholic schools are the only school. The committee also engaged with some multicultural communities across Western Australia and held two forums in Mirrabooka. I want to acknowledge my committee colleague Hon Ayor Makur Chuot who assisted us in engaging with that community and was very helpful indeed.

I just want to take the opportunity to thank my fellow committee members. The committee has been working very hard and the report outlines the people who we spoke to over time. The report is titled *Hungry for change: Addressing food insecurity for children and young people affected by poverty*. If members care to have a look at it, they will see the recommendations. No doubt they will be debated in this place at some point. I want to take the opportunity to thank my fellow committee members for their contributions over the past year. That includes our chair from the other place and the members of the committee who played such a key role throughout the process, including the staff, of course, who supported the committee in achieving its outcomes over time.

CITY OF VINCENT PARKING LOCAL LAW 2023 — DISALLOWANCE

Notice of Motion

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

CRITICAL MINERALS PROJECTS — INDUSTRY SUPPORT

Notice of Motion

Hon Shelley Payne gave notice that at the next sitting of the house she would move —

That the Legislative Council commend the Cook government for continuing to support the Western Australian mining industry to explore for the critical minerals essential to a clean energy future.

COOK GOVERNMENT — HEALTH PERFORMANCE

Motion

HON MARTIN ALDRIDGE (Agricultural) [10.11 am] — without notice: I move —

That this house —

- (a) acknowledges the invaluable contributions of frontline healthcare workers, healthcare providers and non-government organisations in safeguarding the health of all Western Australians;
- (b) recognises the critical state of Western Australia's public health system, including record ambulance ramping, low staff morale, staff burnout, and numerous devastating and preventable incidents in our hospitals;
- (c) expresses deep concern at the state government's dismissal of clinician objections regarding the safety of patients arising from the relocation of the women's and babies' hospital; and
- (d) calls for urgent action to address regional health concerns including ongoing delays and budget cuts to health projects and the need for improvements to the patient assisted travel scheme.

I move this motion as we approach not only the end of the sitting year for 2023, but also the release of the state's midyear review, most likely next month. We will have an opportunity to reflect on some of the government decisions that have been made, but it is also an opportunity for the government to address some of its failings in this regard.

At the outset, I want to recognise the tragic passing earlier this week of St John Ambulance paramedic Tinesh Tamilkodi. He tragically lost his life responding to an emergency south of Perth. There are no words that I and potentially others can express that will provide comfort at this time to his family and friends, particularly his St John Ambulance colleagues. In the first part of this motion I want to recognise people like Tinesh who are dedicated to and selflessly give a commitment to our health system. We have asked a lot of these frontline healthcare workers in the past few years. Yesterday, I observed a lot of backslapping during debate on the motion on notice about COVID-19 management, but it was these healthcare workers who were the front line of defence against COVID-19 in our state. We asked them to go above and beyond and they certainly did. However, for many it has taken a personal and professional toll.

I draw members' attention to the government's most recent 2023 Your Voice in Health survey, keeping in mind that it was suspended in 2022 when the government was not interested in the views of healthcare workers. It is interesting to look at the 2023 survey results. It is a very extensive report. The summary focuses on six key questions. The statement at question 48, "My organisation supports me and my goals", was agreed with by only 52 per cent of people surveyed. The statement at question 7, "I feel valued and recognised for the work I do", was agreed with by 51 per cent of respondents. The statement at question 20, "I believe my organisation cares about my health and wellbeing", was agreed with by 48 per cent of respondents. The statement at question 49, "My organisation is making the necessary improvements to meet our future challenges", was agreed with by 47 per cent of respondents. The statement at question 11, "I believe that the decisions and behaviours of senior management are consistent with my organisation's values", was agreed with by 55 per cent of respondents. The statement at question 17, "My organisation does a good job of keeping me informed about matters affecting me", was agreed with by 56 per cent of respondents. Roughly one in two, or even less than one in two, people in our health workforce who were surveyed agreed with those six key questions around their experience working in our health sector.

I cannot do this issue justice in 20 minutes. This is something that if the government were so inclined—as it appears to have a new motivation in recent days to refer matters to committee—we could establish a select committee to holistically examine our health system and its capacity and performance.

In the six and a half years since the Labor government was elected, there have been significant shortcomings in the health portfolio. Worse still, when we consider it through a regional and remote lens, the results are even more damning. Addressing health inequity in our regions and providing better health outcomes and improved life expectancy for some of the most vulnerable Western Australians, including Aboriginal people residing in regional and remote Western Australia, should be a priority of any government. In so many instances, this government has turned its back and walked away and promises made to communities have been abandoned. The government has reached the point at which it is not even defending them anymore. It has taken some time to admit that it has walked away from these decisions and it is no longer defending them.

Just ask Pat Hill, the president of the Shire of Laverton. This week on ABC radio news, he stated —

"Last year \$5.8 billion of mining revenue went out of our Shire of Laverton," ...

"We've got 7,776 FIFO ... people working within our shire, plus four Aboriginal communities, plus our townspeople, and they don't deserve this.

"The state government should be absolutely ashamed of themselves that's it's taken so long to get vital infrastructure into a remote region.

It took the president of the Shire of Laverton to call talkback radio and ask the Premier when his government will deliver the rebuild of Laverton Hospital. This is a project with a long and sad history. It was fully funded in the budget papers when the Labor Party took the government benches. Members will recall one of the first decisions of the government under Premier McGowan, health minister Cook and regional development minister MacTiernan was to cancel the project. At the time, they said that the mining industry could pay for it. This project was in the budget, fully funded by royalties for regions. It is interesting that it was funded by a government program funded by mining royalties, the project was cut, then the government said the mining sector could pay for it. Some would argue that it was through its contribution to the royalties of the state and to royalties for regions.

What happened next was some public backlash to this long-awaited investment in the northern goldfields. What was the government's response to the criticism? The Minister for Health, now Premier, said it was a "luxury". That is how he described the reconstruction of Laverton Hospital. He said in Parliament, I quote from *Hansard* of 12 March 2019 —

One of the toughest decisions I had to make, along with the Minister for Regional Development, was to prioritise expenditure from royalties for regions and other budget allocations. The government is committed to the upgrade of Laverton Hospital. I would love to be able to say that Laverton Hospital's redevelopment is going ahead, but we do not have that luxury— ...

That was the view of the Minister for Health in 2019 and we all know he is now the Premier. This was at a time when, as the government was describing this important project as a luxury, the Minister for Regional Development, Alannah MacTiernan, was taking a slash and burn approach to royalties for regions. This was not the only project that was impacted. A bit like Moora Residential College, the project was later brought back on life support by the federal Liberal–National government, which put a capital contribution on the table of some \$16.4 million. What did the government do? The government made the Laverton community give up some of the funding to their local community hub to address the shortfall in funding for the hospital.

Nevertheless, it delivered the outcome. The project was back on track. It was funded in the budget. In April this year, tenders closed for the project—that is more than six months ago. In recent days, it has come to light that one tender was received by the government but that the tender was noncompliant. The government has gone back and started a new process. That is despite the claims made by the member for Kalgoorlie, Ms Kent, that the project was on track for delivery by the end of 2023; that was her public commitment. At this rate, we are not even going to have the big red Labor sign out the front of the hospital by the end of 2023, let alone deliver the project by the next election. Why did it take six months for the government to evaluate one tender bid and form a view that it was noncompliant? I suspect the answer is that it was not a priority. It was never a priority of this government.

Members might think I am focusing on just one health project, but it is not just one. This issue is repeated over and over again, including the cuts in services. Wyndham Hospital, like most hospitals in our state, offered a 24/7 service in a remote part of Western Australia. It was downgraded to effectively a daylight service in 2021, apparently as a temporary response to staff shortages. If it is still the case at the end of 2023, it is no longer temporary. We could talk about the cancellation of maternity services in Carnarvon. It is a disgrace on the state that someone cannot give birth to a child between Geraldton and Karratha. Some 163 families have been impacted by the closure of maternity services in the Gascoyne region. They have been diverted to hospitals in Perth, Busselton, Bunbury and Karratha. It is 163 families. That has come at a financial cost to the state of \$635 000 to date—and counting.

I have not even got to PATS yet. That is not to mention the gross inadequacy of the patient assisted travel scheme in supporting regional patients and families who have to access services. They have no choice but to access services in a place that is not their home. There is also the human cost of taking people away from their communities, and the social costs of taking people away from their support networks, extended families and other support structures. These are no longer temporary issues. The government claims a long list of excuses around why it is hard to deliver health care in our regions and it hoists the white flag. Too often, it gives up and tells communities that it is too costly to build the infrastructure that they need. It tells people to access PATS, saying “We’ll give you 16¢ a kilometre and \$106 a night.” I challenge any member of this place to find me appropriate accommodation in the metropolitan area for \$106 a night, sometimes at very short notice, for somebody who is accessing potentially life-saving health care.

This is all in the context of the state government swimming in cash. It is swimming in it. In the last financial year, the budget surplus was \$5.1 billion. The estimated budget surplus this year is \$3.3 billion. If there were ever a time to show some compassion, understanding and respect for people who live in regional and remote areas of our state, it would be in the midyear review in just a few weeks. The Minister for Health, the Treasurer and the Premier could announce an improvement in the subsidy under PATS; I would welcome it wholeheartedly. It would be a simple measure at a time when the cost of living and pressure on families is at its highest. It would be a modest gesture to say that the fuel subsidy should actually cover someone’s fuel. The Minister for Health was a member of the standing committee of this place that released a comprehensive report into PATS. The first two recommendations of that report were that the accommodation subsidy and the fuel subsidy should be reviewed and indexed annually. The government has been in power for six and a half years; how many years has the Minister for Health who made these recommendations actually turned her mind to this?

I live in hope that in the midyear review the government will address this issue and this issue alone—it cannot wait any longer—but there are many others for the Minister for Health and the government to turn their minds to, not the least of which is their decision on the relocation of the women’s and babies’ hospital. I have spoken at length in this house on this issue on more than one occasion, and the government still has not come clean around its justification for the decision. Its justification is that the business case identified risks for the Queen Elizabeth II Medical Centre site. The problem is that it has not developed a business case for the Fiona Stanley Hospital precinct. One of the issues that has not been ventilated around the women’s and babies’ hospital is the lack of accommodation in the southern corridor around that precinct to support patients accessing those services who do not live in the metropolitan area. Sometimes they have to come to Perth and access the services for days, weeks and even months ahead of a birth. That is all right, this government will give them \$106 a night, and because it is so generous, it will give them another \$15 top up if they have an escort travelling with them!

The government now has an opportunity to address this and many other issues. It has delivered year after year significant financial budget surpluses driven by mining royalties and other taxes, and communities like Laverton, Wyndham and Carnarvon are making significant contributions to the wealth of our state and our state economy. They should not have to beg for a few dollars every now and again to deliver some health infrastructure and improved health services in their region.

President, when the state government's election commitment to build another bridge across the Swan River doubled in price from \$50 million to \$100 million, nobody blinked. The government just wrote another cheque, yet it cannot deliver lifesaving infrastructure in our regions.

HON SUE ELLERY (South Metropolitan — Leader of the House) [10.32 am]: I rise to indicate that if we were going to a vote, I would probably try to amend this motion. I am happy to support paragraph (a) of the motion before us, but not (b), (c) and (d). I start in respect to paragraph (a) by joining Hon Martin Aldridge in acknowledging the invaluable contribution that our frontline healthcare workers make every day. I have an elderly dad who does not like being referred to as elderly even though he is 86—let us hope he does not listen in today—and a brother with two chronic health conditions, for whom I am the major point of contact. I am regularly in and out of, mainly, Sir Charles Gairdner Hospital. It provides outstanding service. I also want to join the honourable member in addressing my deepest sympathy to the family and colleagues of Tinesh Tamilkodi, the first paramedic in St John Ambulance to die in the course of his daily duties. I know that the organisation, and particularly his colleagues who were on the scene immediately after that accident, are devastated, and I extend the sympathies of the government to his family.

I hope that the fact there are a couple of Liberals in the room means that the Liberals will also contribute to this motion today. I will start by talking about the new women's and babies' hospital. I am keen to hear what exactly the Liberal Party's position is on that site, because it is not clear to me. I went back and followed the contributions that have been made by Liberal Party members in the other place to the site. It is clear that although the decision to relocate came as a surprise to the community and the health sector—that is not denied—we also cannot deny the risks that were proposed with continuing to build on the Queen Elizabeth II Medical Centre site. Whether it is the business case or the infrastructure review, interestingly, Libby Mettam asked the government if we were going to do that, which we did. She is now saying that it was some kind of political trickery, even though it is an independent body and she supported its independence when the body was set up. Advice from it is clear that there is irrefutable evidence that to build another tertiary hospital on the QEII site would pose an unacceptable risk to services; an unacceptable delay in the completion of the hospital; and it would pose unacceptable risks to the delivery of critical services and access for patients and staff to Sir Charles Gairdner Hospital and the Perth Children's Hospital for decades.

That is not just the view of the government. It turns out that is the view of David Honey, the member for Cottesloe. About this time last year, in fact, he spoke in a debate in the other place about the women's and babies' hospital. I am quoting from *Hansard* from the Legislative Assembly from Wednesday, 23 November 2022. This is what he said —

The hospital is being located in Nedlands—not on any public transport route—where it will be extremely difficult to access, and where there are already major issues with traffic and parking that affect residents all through the area.

I hope I get the time to come back and talk about the parking. We know why there is a problem with the parking, because the previous Liberal–National government privatised it. The former Leader of the Opposition then went on to say —

Murdoch University would have been a good location for that hospital, —

What did he know that we did not know? —

or another location that would be more accessible to people from across metropolitan Perth. That is where the Liberal government located its hospital. The middle of Nedlands is not accessible to a great many people. It is an area that people find extremely difficult to access. We have been through that issue and raised questions in this place; again ... It will be fascinating to see what will actually be delivered by this government.

It is an interesting question to be posed: does David Honey agree with anything that the rest of his party agrees with? He does not seem to agree with the planning policy either. I do not know how the Liberal Party has only three members in the Legislative Assembly and manages to split on a major issue 16 months out from the election, but that is what he has done. I am disappointed that Hon Nick Goiran is out of the house on urgent parliamentary business. I hope that Hon Nick Goiran weaves his preselection magic and ensures that David Honey is preselected again for the seat of Cottesloe. I encourage Hon Nick Goiran in his pursuits in that area.

Hon Darren West: Put him back to the front bench.

Hon SUE ELLERY: Yes, absolutely.

That is what David Honey said. I just do not think we can dismiss the issues that were raised in that business case. We know that the opposition, the Liberal–National government, did not use them and did not believe in them, but it is an important tool for planning and implementing projects. It is not an options assessment; it is not comparing different sites. We wanted to deliver the project properly. Our intention was to deliver the project on the QEII site, which is why we did the business case and the project definition plan, but the risks outlined in the business case are not surmountable.

In summary, the business case found that the QEII Medical Centre site had a number of limitations that needed to be taken into consideration, such as challenges in overall accessibility and wayfinding and difficult vehicular and pedestrian access given the multiple service entry points leading to complex wayfinding and navigation. Who designed the major entry to the car park from a major road? Who thought of that brilliant idea? Other challenges were the mixing of public and emergency traffic systems and routes; congestion due to limited space for public transport; limited set down and pick up areas at key facilities' access and entry points; insufficient parking bays to support staff, patients and visitors; suboptimal loading dock and logistics services to service the existing departments; and the existing central energy plant and chilled water and high temperature heating hot water plants not being capable of fully supporting the women's and newborn babies' development from a capacity, redundancy and operational resilience perspective.

If the government were to ignore that, what would members opposite say about us then? That is a serious set of challenges that were not surmountable if we wanted to deliver a new women's and babies' hospital to the women and babies across Western Australia—a process that was delayed. We should have done this ages ago but the previous government decided to skip the order that had been determined by the clinicians and the experts—to jump over the order that was to fix King Eddy's first and then do a new children's hospital. The previous government jumped over that and said, "No, we're going to do the children's hospital first", so that when we came to government that was the priority we were left with to resolve. It is a bit rich to complain about that decision when we are confronted by that kind of information.

I have six minutes left and I want to tackle some of the other serious issues that were raised by the mover of the motion. I want to talk about workforce. Around the world, health workforces are under pressure. This is not a Western Australian issue, nor an Australian issue; it is the situation around the world. The problem is that post-COVID, people are sicker and are staying in hospital longer. That is a fact. Members can look at any health system around the world. However, despite that, we have continued to grow the health workforce since coming into government by some 30 per cent. The Minister for Health is prepared to look at whatever it takes to attract more staff and to retain more staff. She has held a series of ministerial workforce round tables, bringing together employers, academics, clinicians and the like to discuss how we can improve conditions on the floor, improve workflow and workplace culture and, ultimately, make WA Health an employer of choice. Three of those round tables have been conducted so far with the child and adolescent mental health workforce, allied health and doctors in training. More will be conducted later this year and into next year. They aim to improve graduate support, reduce the administrative burden for clinicians, provide career mentoring and back to basics issues such as a joint consultative committee for doctors.

With regard to regional infrastructure, the honourable member makes the point about the process in Laverton. I am not just representing the Minister for Health here; I am also the Minister for Finance who has responsibility for procurement in the health area. The member asked why it took six months to evaluate the one tender the government received. It is because we are looking at every possible opportunity we have and whether we can make it work. The fact that only one company is prepared to tender for a significant piece of health infrastructure tells us about the nature of the construction market right now. Whatever the projects are that we are trying to build, whether it is schools, hospitals or concert halls—whatever it is—we are under significant constraints in the construction industry. Whether it is around the labour supply or the supply of materials, that is improving, but there are still significant delays. It would be irresponsible of us to take that first tender, look at it and say that it does not meet the requirements so we will throw it out the window and start again. Hon Martin Aldridge is saying that the government took too long getting to the point of seeing whether it could make that one tender work and I am saying that we have an obligation when we know how tight the market is to try to make that one tender workable and to see what is possible to change. I think, and know, that we acted responsibly.

I will touch on Geraldton hospital. It is interesting. When was the last significant investment of funds into the Geraldton hospital?

Government members: The Gallop government!

Hon SUE ELLERY: That is right. For how long was the opposition in power? That is when the last investment was made. Members opposite had the opportunity when they were in government and they did not take it up.

I will also quickly talk about the patient assisted travel scheme. I note that Hon Martin Aldridge tabled a petition on the patient assisted travel subsidy, calling for six actions—increasing the fuel subsidy, increasing the accommodation subsidy, providing taxi vouchers for travel within Perth, improving processing time frames, expanding PATS to include dental and allied health, and expanding the definition of patient escorts. I assume that is the basis of the Nationals WA election commitment and I look forward to hearing —

Hon Martin Aldridge: That was in my petition; I tabled the petition.

Hon SUE ELLERY: I know. I hope that is part of the policy work the opposition is doing because it is 16 months out from the election and we have not seen many policies other than that it is going to start building a hospital on the QEII Medical Centre site when another hospital will already have had work start on it, so I am interested to see how that is going to work.

The government has substantially increased the PATS accommodation subsidy by 66 per cent and expanded eligibility to enable vulnerable patients to travel with a support person. In contrast, how much did the Liberal–National government increase the subsidy for PATS in the eight years it was in government?

Hon Peter Foster: Zero.

Hon SUE ELLERY: That is correct—by zero. We are proud that we have invested an additional \$2.2 million into support for those patients using PATS who are more vulnerable or who are at risk of sleeping rough when travelling to Perth. The new Country Health Connection service is providing intensive end-to-end travel coordination, including connecting patients with on the ground wraparound services.

I have a minute left and I want to talk about ramping because that is a story of hard work and a laser-like process by the Minister for Health to put in place a strategy to seriously address the ramping issue, and that strategy is starting to have a good outcome. Ramping is down by 30 per cent. Members should remember what I said: there are more people turning up to hospitals and they are sicker post-COVID. Despite an increase in admissions to hospitals, a record number of elective surgeries have been performed. We have delivered more career paramedics into the regions and placed strict new conditions on St John Ambulance that aligned with community expectations. In addition, 31 full-time equivalent paid paramedics have been delivered into the regions across Western Australia. There has never been a harder time than the post-COVID period to manage a health system, wherever one is in the world, but we are doing it. There is a lot of work to be done, but we are doing it well.

HON LOUISE KINGSTON (South West) [10.47 am]: I thank Hon Sue Ellery for her contribution about her father because it brings me to my issue today, the delivery of services in the country. I will talk about dialysis and the dire situation that is faced with the delivery of services into the future.

I refer first to the *WA Country Health Service kidney disease strategy 2021–26*. A chronic diseases study in 2012–13 showed that nearly one in five Aboriginal people had signs of chronic kidney disease and those in remote areas were five times as likely to have CKD as non-Aboriginal people. Survey results from 2018–19 show that the proportion of Aboriginal and Torres Strait Islanders reporting kidney disease has been consistent over the past decade. A message from the chair, Dr Neale Fong, states —

The incidence of kidney (renal) disease is increasing, placing pressure on kidney health services, particularly in country WA.

Historically, there has been inequity in access to kidney health services for people living in country areas compared to residents in the metropolitan area. For many country patients, accessing life-sustaining treatment has meant leaving their homes, families and communities and relocating to Perth.

Demand for kidney health services in WA's more remote areas is high. Many Aboriginal families experience significant disconnect when they have to leave their communities for long periods to have kidney treatment elsewhere.

To date, the delivery of kidney health services in country WA has focussed on end stage kidney disease dialysis services, providing more dialysis treatment closer to home rather than people having to leave their homes, communities and country to relocate to Perth.

Seven people each and every day are accepted into dialysis programs across Australia. The waiting period varies from one month to a year or more. On average, patients wait for 174 days, or six months, for a dialysis chair in country WA. This disconnect from home can become an emotional, social, financial and psychological burden, particularly for Aboriginal people from remote areas who have to travel far from their country to access treatment.

There were 52 151 dialysis treatments in all 13 country dialysis units in 2019–20, and that brings me to my story about my friends from Manjimup, Nick and Cathy. After many years of having issues, Nick was finally diagnosed with stage 5 kidney failure, and his dialysis commenced in Perth in 2018, three times a week, and was told that it could be three years before he could access services in Bunbury. As can be imagined, this was very distressing. They were self-employed, so they were not earning an income, and they had nowhere to live. This further affects their family, friends and community, as has already been mentioned by Hon Martin Aldridge. At that time, someone from Geraldton had been in Perth, waiting for treatment, for five years. I cannot imagine what that must have been like. After pleading tirelessly, a position was found in Busselton. The timing of the treatment was also an issue, however, for people who had to travel, as each session of treatment took around six hours. If they were last on the list, the treatment could finish late at night and there was then nearly two hours of travelling to get back to Manjimup, and last on is always put last on the roster.

There is a range of places to stay in Perth, but they are unsuitable. One is in Morley, but patients have to travel through peak hour traffic to be at the dialysis centre at 7.00 am for pre-treatment tests. Many partners of dialysis patients are unable to drive in the city; country people do not do city travelling well, as those on the other side of the house who live in the city will know.

Hon Darren West: Metronet!

Hon LOUISE KINGSTON: Let us not get onto Metronet! We are talking about dialysis today! Let us stay on dialysis, shall we, because that will just open up a whole other can of worms!

Several members interjected.

The PRESIDENT: Order!

Hon LOUISE KINGSTON: I will get back to this. The other options for Nick and Cathy were to stay at motels and hotels, but all the places available required access via stairs because they were on upper storeys. For a dialysis patient, this was extremely difficult. Cathy, being an absolute little powerhouse who does not give up, found an Airbnb close to the hospital, which is a costlier option. That brings us back to the patient assisted travel scheme. The amount they were paid came nowhere near to covering the cost of accommodation. As members know, that is funded by royalties for regions and huge surpluses, as was mentioned by my colleague Hon Martin Aldridge. There is no excuse for not increasing the patient assisted travel scheme to an appropriate level.

Another problem is that for some of the treatments, such as peritoneal dialysis and follow-up for other treatments that Nick encountered, there was no trained staff between Perth and Manjimup who could actually treat him. That was a huge issue. Cathy lobbied tirelessly to have that training provided to a specialist practitioner. Nick was very fortunate; he ended up having a kidney transplant in 2020, but others, due to the difficulties I have outlined in Nick's story, choose not to access that treatment or leave their communities, which is very sad. Cathy continues to lobby tirelessly for better services in regional Western Australia.

I return to the *WA Country Health Service kidney disease strategy 2021-26*. It states —

Equitable Access to Health Care

Limited access to primary health and specialist services often leads to people accessing services later in the development of disorders, resulting in later diagnosis, delayed intervention and increased likelihood of chronic and acute co-morbidities.

Generally, people living in the country have lower life expectancy and higher risk of illness, chronic conditions and injury than people living in major cities but have less access to necessary services, resulting in poorer health outcomes. Greater use of innovations in digital communication and treatment technologies are necessary to provide greater access to better health care for people in country communities.

Low Socio-Economic Populations

CKD deaths in the lowest socio-economic group are 1.7 times as high as deaths in the highest group. This trend is concerning given a large proportion of the areas serviced by WACHS are of a low socio-economic status.

...

Successfully implementing the *WACHS Kidney Disease Strategy 2021–26* will rely on collaborative efforts, active involvement and partnerships.

An implementation plan will guide the delivery and monitoring of WACHS-wide actions in the Strategy.

Regional kidney health clinical service plans will guide the local implementation of the Strategy within the regional context. A review of data collection will be undertaken to inform future service planning.

Lessons learned from implementation of the Strategy will be shared across all country regions and will help inform local, state and national service development.

I was not able to find the implementation plan, but from speaking to my friends, little has changed and enormous problems persist.

I ask these questions often when costs are quoted as being prohibitive for providing these services in regional WA, but what is the cost to the state for people who have to access these services, being delivered in this way? Why do people like Nick and Cathy, who have contributed to a regional community all their lives, have to travel to Perth to access a treatment that people in Perth can access readily? Why is it that people in regional Western Australia are not valued at the same level as people in the city? I never understood that when I was growing up, living in Albany—imagine how far Albany is from anywhere, and how many services we did not have down there. That is what has prompted me to put up my hand and step forward to try to solve some of these issues and to be a voice for the declining voices in the regions.

Hon Kyle McGinn: The only declining thing is support for the National Party!

Hon LOUISE KINGSTON: I would totally disagree with that, because we developed royalties for regions and delivered so many projects after so many decades of neglect. If the member lived in some of the places that we live in, he would understand that lack of services.

Several members interjected.

The PRESIDENT: Order!

Hon LOUISE KINGSTON: That program —

The PRESIDENT: Order! Hon Louise Kingston, when I call order —

Hon LOUISE KINGSTON: I have to stop; sorry!

The PRESIDENT: That is right, yes; you do need to listen to the President. Can we just settle, please.

Hon LOUISE KINGSTON: Apologies; I could not hear over the interjection.

As members know, royalties for regions is the Nationals WA's signature project, and we have delivered it brilliantly in regional areas to create so many programs that have been so valuable to regional Western Australia. I implore the government to use it to deliver these services for dialysis in Western Australia.

Visitors — North Metropolitan TAFE

The PRESIDENT: Order, members! I would like to welcome to the Legislative Council North Metropolitan TAFE. You are very welcome.

Debate Resumed

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [10.58 am]: I, too, rise to make a contribution to this excellent motion on our health system moved by Hon Martin Aldridge. I will take some time to talk about the invaluable contributions of our frontline healthcare workers; I am sure Hon Kyle McGinn is very interested in our frontline healthcare workers. He does not seem to be listening, though, but that is no surprise. I will get to him later on, because I have some interesting information from back in 2017.

Let us acknowledge those frontline health workers. I have had a bit of experience in dealing with them over the last few years on many different occasions for many different reasons, whether in a regional context or here in Perth, at Fiona Stanley, Perth Children's or Sir Charles Gairdner Hospitals and also St John Ambulance. We have had a number of ambulance crews visit our house for various reasons over the last couple of years, which I have talked about previously in this place. The service provided by them in all cases has been first rate. Those people are absolutely tremendous at the job they do, given the pressures they have and the incredible amount of work they have in front of them. The Leader of the House pointed out the "post-COVID effect"; I wonder if we actually are post-COVID, because we still have quite a lot of COVID around at the moment, but we are post-the pandemic.

I acknowledge the wonderful people at Sir Charles Gairdner Hospital, and particularly the staff in the oncology department, where my father received treatment for his cancer a couple of years ago, before he passed away. I also acknowledge the staff in the oncology department at Fiona Stanley Hospital, who look after my father-in-law during his ongoing treatment for lung cancer. They have been fantastic. I also acknowledge the staff at Perth Children's Hospital for the work they have done in looking after many of my kids over the last few years. There is an amazing bunch of people in those places who really do a tremendous job providing healthcare services under very trying conditions.

I point out that a career in health care is a very good option for people. Two of my kids are very interested in pursuing a career in health care; I do not know whether that is because they have spent a lot of time in hospital. One is looking at getting into nursing, which I thoroughly encourage, and another is looking into psychology—two much-needed specialties. I certainly encourage people to look at careers in health care; it is no doubt a very demanding but also very rewarding pursuit.

I will briefly talk about mental health and a report released relatively recently by the Western Australian Association for Mental Health titled *Going the distance: Making mental health support work better for regional communities*. I encourage anyone who is interested in mental health to read this report. It is very good and provides some very good ideas on how we might improve mental health in our regions going forward, as well as some great statistics and data on what the pressure points are, and where they are, too, which is always useful information.

I want to talk about some issues in particular. One issue I will focus on is not really a criticism of this government, the previous government or any government, but I suppose it is a result of many years of bureaucracy, and that is in relation to my dad's treatment when he was being treated for cancer here in Perth. He was referred to Sir Charles Gairdner Hospital. He came up and dealt with that wonderful oncology team I have spoken about for his radiation treatment early on and then oncology later. Obviously, he was not a resident of Perth; he was a resident of Esperance. After he had gone through those initial intensive treatments, he went onto chemotherapy, which he could do at home. He wanted to continue that treatment back in Esperance, where he lived with his family, so he talked about that with the hospital. They said that would not be a problem; the facilities exist, and he could have that ongoing treatment down in Esperance. That all sounded good. But the qualification at the end of that was that Sir Charles Gairdner Hospital could not provide that treatment, because Esperance was covered by a different health service; it was covered by Fiona Stanley Hospital. What ended up happening was his care was transferred to a team whom he had never met, did not know and had had nothing to do with, because the system says that if someone lives in that place, their treatment has to be done by a particular metropolitan health service. I do not think that really

demonstrates an interest in proper treatment for patients; it did not, in his case, deliver a good outcome. I think he had some pretty awful interactions with the people that he dealt with who did not know him from a bar of soap, because they had never met him. Whether it made any difference or not, I do not know, but it is something that my mum still talks about to this day. Why did they have to do that? Why did that situation exist? Even though he was having that treatment at Sir Charles Gairdner Hospital and had to be transferred, where is the continuity of care? Surely, that is not in the best interests of the patient. I am not going to lay the blame on anyone for that, but it certainly needs to be considered in the interest of better patient outcomes.

Another issue that I will talk about—my colleague Hon Martin Aldridge raised this—is Laverton Hospital. That is a very interesting issue that has been playing out for some years. We know that, as Hon Martin Aldridge said, when this government came to power in 2017, it got out a sharp pencil and went around the place looking at what it could cut, what it could defund and what it could horse trade with communities. I remember talking to a former member for Kalgoorlie, Hon Wendy Duncan, back in 2015 when she was the then member and she held fears then.

Hon Kyle McGinn interjected.

Hon COLIN de GRUSSA: Perhaps if she were still the member, we would still have a hospital in Laverton.

Several members interjected.

Hon Kyle McGinn: You axed her, anyway!

Hon COLIN de GRUSSA: It was not my decision!

Hon Kyle McGinn: Wasn't it your team that axed Wendy Duncan?

Hon COLIN de GRUSSA: Nobody was axed; anyway. Perhaps if we still had a Nationals WA member for Kalgoorlie, we would actually still have a hospital in Laverton.

Hon Kyle McGinn: It was you and Vince Catania and all your friends!

Several members interjected.

The PRESIDENT: Order!

Hon COLIN de GRUSSA: Let us go back to the debate on Laverton Hospital. We know that the Labor government was under fire. An ABC article in 2017 stated that the former health minister, now the Premier, defended the government's spending priorities as the government stepped back from funding a significant number of promised projects. It states —

“We made the promises because we believe that the health system should be working for everyone,” Mr Cook said. “We believe in putting patients first.”

That was, indeed, the name of the policy document released by the Labor Party before the election, which made no mention of the Laverton Hospital, of course. The article continues —

But in Laverton, 1,000 kilometres north-east of Perth ... a promised upgrade to the town's eight-bed hospital has gone from a \$19.5 million funding pledge to zero

Regional Development Minister —

At the time —

Alannah MacTiernan said she understood the community's frustration, but said it was reasonable for the Government to focus on its projects.

“A new government clearly needs to prioritise its own agenda,” she said.

We fast forward to 25 January 2018 and some notes from a special council meeting held by the Laverton council. The purpose of this meeting was to consider correspondence from the then Minister for Regional Development, Hon Alannah MacTiernan, on the redirection of royalties for regions funding from the Laverton community hub project to the development of a new hospital in Laverton. It was a bit of horse trading for the community: “You halve that other project, and we'll try to put that into the hospital and see what we can do.” As noted in this submission to the shire —

On 13 December 2017, Minister MacTiernan, along with the Deputy Premier, Hon Roger Cook MLA —
Then Minister for Health —

and the Member for Mining and Pastoral Region, Hon Kyle McGinn MLC, visited Laverton and met with members of the Health Department and Laverton Shire to discuss the Hospital and Community Hub projects. Both Ministers Cook and MacTiernan agreed that whilst the Hospital and Community Hub are key projects to the future of Laverton, the Hospital is in a sad state of repair and as it is an essential element within the Shire, its replacement needs to be given maximum priority. Hence the proposal being presented for Council consideration.

It needed to be given maximum priority on 13 December 2017. Nothing has been done since then. The government killed the project off. It is now trying to put it on life support. It cannot get tenders to happen. It should have just built the project in the first place; then the people of Laverton would have the hospital they have been waiting so long for, and they could treat people properly instead of having to wheel people who are in an emergency situation past the kitchen on the way to the outpatient area.

HON STEPHEN PRATT (South Metropolitan) [11.08 am]: I appreciate the opportunity that this non-government business motion provides me today to speak again in this chamber about our health system. As my colleagues in here will know, I am very passionate about health, the public health system and the great service it provides the people of Western Australia. As the Leader of the House has said, I think that we can all agree with the first item on the motion. I concur with my colleagues and recognise the tragic death of WA paramedic Tinesh Tamilkodi this week, and send my condolences to his family and colleagues at St John WA. Sadly, he lost his life serving our community, and there is no greater sacrifice.

I will get to the women's and babies' hospital because that is mentioned in the motion, but I might save that for a bit later on.

Hon Martin Aldridge: Oh! The suspense!

Hon STEPHEN PRATT: Yes, I will keep the member waiting. I have had a few constituents contact me about that issue, so I will come back to it at the end because I have 10 minutes to speak on this. I have been listening to members opposite and the issues they have touched on, and I took some notes, which I would like to try to respond to in some way as best I can. I have been lucky enough to go up to Geraldton hospital, and I note that we have delivered stage 1. Members might laugh, but it is the car park; car parking is very important.

Hon Steve Martin: It is a spectacular car park.

Hon STEPHEN PRATT: It is a spectacular car park. Whilst I was up there, we were also delivering a mental health service. We opened a step-up, step-down service there. I know that people are excited about the hospital upgrades, and the government is committed to delivering that project. I note that during the previous Liberal–National government, the hospital had no delivery of that kind. I want to recognise the hard work and advocacy of the local member for Geraldton, Lara Dalton, in getting these commitments for her community. Like I said, I caution the member in drawing too much attention to the fact that the last government did not invest significant funds in the hospital; no significant redevelopment or development has happened since the Gallop government, which was mentioned earlier.

I do not think that the Bunbury Hospital redevelopment project was raised, and it is a significant project. The redevelopment of Bunbury Hospital will cost well over \$270 million.

Hon Dr Steve Thomas: It is a car park so far, too.

Hon STEPHEN PRATT: It is a car park, too? They both have more parking than we have at the Nedlands site, and that is what I am looking forward to speaking about: the things that can be done when it is not a constrained site.

Hon Dr Steve Thomas: Have you seen the *Yes Minister* episode about the hospital with no patients?

Hon STEPHEN PRATT: I have. I recall watching that when Fiona Stanley Hospital opened and no-one was going there for quite a time.

I refer to regional commitments. There is a strong regional focus in this motion, having been moved by Hon Martin Aldridge. This government has delivered upgrades or expanded services at Geraldton, Newman, Albany, Plantagenet, Broome, Collie and more. It is delivering the major projects at Bunbury, Geraldton—which I have mentioned—and Peel, and is building a brand new women's and babies' hospital, which will also benefit regional patients. It has not been mentioned, but the benefit to regional patients will be that patients who come through the Royal Flying Doctor Service will find themselves landing at Jandakot Airport, in proximity to the Murdoch Fiona Stanley Hospital precinct. That makes a lot of sense from that perspective.

I am reasonably familiar with the patient assisted travel scheme, which everyone likes to refer to as PATS, because one of my former colleagues, whom I worked with for about 13 years, had a strong focus on that service and subsidy. I know that this government has had a really good track record in increasing the amount available for the subsidy, and we have had commitments at every election to increase it or improve the service. I do not quite understand the negativity about PATS and the argument about the price of petrol and stuff.

Hon Martin Aldridge: Do you think it should be increased?

Hon STEPHEN PRATT: Look, I think that we have done that. Every time we have come into government or there has been an election, we have had commitments to increase it. It has gone up by 66 per cent, and we have expanded eligibility to enable vulnerable patients to travel with a support person, which the opposition did mention. I have mentioned before that I look forward to the medi-hotel and seeing how it can be used to help people travelling from the regions. The government also continues to fund the Country Age Pension Fuel Card subsidy, worth \$575 per annum for eligible recipients. This is in addition to a strong track record on cost-of-living measures,

with \$715 million included for them in this year's budget, which includes the \$400 household energy credit, of which members would be aware. That is my take on PATS. I have to say that if it had not been for my colleague Julie Armstrong, who used to have a strong focus on PATS and regional health, none of those commitments would probably have come to fruition, so I will give her a bit of a shout-out.

As I have only three minutes left, I will talk about the women's and babies' hospital. I cannot understand the position the opposition has taken. It proposes basically delaying or putting a stop to us delivering a new women's and babies' hospital in Western Australia. It is close to a \$2 billion project.

Hon Dr Steve Thomas interjected.

Hon STEPHEN PRATT: Say again?

Hon Dr Steve Thomas: What was wrong with the original business case that the government had done for the original site?

Several members interjected.

The ACTING PRESIDENT (Hon Sandra Carr): Order, members! I remind Hon Stephen Pratt to direct his discussion to the chair, please.

Hon STEPHEN PRATT: Thank you, Acting President. I have said before that that is where we wanted to look to build the hospital, but it cannot be done there. That is the reality. Anyone who has been to Perth Children's Hospital or into that precinct can tell straightaway. Look on Google Earth.

Hon Dr Steve Thomas: It is not what the original business case said.

Hon STEPHEN PRATT: We did a business case because we wanted to build it there, and it cannot be done. Okay, the business case did not say that, so the member wants me to refer to the business case? The information that I have about what we looked at was that an expert in parking infrastructure would have told the opposition that there are not enough parking bays already, and the parking contract entered into by the previous Liberal–National state government means that we cannot build more. St John Ambulance would have told the opposition that ambulance access to Sir Charles Gairdner Hospital and Perth Children's Hospital would be impacted by the construction of the new hospital, and subsequent construction would likely be needed at the site. What experts has the opposition engaged with to form its position?

Hon Dr Steve Thomas: Most of the clinicians who work at the women's and babies' hospital.

Hon STEPHEN PRATT: Did the member consult with anyone who could talk him through the safe positioning of tower cranes, hoist platforms and other scaffolding structures near working emergency departments?

Hon Dr Steve Thomas: We spoke to doctors and patients.

Hon Martin Aldridge: Did you consult the doctors?

Hon STEPHEN PRATT: There are some doctors who have been opposed to the move, and there are plenty of doctors who support the move to Fiona Stanley Hospital as well. The minister has received supportive letters from people in the health service who work at the Murdoch site. Unfortunately, it is also a planning decision. Although some doctors might not be happy with where it will be, it presents 100 different opportunities and benefits to the community. We need to get on with the job and deliver this important project for the state. Everyone can realise that King Eddy's, which has served the community well for over 100 years, is coming close to its end. If this project is delayed because of politicisation, it would be a great shame. The people of Western Australia deserve much better, and the women and babies deserve much better. It would do the community a greater justice if the opposition would get on board. I know that it has flipped on things like the Voice in the past, so I think that it should back down on its decision and support it.

Hon Dr Steve Thomas: That's not true!

Hon STEPHEN PRATT: It is true. The opposition should support this important project of state significance.

HON DR BRIAN WALKER (East Metropolitan) [11.21 am]: I would like to rise to support this motion, but as a practitioner in the area, the only one in this house and the only one who has actually worked in regional Western Australia, what I am actually going to say is: a pox on both your houses!

Let me tell members a story about my time in Newman. The laboratory there would close down on Friday at midday and open again on Monday morning at eight o'clock. For the whole weekend, we had no laboratory services and a very busy emergency department. Each weekend, we were sending about two patients a day to Port Hedland for conditions that might have been life-threatening. Had we had the laboratory facilities, we could have actually fixed the problem on the spot, but we did not.

Hon Stephen Pratt: What year was this in?

Hon Dr BRIAN WALKER: It was in the 2000s during a Liberal government. Kim Hames was the man in charge.

Hon Pierre Yang interjected.

Hon Dr BRIAN WALKER: Be quiet, please.

Hon Pierre Yang interjected.

Hon Dr BRIAN WALKER: Listen! I refuse to allow people who have no experience in this area to tell me what is going on. I am telling members what actually happens. Everyone here has read the information but not a single person has experienced it. When I have a patient who has symptoms that could be life-threatening and I cannot diagnose it, I must put that to a higher authority at \$10 000 to \$15 000 a pop for two or more patients a weekend. The machine used to diagnose the condition costs \$7 500. There are running costs, of course, but it costs \$7 500. A man in Port Hedland was appointed by the government to do a cost-benefit analysis on a \$7 500 machine to save the \$15 000 to \$30 000 a weekend that was being spent on transporting patients. Some 18 months later, a decision had still not been made about that. I wrote to Kim Hames and asked him to do something about that and the answer I got back, as expected, was absolutely nothing. I spoke to PathWest, which was shocked to find out that we did not even have a simple white cell count service available in our hospital for a whole weekend. That is the parlous state of health services in our state.

When I hear the words from both sides about our health industry, I do not recognise what they are talking about. I acknowledge the invaluable contributions of the frontline healthcare workers. They are working against all odds, but the health system is collapsing. Mark Butler, the federal Minister for Health and Aged Care, admitted as much. The federal government has put \$750 million into Medicare, but he also said at one time that there is not enough money to fix the system. If we look at it from the point of view of costs, which are increasing, and the benefits, which are decreasing, it is a business model that must fail. One or other of these sides will be in power when it does fail and the other side is going to say, "You're to blame." It is not true. Both sides are to blame because they are not dealing with the underlying problems that have caused this in the first place.

I have, for example, a strong interest in mental health. I have told members before about a patient sitting in front of me with an active plan to kill himself with a rope that was hanging in his garage. He was intending to kill himself and I was unable to find emergency psychiatric help for this patient. He went off to the emergency department, which is actually the wrong place for a psychiatric case because a patient might have to wait for at least four hours and can walk out at any time, before someone who has no actual experience in mental health care sees the patient. They then call in a psychiatric registrar who says, as happened in this case, "We've got no time to see you. We'll make an appointment for you on the next working day." Fortunately, I was able to chemically sedate my patient, but those are the actual facts of managing acute mental health cases now. I see children with attention deficit hyperactivity disorder who are waiting 18 months to see a psychiatrist, during which time their education has been primarily affected. By the time they get access to medication, they are a year and a half or two years behind their peers. Will that not affect them for the rest of their lives? Yes, it will.

On top of that, we have recently passed a bill allowing juvenile criminals to be released from custody into the care of the community with mental health services that have not been funded; nor do they have the staff to manage that. We passed that bill knowing that we cannot actually meet the demands. The impending firearms amendment bill will demand a mental health check for 90 000 firearm holders. Where will we get the mental health capacity for that, let alone deal with the suicidal cases that are sitting in front of doctors and nurses right now? We do not have that capacity.

We are dealing with status quo thinking within the health service bureaucracy. For example, there may be some doctors who support moving the new women's and children's hospital to a new site, but the vast majority do not. Those who do not support it are the ones who will be caring for the mothers and children.

Hon Stephen Pratt interjected.

Hon Dr BRIAN WALKER: It has been printed. To take an infant on a half-hour journey across town from a hospital of good care to the special care in the new children's hospital will result in deaths. How much will that death cost? Paul Murray wrote an article about this in *The West Australian* some months ago in which he took apart the government's proposal.

Hon Sue Ellery: Guaranteed not to be factual if it was written by him.

Hon Dr BRIAN WALKER: It is an opinion. It is a democracy and work needs to be done, I am sure, as the government continually reminds us. But we have had credible complaints from medical practitioners and nurses who have said that this is not going to help. They ask whether we can make a change. Yes, we can. Do we have the will to do it? Apparently, we do not. The government plans to provide \$2 billion for the new hospital. Do we really anticipate that we will be able to keep that build on time and on budget? What examples have there been in recent history in which a government project has been on budget? Shall we look at Metronet, for example? The \$250 million in savings that can be made using the new hospital proposal will pale into insignificance against the final cost if the site is moved, and the first infant who dies en route will be ignored.

Hon Stephen Pratt: Shameful.

Hon Dr BRIAN WALKER: It is shameful because we do not have to do that. I can show my colleagues a hospital right now in which 100 per cent of its staff wish to resign but who cannot because they need to earn money. We

are seeing staff burnout and numerous devastating and preventable incidents in hospitals on a regular basis. The response of the bureaucrats in charge is to point the finger at the doctors and nurses and say, “You failed”, when in fact the system given to them has failed them and they are trying to cope with working two or three times as hard with decreased resources. We saw an example of this in first part of 2021 with cuts to the east metropolitan hospitals budget: “We’ll cut \$10 million from the budget and frontline services will not be harmed”. That is an example of bureaucratic idiocy, and it is really the healthcare workers of all shades who have to deal with that. Walk with me into such a place and listen to the conversations over coffee, when we can have a cup of coffee, and listen to what people are actually saying: “We are exhausted. We have been beaten down by bureaucratic decision-makers who don’t have a clue what they’re doing.”

For example, when the hospital in which I was working was redeveloped, they managed to put a door between two lights so that we could not change the light, making it difficult for people to access different areas. This redevelopment was funded by a regional grant. The costs were quite significant and half the cost was spent on advisers coming back again and again to revise their opinions and to produce a product that did not make sense. For example, in the case of an emergency, I could not exit the room I was allocated to stay in if a patient happened to attack me with a knife. I could not reach the alarm and the door was not immediately openable. I would have had to pull it against the patient, putting my life at immediate risk. That is not going to happen, of course, because the people who I was dealing with would not hold a knife to my throat, as has happened in the past, but how do we know that? Who planned that room design? Who got paid for that? Who thought it was okay to do that, leaving people like myself exposed to unnecessary risk? That is one of many examples in which our health service is being controlled by bureaucrats who sit at a table drinking their lattes and have no idea what actually goes on. That is one reason why people like me are so despondent and that is why I say, once again, to both sides of the house: a pox on both your houses!

HON DR STEVE THOMAS (South West — Leader of the Opposition) [11.29 am]: It is always astounding when the government of the day, in this case a Labor government, says, “Here’s a great project. We’ve got a business case. This is exactly how we’ll do it.” The business case and plan was put together by the McGowan Labor government. The government drops it on the table and says, “This is what we’re going to deliver.” Then it says, “No, we’re not. We’ve changed our mind; the original plan didn’t work.”

This is one of the backflips that this government is now famous for. The original plan for the women’s and babies’ hospital at the Queen Elizabeth II Medical Centre site all of a sudden does not work—that is despite the fact the government had put together its own business case that said, “We can build this \$2 billion hospital.” If the government is now saying its own business plan was dodgy, I suppose members on this side of the house should not be surprised. I suppose we should say that it is not the first dodgy plan that the government has put forward. But this is the government’s plan. It said it could deliver the project for \$2 billion. The government said it could build this hospital for \$2 billion. The government has not come out and said, “Our plan was a dope; our plan didn’t work.” The government has not compared the two plans. The government in the first instance said, “Trust us, this is the plan. This is the Labor Party plan.” Then a few years later, the government said, “Trust us, this is the plan. This is the Labor Party plan.” No wonder nobody trusts the government. The government said this is its plan—no, it is not; yes, it is. Toss a coin! We do not know what the plan is. The Aboriginal Cultural Heritage Act is in, then it is out. The government said, “We got it wrong.” At least it had the courage to say it got it wrong then. We are waiting for the government to say got it wrong on this plan. We are waiting for the government to say, “Here is why we got it wrong. Gee, we are a bit hopeless at this stuff.” But I have not heard that bit yet.

The government has just come up with a new plan, and it has not explained it properly. It has not taken it to the people. The government did not take anybody with it; it made a sudden announcement. What the government should have said was, “Don’t trust us in planning. We put plans on the table that don’t work. Here we go, I tell you what, we’d better have a new plan.” Why is this new plan any better than the old plan? The government has not explained that. The government has not said that. It has decided that there is more room. The only thing the government has said is that there is more room. The government has not explained why it cannot build the first plan. The government should give its planners a bagging for why their first plan was so bad, rather than suggesting that it has just changed its mind. The government is very good at changing its mind, it is very good at backflips, just not very good at planning.

Motion lapsed, pursuant to standing orders.

PRIDEFEST

Motion

HON MARTIN PRITCHARD (North Metropolitan) [11.32 pm] — without notice: I move —

That the Legislative Council —

- (a) joins with the community in celebrating PrideFest 2023;
- (b) acknowledges the positive messaging these types of events send, particularly to our youth; and
- (c) commits to achieving equality for all our constituents.

Acting President, happy PrideFest. Members, happy PrideFest. I wish those words were as magical as I feel they are, and the prejudice in the community would be wiped away just by wishing people happy PrideFest. Unfortunately, we are not quite there yet. The way I understand the word “pride” in this context is the promotion of self-affirmation, dignity, equality and increased visibility of LGBTQIA+ people as a social group that is deserving of our respect and, particularly, kindness, which we should give to all social groups in our community.

I worked in retail and hospitality in the 1970s and 1980s. It was at a time when there was a worldwide push for pride. I worked in a store called Aherns, and I am now getting old enough that I have to explain what Aherns was. Aherns was a department store very similar to David Jones, which actually bought out the Aherns store. Aherns was a department store owned by a Western Australian family, the Ahern family. It had five stores, and I was happy to work in one of those stores. The first job I had in the city store was selling ladies’ shoes, because Aherns was a very, very high fashion department store. I worked with a range of people in that store, and because we had high fashion, many diverse people, including gay men and lesbian women, worked there. So I was exposed at a very early age to their great company.

I also worked a second job in hospitality. I worked at Bouzoukia, which was an old Greek restaurant in Northbridge. Again, I am showing my age; it is no longer there. It was a second job for me and so I worked on Friday and Saturday nights. When we finished work, we would often head off through Northbridge to some nightclubs, and I am very happy to say that disco was very prominent.

Hon Darren West: Where you a good dancer, member?

Hon MARTIN PRITCHARD: I was a lousy dancer, but anyway!

Hon Tjorn Sibma: You were a belly dancer?

Hon MARTIN PRITCHARD: A lousy dancer! I had to correct that interjection!

I used to visit three nightclubs. One was Pinocchio’s, and it was not filled with liars! That is a very bad grandad joke, but anyway. Another one was Beethoven’s, and that did not play classical music! The other one I used to visit was Connections.

Hon Ayor Makur Chuot: It is still there.

Hon MARTIN PRITCHARD: Yes, I think it still is.

I was a straight man visiting a nightclub that used to have very good music and was very friendly, and you were welcome. The community there was very welcoming. If you were a straight guy and just wanted to go in there and dance, have a few drinks and finish off the night, people were very welcoming. If you got a pass, you turned it down and you felt good because you got a pass, but people were also very respectful, and they knew that other people in the community would go to that nightclub.

Safe to say, I was very familiar with the gay community from that age. Other people of my vintage probably were not as exposed. As I mentioned before, in the 1970s there was a push by the community to become visible, accepted and loved. There was pushback during that time. At that time, the pushback was probably physical. It was well before the internet, so if an obviously gay man walked down the street in those years, he would have felt nervous because there may have been a physical reaction to his pride in being gay, and that really is a shame. I have always fought for social justice, and those sorts of events used to hurt dramatically.

Also, people of my vintage are a product of their pasts, so I often fall into bad habits. One of the bad habits I have is to use traditional language that I feel comfortable with but that others may not. People need to try to improve, and I do. The other day I was picked up because I was talking about manning my office. To me that had no connotation at all, but to other people it does. It is just as easy to say “staffing the office”. People of my generation particularly fall into old habits. I often get picked up because I stand back and allow other people to enter a room or go through a door before I do, but I do that for men and women. There is no point of distinction in my eyes; it is just the way I was brought up and something respectful to do. But people need to be aware that we are in a period in which we are trying to become better at many things, and that is one way we can try to do that.

I was exposed to the gay community at a young age and I felt very comfortable with gay people. They were very good friends of mine, mainly from Aherns. I very much enjoyed their company. My eldest daughter, Jessica, is in a same-sex relationship. I have one regret. I cannot remember when my other daughter, Danielle, introduced me to her beau to whom she is now married and has a child with. I cannot remember that because, way back then when we were first introduced, I had no idea that it was going to be a significant partnership. It has grown into a beautiful partnership and I have a beautiful grandchild from that partnership. I never knew at that time how significant it was going to be, so I have some regret about that.

I more so have regret that I cannot remember my daughter, Jessica, bringing home her partner, Lucy, who is gorgeous; I call her another one of my daughters. I cannot remember when she introduced me to Lucy, and that is a bit of a regret. It was not a thing for me or my wife that she brought home a woman. It was not an issue. I often look back on that time with regret because I do not remember it. I wonder how significant it was for Jessica to come into our

home for the first time and openly declare that she has another woman as a partner. I look on that with some regret because I feel it was probably much more significant for her. I suppose if I asked her, she might say she remembers it, but I do not remember it.

The evolution of PrideFest can be tracked back to the early days of March 1989. There was a march to the steps of Parliament House and a demand for homosexuality to be decriminalised. I am pleased to say that that demand was agreed to by this good place in 1990 when homosexuality was decriminalised. Pride developed to become PrideFest, and as that has developed and grown, there seems to be more acceptance within the community as a whole. Although there have been mistakes—that is something I freely accept and ask forgiveness for—generally the population is moving forward and we are getting to a better space. We are not there yet. As I said, happy Pride; I wish we could get there that easily but we cannot. But we are getting there, and that is important.

Going back to my daughter, I will give a shout-out to St Stephen's School in Duncraig. As well as providing a home, it provided a very nurturing environment. As a Uniting Church school, people might think it would have had some concerns but it never did. It provided a very good home away from home for her.

We are now 34 years later, and PrideFest has developed. This year, the theme for PrideFest is “Be Brave, Be Strong, Be You!”, which I think is a lovely theme.

In the short time I have remaining, I want to give a bit of a shout-out. I mentioned earlier that, in my youth, there were physical threats to people, which was devastating. In the modern era, it is something I have not had to tackle because I am very comfortable with it. I do not think my daughters have had to cope with it because they have a very nurturing environment. However, young people today have an environment in which they can be attacked in a more personal way, in a way that their families may not even know about—that is, of course, social media. I want to particularly say to those who use the anonymity of the internet to try to promote their hate: although people do not know you, you know you. If they spread that sort of hate online, they are hurting themselves. In the future, as they grow up, they will see the hate they distributed and know how they hurt people. I ask them to try to use restraint. Just because they are not known, just because they can do it without getting caught, does not mean there are no consequences. There will be consequences. The people they hurt are a consequence, and that is devastating. As I said, kids can sit in their rooms and have that directed at them, and the pain that causes people. To the people giving that pain—do not. They will look back on it, as they get older, as I have looked back on my mistakes—luckily they were only in my head because we did not have social media when I was younger. I look back on those mistakes and think they internally hurt me. In the future, they will look back on their social media posts and they will be very ashamed. It is much better to try to spread love, tolerance and acceptance. That is my appeal, particularly to young people. Old people, I think, probably learn the lessons—slip up, but learn the lessons. Young people, particularly those using social media, I think they may learn those lessons a bit too late. I appeal to them to try to think about what they are doing.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [11.47 am]: The opposition obviously supports the motion before the house. I have to say that this might be one of my toughest contributions because, thanks to an unruly interjection, I now have this completely false image in my head of Hon Martin Pritchard belly dancing, which I need to get rid of before I make a further contribution. It may end up in an end-of-year speech, Hon Martin Pritchard!

Hon Martin Pritchard generally moves a very sensible motion and I am glad to see he has done so again today. It is probably appropriate that a couple of the dinosaurs in the house kick-off the debate because it was very different when we were young. I hope members will excuse me if I do not try to say the whole LGBT et cetera but potentially say when I was young—because we did not have the extension—it was dangerous for gay people. It was an unruly world. Potential violence was not just potential. In many cases, it was real. I guess it goes beyond that. I was not exposed early on, like Hon Martin Pritchard, to a lot of gay people. It was only when I went to university. One of my best friends was a gay person, but I will come to that in a minute. Growing up, it was absolutely the case that people who were obviously gay were under threat. I grew up in regional Queensland, which is probably a bit more redneck than most of the rest of the country. I can say that because I grew up there. It was not necessarily a safe place. I never walked past violence towards a gay person but, if the general conversation in the schoolyard used “gay” as an insult, obviously there was an issue. Back in those days, for us dinosaurs in the room, that is the sort of thing that went on. This negative imaging was really strong and it was absolutely present. I went to university with a good friend Greg Noonan. We did the veterinary course together and I stayed in the same college as him at the University of Queensland. We all thought he was obviously gay but he would not tell us until, I think it was our 10-year reunion. I graduated in the 1980s; that is a long time ago now. In the 80s, it probably still was not safe, but by the 90s and into the 2000s, I think society had changed enough that he felt comfortable and safe. There were women in that class who were gay and also did not feel safe at that time who eventually told everybody further down the track.

Hon Martin Pritchard is absolutely right about people who were involved in the abuse of people. He said he would be ashamed, particularly on social media. I agree. The internet is one per cent good and 99 per cent evil, because anonymity takes away people's self-control and their moral compass. I think the member is absolutely right. In our

day it was much less subtle, but it was in people's faces. I never walked past a gay person being physically abused, but it occurred. It was out there. It was an unsafe environment. Many times as a child I probably walked past verbal abuse, not necessarily directed at a gay person, but stigmatising that group of people. The member is right, we should not have done it and I feel ashamed that we walked past it back in those days. It is good to see that that has significantly changed. I will not for one instant suggest that it is not out there still. There is a proportion of the community that we will never bring to the position that we both would like to see us all come to. Love will never be uniform and universal, but it is much better than it used to be. I am really pleased that that is the case.

I say it again: it is important for we dinosaurs, Hon Martin Pritchard, to be a part of that process of acceptance, because our generation was probably significant in the rejection of so many people for so many years. The generation before us was probably worse, because we learnt from them. There have been thousands of years of bias and intolerance. I am an optimist. I like to think that we have come a long way. I am not suggesting for an instant that we have come all the way, but we have come a long way in my lifetime from the 80s, as a young person in their 20s, to now, as a relatively young person but much older than that. There has been significant change in the community. It is not enough for that demonstration to be the gay community or the LGBT—sorry, I can never get right to the end of that.

Hon Stephen Dawson: LGBTQIA+.

Hon Dr STEVE THOMAS: That; sorry. It is not enough for that community to celebrate on its own, without us showing encouragement and an absolute acceptance. I think that is very much there. I think it is the case.

There was a pivotal point in my life growing up when I think I changed. Like I said, I never engaged in the abuse of someone because they were gay and I knew some gay people, but probably not enough. I have enormous respect for those friends I had, but I did not have the same level of interaction as Hon Martin Pritchard did. I probably switched somewhere in the 90s to looking at people and I would say, for example, "That is a gay man", to "That is a man who happens to be gay". It is that shift that transforms us. It is a shift to "That's just another person; they're exactly like me." It is too easy to put the label first. The one thing that we can approach for everybody in the community—very few people are experts at this—is make sure that we put the person first and the description second so that a lot of people, people in the chamber, male or female, think, "They're people first. They're men and women first; they just happen to have a sexuality that comes afterwards." We can label everybody that way. For me, that was a big step. For me, that was the step that said, "I'm actually humanising the argument." I did not realise I had done that until many years later. I did not realise that I had taken that shift from label then person to person then label. One day I figured it out, and I thought, "That's what I've done. I've humanised everybody as a part of that process." That unconscious bias probably exists, because that is what we learn as young people. We copy the people around us. We copy our parents and everybody else. It takes a bit to unlearn that and it takes a bit more to work out what we have done in unlearning it.

I take great comfort from my daughters who are 18 to 29 years old. The conversation that they have around people of all sexual persuasions is so different from the one that was in my childhood. Admittedly, we are dinosaurs and a lot of years have gone by in that time. The conversations that we had as young people at a footy club would have my daughters so outraged and so angry. I do not get away with a single slip these days if my girls are around. If I fall back into old habits, I find myself corrected very quickly. My girls are all highly intelligent, very forthright and somewhat argumentative, a trait I attribute to their mother, but there is no backwards step —

Hon Sue Ellery: Does she read *Hansard*, because I can send it to her?

Hon Dr STEVE THOMAS: You get away with a lot when your spouse is not all that much interested in politics. However, it is a different generation, and that is really positive. They would be outraged at the sorts of things that went on when I was young and probably when Hon Martin Pritchard was young. They will tell you so and would probably tell anybody so, perhaps at risk of their own physical health because they are not backwards in coming forwards. That has changed and that is great, because the community accepts change; individuals do not. Perhaps it is not universal in all parts of the modern community, perhaps it is not everywhere and there will always be bias against the LGBTQIA+ community as there are against immigrants and people who lived here all their lives, people of colour, and people not of colour. There are biases out there against all of us. I am sure there is a group that hate grumpy middle-aged white men.

Hon Martin Pritchard: Dare I say politicians?

Hon Dr STEVE THOMAS: Yes; it might be in the house. It is better than it used to be and I am glad of that.

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [11.57 am]: I am delighted to stand and speak on this excellent motion put by Hon Martin Pritchard. I am obviously in the dinosaur bracket, because I recognise the names of all the places he mentioned and, of course, Aherns. I had not thought about the fact that we might have to explain what Aherns was and perhaps even Boans. I am also the parent of daughters who are also quite forthright and opinionated. I have no idea where they would get that from!

Hon Dr Steve Thomas: No question where that came from.

Hon JACKIE JARVIS: No. The member has met my husband; he barely says anything, so I might have to take the blame.

As members know, we are currently in the middle of PrideFest. It is a bold and courageous celebration. Even though we have talked about how far we have moved on, there are still people within our community who would find it very difficult to come out. There are still people in our community who would find it difficult to come out due to family circumstances, the community they live in, or their ethnic background. Having PrideFest is still a celebration of boldness and bravery. As we know, it is a fantastic celebration. I have to check the letters as well—LGBTQIA+.

Hon Dr Steve Thomas: I have written them down.

Hon Martin Pritchard: *Hansard* fixes all.

Hon JACKIE JARVIS: *Hansard* fixes all. I have to write them down and when I try to say them without reading them, I often mix them up. That is with most things I read.

The Cook Labor government is committed to fostering inclusivity. I want to go through a few programs and talk about a few things that happened in my neck of the woods in the south west. This year the Cook government delivered \$180 000 across metropolitan and regional areas for PrideFest 2023 for people to come together in celebration of diversity. We have launched a number of programs. In addition to that money, I will speak specifically about 11 community-led groups that received proud and connected community grants in partnership with the Mental Health Commission. One of those was the Busselton Pride Alliance. This is an organisation that I have seen grow over a number of years. I just checked its website to see what it delivered this year because, unfortunately, I do not spend a lot of time back in my electorate these days. It was Pride Wellbeing Week from 28 October to 5 November. The drag queen story time session was held on 3 November. Other events were the theatre and drag make-up workshop; the “You Can’t Ask That: Gender Identity Panel” for discussion so that people from the broader community could ask questions; yoga in the park; and the opening closets training, which was a half-day workshop delivered by Living Proud and funded by Healthway. The reason I want to highlight what is happening in Busselton is that Busselton is an older community. A lot of people retire to Busselton, particularly from areas across the wheatbelt. In lots of ways it is a conservative community so the fact that it embraced Pride Wellbeing Week is amazing. An introduction to diversity and inclusion was hosted by the City of Busselton. An LGBTQIA+ history talk was held at the Old Courthouse, Busselton. An author spoke at the Busselton library and a car park roller disco was held. Looking at the photos, it was not only young people at the disco! There was also an introduction to burlesque dancing. Lots of really fun, active activities were held. There was an inclusive parenting workshop with an accredited mental health social worker. Every weekend in Busselton the foreshore markets are held at Signal Park and there was a specific Pride market stall for both locals and tourists.

The event I want to talk about was the hockey Pride round. This is probably one of the first events the Busselton Pride Alliance started many years ago. I am not sure for how many years the hockey Pride round has run, but I remember it from many years ago. My three daughters played hockey in the Busselton Hockey Association competition for many years. The Pride round was an annual event that was organised by a young man who formerly played in Busselton as a junior and then relocated to Perth and was part of Perth Pythons. For those who are not familiar with Perth Pythons, it is an LGBTQIA+ inclusive social hockey club and its motto is “Play with Pride”. Perth Pythons play in a social summer hockey event and have done for many years. Most of the players play hockey for various clubs across Perth as part of the usual winter season but they come together in summer. When one of my daughters first moved to Perth she joined Perth Pythons Hockey Club and found it a very welcoming environment. Every year Perth Pythons go to Busselton to play a social round of hockey. It is a round robin, all-day format at the Busselton hockey stadium. The teams they play are made up of a cohort of regular hockey players across the Busselton association. It is a nice way for young adults and some of the more mature hockey players at the club to play on a team with people they would normally play against. From memory, the Busselton Hockey Association has about eight different clubs that play in its competition. It creates mixed teams for the Pride round. It is great for a predominantly straight, for want of a better word, hockey club to introduce that great round robin event with Perth Pythons. It is a wonderful family event. Reflecting on Hon Martin Pritchard’s comments, it is normalised and it is not seen as a big deal. There is a sausage sizzle and parents come along with their kids. It is a celebration of both hockey and also Pride.

I notice on the list of events that there is also now a soccer Pride round when Perth Pride, another team that travels down from Perth, plays the Busselton Pride Allies, a combined team of people from across the Busselton soccer clubs. Sport is a fantastic way to level the playing field, to use a sporting analogy. I am looking at Hon Samantha Rowe who is Parliamentary Secretary to the Minister for Sport and Recreation and who I know loves all things sport.

Hon Samantha Rowe: Very impressive; I’ll be locking that one away.

Hon JACKIE JARVIS: She will lock that one away. She loves a sporting analogy.

I want to talk about a program that is incredibly important, given that we have been talking about dinosaurs in this place. Recently the state government awarded an \$80 000 grant for a new program that aims to reduce loneliness

and social isolation for older LGBTQIA+ Western Australians by fostering intergenerational connections. We talked about how normalised things are now, but I am sure that there are older members of the Pride community who are estranged from their families because of the time and place they came out to their families back in the day, in the 1980s when I was still at high school. This intergenerational program aims to connect older people at risk of loneliness and social isolation with young LGBTQIA+ volunteers to engage in conversation and connections. By fostering these intergenerational connections, it is hoped that participants will explore shared experiences and foster a new understanding of history. I am getting a bit teary because older people who are lonely is something that is very close to my heart, having recently lost my dad. Those older people would remember Aherns, Boans and Beethoven's nightclub. As I said, I am sure there are people among the Pride community who are estranged from their families because of their life choices. I met a lady recently at an event who grew up in Augusta and has just moved back to Augusta as a woman in her seventies. She told me that the reason she left Augusta 40 years ago was that she could not live with the woman she loved and she has now moved back there as a retiree with her life partner, whom I also met. Augusta is probably a very socially conservative area with lots of older people but it is fantastic that she now has the opportunity to move back to her home town and be close to her siblings and finally feel welcome.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [12.06 pm]: I rise to make some brief comments about Pride Week, and I am very grateful to my colleagues who are on the list to speak today. It is an important week on the calendar for the LGBTQIA+ community; in fact, lots of activity has happened already. Last week I had the pleasure of speaking at the Crown Perth Pride Luncheon 2023. I am very grateful to Kelly Townson and Scott Alderson from Crown Perth for giving me the opportunity to attend. It was an amazing event. About 800 people from the corporate sector, business and community groups were all in the room celebrating Pride and it indicated to me that society has moved a long way in that time. I thank Crown Perth, Channel Seven, which supported the event, and Matt Tinney who hosted it.

Last weekend Pride Fairday was held and I acknowledge the CEO of Pride WA, Dr Lauren Butterly, and also Michael Felix, the president of Pride WA, and thank them for the work they did. There were thousands of people in Hyde Park on Sunday, and hundreds of stalls from different community groups, businesses and government agencies—all there to show their support for the LGBTQIA+ community in Perth, so I acknowledge Pride WA.

A number of other groups that deserve recognition this week include GRAI—GLBTI Rights in Ageing Inc; Living Proud, which is an amazing group supporting the LGBTQIA+ community; and also TransFolk of WA, which does an amazing job as well shining a light on the issues that affect transgender people—a group that is still marginalised more than most. I acknowledge also Rainbow Futures WA, which continues to play a key role in helping the LGBTQIA+ community.

As one of those members in this place who identifies as being gay, I certainly know that I have come on a journey, as has the community. It is important to remember that while we do get to celebrate this week, some people in the community still do not have the same rights as the rest of us. Although it is a celebration, it is also a time for us to remember that there is more work to be done. Tonight Parliament will hold a Pride in Parliament event. I acknowledge the President, Hon Alanna Clohesy, MLC, and the Speaker of the other place, Hon Michelle Roberts, MLA, for their leadership in welcoming the Pride community into Parliament. This is a group that fought—and, indeed, protested—on the steps of Parliament for many years to get law reform and to now have them in the building as part of a celebration in the building shows that we have come a long way. I also acknowledge the President and Speaker, who will be hosting a Pride staff event in Parliament tomorrow, the staff of Parliament who identify as LGBTQIA+ community, and the diversity committee for its work. With that, I again say thank you. I acknowledge the community and the many people in the community who are doing great work, and I say: happy Pride!

HON PETER FOSTER (Mining and Pastoral) [12.09 pm]: I rise to support this great motion that has been put to the house today by Hon Martin Pritchard, and I thank him for moving this motion. It is nice that the LGBTQIA+ community has allies and friends, and the fact that he has moved this motion means a lot to me personally, so I want to thank him very much. I would like to highlight two points in his contribution. He talked about his two daughters, Jess and Dani, and about meeting his daughter's girlfriend for the first time. That took me back to when I took my partner home and my parents met my partner for the first time. At that point, you do not really realise the significance of the event, but, looking back, it was a really important. My parents have been very supportive of me from the moment they knew I was gay, so it was not an issue for them, but I know there are a lot of people in our community for whom taking their partner home for the first time is quite a tough situation. I just want to acknowledge that because it is quite a tough thing.

The honourable member also mentioned in his contribution online bullying and how difficult that is for our young people. My nine-year-old son wants to go online, and I do not want to stop him from going online, but I do see all the comments. I know members in this chamber all have Facebook pages. I get comments on my Facebook page on probably a daily basis telling me to go and hide or to go and shoot myself or whatever. There are some really nasty comments out there.

I was particularly bullied in high school, face to face. I want to acknowledge the contribution of Hon Dr Steve Thomas. It was tough, back in the 80s and 90s, being a member of the LGBTQIA+ community; we have absolutely

progressed a long way, but there is still a lot of work to be done. We have talked about listening to the voices of young people, and bullying is still taking place. We should all encourage our friends and our children to not bully others, but there is probably a lot more work that needs to be done to stop all that.

I acknowledge Hon Jackie Jarvis's contribution and in particular the state government's efforts in providing support for the LGBTQIA+ community. Hon Jackie Jarvis also mentioned Busselton Pride. I will return to regional Prides at the end, if there is time. The Pride event in Perth is a very big event—there are hundreds of events involved, and I have the program on my desk if anyone would like to have a look at it—but there is also a number of Pride events taking place right across regional Western Australia.

I acknowledge and thank Hon Stephen Dawson for his contribution. He has had a lot to do with Pride WA and I understand that he is a life member of Pride WA, so he probably knows way more about that organisation than anyone else in this chamber. I also acknowledge Lauren Butterly, Michael Felix and all of the committee and the volunteers who have done a great job so far in putting this event together. There is more to come, including the big Pride Parade, which is happening in a few weeks' time. Certainly I will be marching in that and I know that many of my colleagues in this place will also be marching—not only to be proud but also to show their support, either as an ally or as a member of the LGBTQIA+ community.

Why is Pride so important? We need to reflect on the fact that, for many years, we could not be ourselves in public. For me, Pride is about us reclaiming the space that we were not allowed to have. We were not allowed to hold hands on the street; we were not allowed to kiss our partner; we were not allowed to wear what we wanted to and be on the street. Pride has a very personal significance, because we are reclaiming the spaces we were banned from for many years.

Hon Martin Pritchard's motion refers to young people. Why is Pride particularly important to young people? A survey was carried out in 2019 by La Trobe University and the results were published in a report titled *Writing themselves in 4: National report*. The survey asked 6 418 LGBTQIA+ individuals—quite a large sample—aged between 14 and 21. They were asked a range of questions about their experiences. Their responses revealed that after coming out, 88 per cent felt supported by their friends and 65 per cent felt supported by their teachers. That is a great outcome, but we can still push that higher. Sixty per cent reported feeling unsafe or uncomfortable at school due to their sexuality or gender identity. I think we can do much better in that area. Forty per cent had experienced verbal harassment, 22 per cent said that they had experienced sexual harassment and almost 10 per cent had experienced physical harassment. We talked about physical harassment today; there are still kids at school who are experiencing physical harassment just because they want to be themselves. Just over 80 per cent reported high or very high levels of psychological distress; that is quite a large figure. We can do better.

We have the Youth Pride Network here in WA. I know my colleague Hon Pierre Yang has met with the Youth Pride Network. It has also conducted a survey, to which one-third of respondents reported that they felt they could be out at school—only one-third, which means that two-thirds of respondents are still living in the closet at school. They felt that LGBTQIA+ issues were rarely discussed in the classroom, and that when they were, they were never discussed positively. I know that there is the rough-and-tumble of the school playground, but we need to do better in terms of how we talk to each other and how we treat each other. LGBTQIA+ students and teachers reported facing discrimination from administrative staff, including refusal to address bullying in school. I have spoken with the Minister for Education, Hon Dr Tony Buti, about bullying, and especially bullying of LGBTQIA+ kids. We need to do better in that space, because everyone needs to be safe and everyone needs to live their life authentically. If they are in an environment where they have to stay in the closet and not be themselves, it is not a great outcome.

I want to talk about the Regional Pride network, which is relatively new. It was established back in 2022 by a lady by the name of Natasja Verschut Cortez. She was formerly a committee member of Pride in Peel. Pride in Peel was planning an event and she wondered whether other Pride groups around WA had had any issues with staging their events. She reached out to a number of the other Pride groups across WA and said, "How about we have an online meeting to talk about our issues?"

This group has grown, and I have an extensive list of members. The chair of the group is Em Davis, who is also president of Kalgoorlie Pride, and the group meets regularly to talk about when they are going to hold Pride events and to exchange ideas, but it also provides support to the different groups. In Perth we have quite a strong LGBTQIA+ community, but out in the regions we are very scattered, so it is great that there is this regional Pride network that brings all the groups together so they can plan their events, share ideas and support each other.

There is a number of regional Pride groups, so please bear with me with this list. They are: Out South West; Out North West; Out Midwest; Albany Pride—I attended an Albany Pride event back in 2022—the First Peoples Rainbow Mob; and Queernarvon, which is quite a new group. It was established in 2022 and held its first event this year. I had the privilege of sponsoring and attending that event. It ran over three days and there were markets and a parade. The parade was amazing; there were about 200 of us marching down the main street of Carnarvon. We were a little apprehensive about the reception we would get from the Carnarvon community, but it was actually really amazing. There were people waving, cheering and yelling out "Happy Pride" from their car windows, so I want

to acknowledge the team at Queernarvon. They put together a really fantastic event. There is also Kununurra Pride, whose event I was invited to but unfortunately could not attend this year; PFLAG+ Bunbury; Regional Rainbows Esperance; Pride in Peel; PFLAG Mandurah; Broome Pride, whose event is coming up in March next year; Margaret River Pride; and Busselton Pride. There is also a Pride in Port Hedland, and I am actually wearing the badge today. That event was held earlier this year, in June, and ran for just over a week. It was supported by the shire and by BHP and was really well attended. I challenge members to travel out to the regions to support our regional Pride networks and events. They attract people to the town who stay in the accommodation and spend at the shops. They are a great tourism drawcard.

In conclusion, because time is getting away, I thank Hon Martin Pritchard for moving this Pride motion today, and I acknowledge and thank all members in this chamber who have spoken or are going to speak in support of this motion.

HON SANDRA CARR (Agricultural) [12.19 pm]: I rise to express my enthusiastic support for Hon Martin Pritchard's motion today in recognition of PrideFest 2023. I really thank him for moving the motion, and also for his words offering support, compassion and kindness to people across the whole community, recognising the need for the LGBTQIA+ community and particularly our youth to feel more valued and accepted at this particular time.

I note that Hon Martin Pritchard mentioned the slogan this year is, "Be brave, Be strong, Be you!" I feel quite torn about that language; the fact that people have to be brave to be themselves or strong to be who they are. It is a nice encouragement for people, but I feel a bit torn. There is a kind of sadness for me that people have to be brave and strong to confidently let the world know who they are. But I recognise that PrideFest is a celebration, and those of us participating in any way, shape or form are saying to people, "We see you, we value you, and we are here to create safe spaces for you to be who you are."

In this, as in all things in life, we seem to have a default position of personal experience. If someone is different from us—if they look, act, speak or eat differently—there is an inherent response in many people to feel some sort of fear or to reject that difference. I think that one of the greatest skills we can develop is empathy and compassion for others, and being able to put ourselves in others' shoes or imagine the lived experience of others. We can never fully appreciate it; everyone is different and our life experiences are different and complex. But when there is an absence of empathy, we see problems like violence and people feeling ashamed to express who they are.

I note that Hon Dr Steve Thomas mentioned that, in the past, language and words were used in a way to harm. I can tell members—I am sure it is not just me who is aware of this—that that language and the way people use those words still exists. As a teacher until quite recently, I know that that language is used a lot, and it does not always get called out. I might add that it is not always students using that language. It is built into the culture and the way we speak. I encourage young women like Hon Dr Steve Thomas's daughters to keep calling out that stuff. I am always reminding myself that the standard we walk past is the standard we accept. Every time we hear someone using language like that, it is our job, our role, to remind people that it is quite harmful and offensive and they are perpetuating stereotypes. It might seem fairly innocuous to people, who, looking around a room, think, "Well, I know that person's not going to walk out and punch someone they see as different and some sort of primitive threat", but there is someone who will, and every time we allow that language, we perpetuate that kind of behaviour. I think it is really important to recognise that when people hear that language or the way people talk about groups or speak to groups, they take that opportunity to—not call it out; it is not about confronting them—maybe ask questions: Why would you use that word like that? What do you mean by that? That kind of thing will encourage people to really think about the way they are using language. I am an English teacher, so I think words matter a lot, and I make no apologies for that.

I share an experience that I had—it is not really about me, but I was participating in it—quite soon after I was elected. There was a gathering of a group of people to recognise and take a stance against a group that was visiting the region that held some views that were not very supportive of the LGBTQIA+ community. It was a gathering one evening. It was a peaceful chat. People were having food; people brought their dogs; it was really lovely support for the LGBTQIA+ community.

I spoke to a friend I went to school with who throughout our time at school we had quite obviously recognised as a gay man. I have no recollection of saying anything hurtful to him, but I probably did. I probably did say and do things that, at the time, were not supportive of who he was, or that did not make it safe for him to be open and proud about who he was. I say that I probably did because that was the behaviour around me and no-one was calling it out. This friend arrived a little bit later to this event. I was speaking to him when he got there, and he said to me that he had been so anxious driving there that he nearly did not go, because he was so worried about how many people would be there to show their support—to be allies and to show that they care about and value this group. He said that he cried when he got there, because there were so many of us there, and he was so surprised and thrilled that in his hometown—the small, regional town in which he had grown up—so many people had come out in support of the group. It was a really nice moment and a sledgehammer moment for me of the sheer volume of some of his life experiences up until that moment and how he must have felt. It was a tiny insight into that.

I want to talk about a few positive things. I want to talk about the Pride week “glambassador”, Famous Sharron, a lovely ally for the LGBTQIA+ community. She is the “glambassador” this year. I love Famous Sharron; she is amazing. I acknowledge the schools that are doing some work to include and support young people who are LGBTQIA+, particularly transgender children. I know it can be challenging for schools because these are very new developments and significant changes in the way they operate. I really want to acknowledge those schools, the staff, and the parents, as well, who are doing that really good work to support those children and to make their school a safe and inclusive space for everybody.

I recognise the work of two Western Australian authors. One is Craig Silvey who wrote the beautiful book *Honeybee* about a young transgender teenager. The novel opens with that teenager standing on a bridge contemplating suicide. We know that there are alarming rates of suicide and self-harm among our LGBTQIA+ community. The teenager encounters an old Aussie bloke named Vic who is at the same time contemplating his own suicide for very different reasons, and an unlikely friendship forms. This novel is a bit like the slogan. It encounters some criticism because it deals with the idea of someone being transgender with a somewhat light touch at moments. But I was talking to my mum, who had also read this book, and I realised that the real value of a novel like this is that it gently delivers that message to people who may not have been as receptive to it earlier. I think he has done a beautiful piece of work. One line in the book is quite similar to the theme of PrideFest: “Find out who you are and live that life.” I thought that is a really nice line from the book. It is really simple, but it is a nice truism about how we should be speaking to and encouraging young people and creating spaces for them to be able to do that.

The other author I want to talk about is a young bloke, Holden Sheppard, who hails from Geraldton, who wrote the novels *Invisible Boys* and *The Brink* about his own and fictionalised experiences of growing up in a regional town as a young gay man questioning his sexuality. He makes those experiences very earnest and authentic, with all the difficulties and challenges faced. They are really great reads to help people develop empathy, compassion and understanding for other people whose experience of the world is not exactly like their own. People can help to inform their understanding and build more compassion through reading amazing novels by our fantastic Western Australian writers.

I mention very briefly that other parts of the world that I have had the pleasure of visiting have lots of pride recognition all over the place, with flags in windows, pride benches, pride crosswalks and other things to indicate to people that they are welcome, valued and included. That is something that Western Australia could probably look at doing better.

Lastly, before I finish, I would like to recognise my cousin Chantal and her partner, Kelly, who today happen to be celebrating 15 years together and five years of marriage. I wish them both the happiest of anniversaries and happy PrideFest!

HON DARREN WEST (Agricultural — Parliamentary Secretary) [12.29 pm]: A lot of what I have written down has already been said. I begin by acknowledging Hon Martin Pritchard for this motion. I think that the motion he moved today might have shaken the foundations of this place a little bit because who would have thought that the Legislative Council would debate a motion with unanimous agreement across the house? I do not know that that would have happened in another time. Well done, member. That in itself is an indication of where we have come to as a society and a great indication of where we are.

I acknowledge all members of the LGBTQIA+ community, particularly regional members and the Rural Pride Network. That has been eloquently put before.

The first email I got as an elected member was from a farmer in Gnowangerup who wanted to know how I would vote on gay marriage, as it was called in those times. I thought that it was from either a religious person, a redneck or some other person, but I had to answer it as I felt, so I said, “If I were ever in the position to vote, I would vote for gay marriage.” That farmer from Gnowangerup turned out to be a gentleman called Darren Moir, who is now a very good friend of mine. He is very actively involved in the WA branch of the Labor Party and is a man now married to Nigel. They have a son and are farming together in Gnowangerup. It is a beautiful story. My honesty served me well there, as I was not quite sure whom I was dealing with on the other end.

I grew up in a very conservative regional community, and I have seen the change in that community. I remember the early days of the 78ers in Sydney and how the culture needed to change. It was difficult for people to move the dial at that time, but it has changed for the better. We now have marriage equality, and we now have acceptance, acknowledgement and respect for the contribution that the LGBTQIA+ community brings to everyday life in business, sport, agriculture and, of course, here in politics. I look forward to the march coming up in a couple of weeks, and I will be proudly marching with other members of WA Labor, but there is more to do. This government will get on with the job, as we are a progressive government that wants to bring everyone along for the ride. I offer big support. To members of the LGBTQIA+ community, I say: you are important; you matter; you are loved; and, most importantly, you are you.

Motion lapsed, pursuant to standing orders.

ELECTORAL AMENDMENT (FINANCE AND OTHER MATTERS) BILL 2023*Third Reading*

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [12.33 pm]: I move —

That the bill be now read a third time.

HON MARTIN ALDRIDGE (Agricultural) [12.34 pm]: I rise to make a third reading contribution to the Electoral Amendment (Finance and Other Matters) Bill 2023. In particular, I reflect on the emergence of the bill from the Committee of the Whole stage and observe that from our examination it appears that the majority of the reforms, at least the ones of any significance, were products of the Labor government, not the Western Australian Electoral Commission. Certainly, some matters we dealt with were on the recommendation of the Electoral Commission, but, in my view, they were relatively minor and technical in nature. We discovered through the Committee of the Whole stage that there was a significant lack of consultation with stakeholders. We were able to establish that the principal stakeholder was the Australian Labor Party. Other electoral commissions were engaged with, and I am sure that that was confined to matters of technical application rather than policy.

It is interesting to note that the bill emerged from the Committee of the Whole amended, as it did from consideration in detail in the Legislative Assembly; it was amended there, too. Some 10 amendments were successful in the Legislative Council's committee consideration, all in the name of the government. One amendment, or it might have been two, dealt with drafting errors. That worries me. Given the way in which this bill has progressed to the point of third reading in the Legislative Council, I am not filled with confidence that the bill being passed today is in a form necessarily without further error.

The second amendment was about bringing forward the close of nominations from a Friday to a Thursday. Some might see that as a minor amendment. As I understand from engagement in the committee stage, that amendment was predicated upon stakeholder feedback after the fact, which was effectively concerns raised about the Western Australian Electoral Commission's ability to discharge its responsibilities on how-to-vote card registrations. I think that the registrations will number if not in the hundreds then in the thousands. During the committee stage, we learned that the Electoral Commissioner himself has that responsibility and does not have the ability to delegate that decision-making power. He himself has the responsibility to issue in writing a determination for every application to register a how-to-vote card. This will be immensely problematic. The government is confident that it will be discharged effectively, and it appears that the Electoral Commission is confident because it did not request the extra day—but I have some doubts.

The last tranche of amendments—there were many—related to state campaign accounts. I think that this area requires some further consideration. I am still not exactly clear about the operation of state campaign accounts. I think that the information I was provided at the briefing differed from the information that was provided in the committee stage of the bill. Amendments have been made, and, obviously, the Legislative Assembly will now apply some scrutiny to these provisions, but what it is and how we will achieve the state campaign accounts policy are aspects of the bill that I am left not entirely settled on.

Of course, my preference was to see this bill examined by the Standing Committee on Legislation, but unfortunately, unless I move a motion now, that will not be provided for in the passage of this bill. That is unlike the infamous Sports and Entertainment Trust Bill 2023, a bill that has sat on our notice paper since May this year, and then suddenly the urgency of a referral motion appeared for it yesterday.

It cannot be denied that this bill has many flaws. Amendments made in the Assembly and Council effectively go to the insufficiencies of a bill, and I have made the point several times that this bill is longer than the actual act. As I said in my second reading contribution, the reforms to the Electoral Act are significant and important but they should be dealt with differently. I set out three tests that ought to be applied to bills of this nature: they should be considered, they should be consulted on and they should be by consensus. This bill fails all three tests and will not enjoy the support of the opposition.

HON TJORN SIBMA (North Metropolitan) [12.40 pm]: I will not go over the very neat precis provided in Hon Martin Aldridge's third reading contribution on the Electoral Amendment (Finance and Other Matters) Bill 2023, other than to identify one or two key concerns that I raised in my second reading contribution, which, with all due respect, I considered unanswered in the parliamentary secretary's second reading reply, and I remain greatly uncertain about them after the bill's examination during Committee of the Whole House.

There are number of features of this bill. It is a statement of fact that the substance of the majority of the provisions, particularly the most transformative provisions, originated in the cogitations of the Minister for Electoral Affairs and his colleagues in government. What has been achieved here today is effectively a rewriting of the Electoral Act and the rules of political finance to suit the Labor Party. That is not the way we should go about amending the rules of the game as they are established under the Electoral Act. It might be a cute political trick, but it is one the government undertakes at some great peril, and that is what I am getting to. At least two provisions in the bill are not without constitutional problems. They are the process by which how-to-vote cards must be registered prior to

their distribution, and the establishment of expenditure caps and the application of proportionality in expenditure, particularly the way it relates to and constrains freedom of expression of so-described third-party campaigners. Indeed, the 2020 version of the bill was successfully referred to the Standing Committee on Legislation, which was well placed to take a view on these matters. A majority of that committee considered the imposition of expenditure caps to be legally unsafe in light of judgements made by the High Court of Australia about the matters—that is, in similar scenarios.

I have relied upon some expert academic research, which I did not table, undertaken by a professor of constitutional law at the University of Queensland. It put some questions about, particularly, the dimension of proportionality, asking whether it is legally justifiable. Is it legally safe to impose a cap on a group of people who might be an inconvenience to political parties during a campaign but that has a constitutionally implied right to freedom of expression? Whether they be the Australian Nursing Federation, the RAC, the Pastoralists and Graziers Association or the United Workers Union, it matters not.

The problem with the way the government has gone about this bill, which it has demonstrated, is that it is acting on the basis of absolutely no evidence and a supposition that there is a risk to representative democracy in Western Australia posed by the mere fact that these groups exist and might want to spend what the government considers too much money on expressing their perspective. That is legally risky and challengeable. The government has opened the door to a potential legal challenge because it has engaged in this process in a duplicitous and secretive manner—it did not consult with anyone. During the process of examination it was established that the only consultation was a barely recalled mysterious interaction between the Minister for Electoral Affairs and somebody from the Australian Labor Party headquarters—an unnamed person on an unspecified date. That is, frankly, not good enough. There was an expression used today in the course of an earlier debate that the standard you walk past is the standard you accept. That is a very good maxim. This is the standard we have accepted in Western Australia: one party can write the rules to suit itself. It will get what it wants, but it might get more than it bargained for if, indeed, this law is challenged at a future election and its validity is struck down. That is the outcome we should all seek to avoid, but, unfortunately, we have unreasonably magnified that risk by passing the bill in its current form.

Another issue, which was very clearly identified early in contribution to the debate by Hon Martin Aldridge and picked up, in part, by me, is that the government is radically transforming the rules of the game on the eve of an election, expecting a very slim, streamlined organisation, the Western Australian Electoral Commission, to operate and implement them. It is not resourced to do so. The government could not explain the resourcing that would be required for the commission to diligently and professionally execute the additional responsibilities the government has given it. Nor could the government identify or express how the Electoral Commission would go about informing registered political parties, candidates and third-party campaigners about what their responsibilities would be; yet, headlong and without any explanation at all, the government is determined that these laws will come into effect from 1 July 2024. This is evidence of reckless, facile lawmaking. It is just another example—an example we have got used to over the course of the last two, nearly three, parliamentary years. We have no problem with transparency—bring it on—but this is an absolute mess. This will not work, it will fail, and I think an erratic Minister for Electoral Affairs has again exposed the government to another liability.

Division

Question put and a division taken, the Deputy Chair (Hon Stephen Pratt) casting his vote with the ayes, with the following result —

Ayes (20)

Hon Klara Andric	Hon Sue Ellery	Hon Dr Brad Pettitt	Hon Wilson Tucker
Hon Dan Caddy	Hon Lorna Harper	Hon Stephen Pratt	Hon Dr Brian Walker
Hon Sandra Carr	Hon Jackie Jarvis	Hon Martin Pritchard	Hon Darren West
Hon Stephen Dawson	Hon Ayor Makur Chuot	Hon Samantha Rowe	Hon Pierre Yang
Hon Kate Doust	Hon Shelley Payne	Hon Matthew Swinbourn	Hon Peter Foster (<i>Teller</i>)

Noes (7)

Hon Martin Aldridge	Hon Louise Kingston	Hon Tjorn Sibma	Hon Colin de Grussa (<i>Teller</i>)
Hon Peter Collier	Hon Steve Martin	Hon Dr Steve Thomas	

Pairs

Hon Rosie Sahanna	Hon Nick Goiran
Hon Dr Sally Talbot	Hon Donna Faragher
Hon Kyle McGinn	Hon Neil Thomson

Question put and passed.

Bill read a third time and returned to the Assembly with amendments.

RESERVES BILL 2023*Second Reading*

Resumed from 7 November.

HON NEIL THOMSON (Mining and Pastoral) [12.51 pm]: I rise on behalf of the opposition to support the Reserves Bill 2023. This bill will incorporate a number of matters and I imagine there will be a fairly brief discussion. There are some important housekeeping matters and some changes that will certainly require a little bit of assessment and a few phone calls. By way of feedback, I want to make one comment to the minister; I think it would have been helpful—notwithstanding the briefings that were—if some maps had been included in the explanatory memorandum and a little bit more background given on some of the changes that will obviously impact a range of stakeholders.

In summary, clause 6 refers to the excision of land, which is a key issue that is important and something that we support. Reserve 27575 will be excised from Neerabup National Park, to further facilitate land exchange. This has resulted from a long period of consultation and discussion with the Catalina Regional Council, formerly the Tamala Park Regional Council. That will expand the Tamala Park structure plan. Although the land is at the top of a reserve area, it probably can be developed in the sense that it is not completely isolated from the banksia woodlands to the south. It is in a location that enables some sensible rationalisation of boundaries. There certainly has been a fair bit of work undertaken. After a few phone calls with some of the stakeholders up there, I did not get the impression that there was a lot of anxiety or concern about it. We need to make sure there is an opportunity to amend things in that situation when it makes sense.

There will be other changes such as the rationalisation around the Mandurah rail and the Dampier to Bunbury natural gas pipeline. Again, those changes are supported. I understand that in Mt Barker the landfill site had some potential to encroach on the town site, and this may have already occurred. That excision was to make sure that the Shire of Plantagenet could get on with the important issue of landfill. Again, I do not believe that in any way compromised the important environmental values that were required.

There are some bigger changes. One is about the establishment of a national park in the Mining and Pastoral Region. I got some feedback from a few people. Some of the smaller prospectors were concerned about the ongoing trend of making it harder for them to operate within the crown land estate. That issue was raised. I note some of those concerns and the feeling that there could have been better consultation within that process.

Notwithstanding that, the opposition is supporting the amendments. I understand that the Helena and Aurora Ranges national park has some very important environmental values. There are banded iron formations in that location. It is a unique part of our world. Having some elements within the national park system is not something that we oppose in principle; however, we note that there are also other mining interests in that area. Again, those were not really well explained in the explanatory memorandum. It might be the case that they did not need to be, but I certainly think that a bit more transparency around that might have been useful. Notwithstanding that, on balance, we have decided not to oppose it. We are supporting the amendments going forward because of the opportunity for the further preservation of our crown land estate for future generations.

There is one other matter. Again, it will be a very small change to a residential lot. I had to chase this one down myself and look for it on Landgate's map viewer. The exchange is part of a transfer of land to the Bundi Yamatji Aboriginal Corporation. We think it is very good that that will happen and the change to the residential lot is very minor and will give the ability to move it for social and cultural benefit as part of the Yamatji Nation Indigenous Land Use Agreement. That is a sensible change. It relates to a residential lot in Beresford in Geraldton.

The final matter I want to comment on is the Lane Poole Reserve and the creation of a national park there. Lane Poole is an area that I certainly frequented when my children were growing up, and we spent many nights camping there. I think many people in this chamber would have had some association with Lane Poole Reserve over time—hiking, camping and canoeing on the river in that region. That is something that we all value. We understand the issues relating to the Alumina Refinery Agreement Act. After some discussion with representatives from Alcoa World Alumina Australia, there seemed to be no objection to the changes.

Again, that was something that we did for our due diligence. We assessed that the department and minister had actually engaged with them. In a general sense, I will say that there was probably a greater opportunity for further engagement in the process and in ensuring that there was a little bit more transparency.

Notwithstanding all of that, the opposition is choosing to support the amendments. It is important that we do the rationalisation and establish the environmental estate going forward and that we also make those important housekeeping changes to those A-class reserves. They play a very vital part in the management of our crown land and in creating ongoing economic opportunities, as in the case of those changes in the northern suburbs of Perth. I just want to say that we support the bill, notwithstanding the little concerns that I raised here today.

Going forward, I encourage the minister to maybe consider having a little more transparency in the process at the next stage if we have any more of these sorts of bills coming before the house. That would be much appreciated.

It would make my life a lot easier as a member of the opposition who takes these matters very seriously and does the necessary due diligence to form an informed position for the Liberal Party and the Nationals–Liberal Party room going forward. I do support it.

Sitting suspended from 1.00 pm to 2.00 pm

HON DR STEVE THOMAS (South West — Leader of the Opposition) [2.00 pm]: Obviously, the lead speaker for the opposition has said that the opposition will support the Reserves Bill 2023, and that is absolutely the case. It is not my intention to extend the debate, although I note that there might be some competition as to whether this will be the shortest debate on a bill, so I am probably open to bribes along the way if somebody wants to maintain their record. Having said that, there are a couple of quick questions I would like the minister to address in her reply to the second reading debate, which will not be far away. This is a very small bill that will change a small number of A-class reserves. I would like to get a bit more information on a couple of those, if I could, before we progress to the next bill.

The first concerns the responsibilities around the Dampier to Bunbury natural gas pipeline where it overlaps with a nature reserve in the Shire of Harvey. The minister might be able to provide a more precise explanation of where that is. I have a sneaking suspicion that it will be on the edge of the pine plantations, because that is where it used to run through. Some of the gas pipeline is under private land and some is under government land. The minister could perhaps outline what that change will look like, particularly if we will need to shift or add capacity to the pipeline in the future. If the minister can provide a bit more detail about that, we may not need to go to the committee stage of the bill. If I have a question, I am happy to ask it through a slightly unruly interjection to see whether we can get it sorted.

The second one I am interested in involves the Mt Barker waste management facility. Again, I think I know which one that is, but the minister might be able to give us a bit of detail. I am wondering whether this will involve the shifting of a landfill site. It also might be about the wastewater management company that is based in Albany and has a wastewater process up that way. Is the minister in a position to give us a little bit of detail about that project?

If we can get information on those two projects in the minister's reply to the second reading debate, I think we could progress without going to the committee stage of the bill. We will then have to examine the time frame to see who holds the record! With that, as we have said previously, the opposition supports the bill. It is pretty simple and straightforward, and we will get on with the job.

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [2.03 pm] — in reply: I thank Hon Neil Thomson, who is away from the chamber on urgent parliamentary business, and Hon Dr Steve Thomas for their contributions to the debate on the Reserves Bill 2023. As we have discussed today, the bill contains a number of amendments to six A-class reserves and a conservation park. The main purpose of the bill is to facilitate the creation of the Helena and Aurora Ranges national park in the goldfields region of WA. As we know, that area is rich in biodiversity. This is a major achievement of the government's Plan for Our Parks commitment, which in total will add five million hectares to our state's conservation estate. A key component of this bill is that it will elevate the Mt Manning reserve to a class A reserve, adding more than 140 000 hectares to the existing national park. This will boost the health of the ecosystem, secure biodiversity and protect the state's natural heritage. Through the reservation proposed in the bill, that national park status will protect the area's geographically important banded-iron formations, which support a unique and diverse natural environment and provide a connection to culture and heritage for Aboriginal people. It will also account for existing mining interests, such as the haul road. Any future mining proposal will be required to go through a parliamentary process that will be subject to disallowance.

As Hon Neil Thomson referred to, the bill will tidy up a number of housekeeping matters by making some slight changes to reserves. This includes the excision of 10 acres of land in Neerabup to enable future residential development and new housing in Perth's northern suburbs. This is part of the long-term land-use planning for the north-west corridor by the Western Australian Planning Commission. The area was zoned urban deferred under the metropolitan region scheme. The Environmental Protection Authority also noted the WAPC's efforts to secure land for conservation purposes to increase the overall size and improve the overall shape of Neerabup National Park. My understanding is that the small parcel of land that will be excised was due to the extension of Mitchell Freeway, which separated a bit of land from the Neerabup area. The bill will improve the overall shape of Neerabup National Park. I also note the impact on conservation values of the national park that would result from the severance due to the extension of Mitchell Freeway. The assessed proposals were considered environmentally acceptable by the EPA and met ministerial conditions, as reported in the report and recommendations of the EPA in bulletin 971 of March 2000. The WAPC facilitated negotiated planning solutions to mitigate the impacts on conservation values under the proposed Clarkson–Butler scheme amendment.

I will move on to the issues raised by members. I thank the opposition for its support of this bill and will go through some of the matters that were raised. During his contribution to the second reading debate, Hon Neil Thomson raised concerns that maps were not provided, which I appreciate. I note that the Leader of the Opposition's office was provided with maps on 2 November, but I note the first briefing was on 31 October. I think his point was that it might have been helpful to have maps at that first briefing. Briefings on the bill were held on 31 October,

and 2, 3 and 6 November. I understand that maps were provided by email to the LOOP office for distribution. As someone who lives in the regions, I certainly had to look up where Neerabup is, and I grew up in Wanneroo! I take that on board, but we certainly did provide maps.

Hon Neil Thomson raised the issue of prospectors or mining explorers. In response to Hon Neil Thomson's concerns, noting he is away on urgent parliamentary business, exploration and mining activities are not wholly excluded from class A national parks; however, for mining to be undertaken within a class A national park, the consent of the Minister for Mines and Petroleum is required, as well as the concurrence of the Minister for Environment.

Hon Dr Steve Thomas: My understanding is that it is very rare for a class A reserve to be mined, because consent is unlikely to be given. At some other point, we might ask a question about how often that occurs.

Hon JACKIE JARVIS: I was not sure whether Hon Neil Thomson was referring to mining as such or to prospectors who go out with a metal detector. It was not clear to me whether he was talking about hobbyists or people who prospect for mining. They are the notes I have before me.

Hon Neil Thomson also asked about the consultation undertaken on Lane Poole Reserve and the Mt Manning reserve. The bill will affect land tenure. Consultation was undertaken with a range of agencies on these changes. In the case of Lane Poole Reserve and Mount Manning Range Nature Reserve, consultation was undertaken by the Department of Biodiversity, Conservation and Attractions. For example, the Mt Manning consultation was undertaken through the Plan for Our Parks process.

I thank Hon Dr Steve Thomas, who had some questions about matters in the south west. Approximately 20 hectares of land will be excised for the waste management facility in Mt Barker. The nature reserve is 235 hectares in total, and about 20 hectares will be excised. He asked where it is. The O'Neill Road waste management facility, operated by the Shire of Plantagenet, is adjacent to the area that is being excised from the nature reserve. It is the main waste facility for the Shire of Plantagenet and operates like any regional rubbish tip, for want of a better word. It includes the sorting of recyclables, green waste, household rubbish, e-waste, whitegoods et cetera. That is where that site is. In 2013, the government became aware that part of that waste management facility was encroaching on the nature reserve when the Shire of Plantagenet requested the land to expand its rubbish disposal reserve, as it was already encroaching into reserve 10003. The encroachment had occurred before 2004, but the exact date is unknown. There is no fence between the reserve and where the waste management facility is. To mitigate the impact, the Shire of Plantagenet agreed to transfer management of reserve 27607 of 55 hectares for conservation. Reserve 27607, reserve 27605 and reserve 800 are proposed to be a nature reserve of approximately 120 hectares. The vegetation on these reserves is suitable for conservation.

Hon Dr Steve Thomas: Is it roughly an equal area, swap for swap? Most offsets are a four-to-one to six-to-one swap these days.

Hon JACKIE JARVIS: No, because only 20 hectares will be excised.

Hon Dr Steve Thomas: And then bringing in a couple of hundred?

Hon JACKIE JARVIS: Yes. Presumably the Shire of Plantagenet is happy with that because the reserves are suitable for conservation.

Hon Dr Steve Thomas: To be honest—I moot this so we don't have to go to Committee of the Whole—there's a lot of shires with lots of little lumps of land that are actually a nuisance and more onerous in managing than is worth it. So, if they can palm it off to the government, they're probably be quite happy to, I suspect.

Hon JACKIE JARVIS: Yes. The *South coast region: Regional management plan 1992–2002* recommended the excise and management of those other reserves proposed to be part of a nature reserve. The member might be right that all parties agree that is a suitable use. As I said, it is a bit of housekeeping to sort some of that out.

As the member mentioned, the pipeline corridor is indeed within the Shire of Harvey. Reserve 49730 is a nature reserve associated with the Dampier to Bunbury natural gas pipeline service corridor. The nature reserve is currently 58 hectares and we are excising 1.4 hectares. The excised land will be transferred to the Department of Planning, Lands and Heritage, which has legislative responsibility for the pipeline service corridor, and re-reserved with a new purpose correctly reflecting the actual land use.

Hon Dr Steve Thomas: Is it going to be the land for the corridor? I assume the pipeline is already separated out, so I presume this is specific to the service corridor.

Hon JACKIE JARVIS: The pipeline corridor was established prior to the creation of the nature reserve. The reserve was created in 2008 and the provision for the pipeline corridor extends back to the late 1990s. Creation of the reserve over the pipeline corridor was likely an administrative oversight. It is basically it will correct that oversight. The pipeline corridor was always there. Someone drew some lines on a map and created a nature reserve without taking into account the pipeline corridor.

Hon Dr Steve Thomas: You may not be able to answer this, but are you aware of any native vegetation or bush that's being removed? Or is it pine or fairly degraded territory?

Hon JACKIE JARVIS: I understand it is native vegetation, yes. I would hope that if it were pine, with my Minister for Forestry hat on, somebody might have let me know.

Hon Dr Steve Thomas: Never overestimate the ability for government to miss things.

Hon JACKIE JARVIS: We would not like another administrative oversight!

I hope that assists the member with his concerns. I am trying to find whether there are any other notes that I need to go through. Hon Neil Thomson raised some questions. I notice that there are no other members in the chamber who might.

I will quickly speak about consultation because I know Hon Neil Thomson also mentioned it. I advise the house that significant consultation was undertaken with relevant stakeholders, including all the local government authorities, for the amendment process. This was done through a number of processes that led to this bill on environment management plans and native title negotiations and, indeed, establishing a rail line corridor. The bill is a lien on land tenure with the outcome of these processes. In summary, I again thank the opposition for its support of this bill, and the members for their contributions. With that, I commend the bill to the house.

Question put and passed.

Bill read a second time.

[Leave granted to proceed forthwith to third reading.]

Third Reading

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [2.15 pm]: I move —

That the bill be now read a third time.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [2.15 pm]: I have to time this fairly carefully because there might yet still be time to come in with an appropriate inducement. I will make a couple of quick comments on the third reading stage of the bill. I appreciate the information the minister has given me. Thank you, it is very useful. I appreciate the advice of the minister's advisers. I apologise that they have been dragged in without necessarily having to sit at the table, which is probably a fringe benefit on their part.

One or two quick things before we finish. I appreciate the advice on the pipeline. There is an issue around access, so that is useful. I make the comment that the excision of a class A reserve for waste management will be an ongoing and continuing issue when waste management is a problem. Local governments in regional areas cannot afford to do it properly. At some point, the state will have to step up. The state will have no choice but to engage more fully. In the south west, for example, in my view, the state will have to fund some sort of cooperative recycling and refuse site. Local governments have tried to do it for the best part of 10 to 15 years and have been unable to coordinate it so the state will have to step up. However, there is a precedent, because some of the best places to put waste will be in the conservation estate. I suspect the Minister for Emergency Services, who was the Minister for Environment for a while, had a bit to do with this, but when the south west councils tried to get together to put a combined refuse and recycling plant together, they had a site in Dardanup, and the Shire of Dardanup sold the site before they could progress on it. Then they tried a site in Capel. Basically, everywhere, locals were outraged.

There will be an issue with anywhere we would want to put a refuse and recycling site, which is why it is a good idea to try to keep it away from housing. In my view, that absolutely means that this problem will come back again. Something of a precedent has been set for the next local government looking to excise a site. I accept that this example is an extension of an existing site. I am astounded that there was no fence around it. The blow-off, particularly of light papers and plastics, from a refuse site means that most of them need a chainmail fence just to hold in that stuff. Obviously this extension will allow the Shire of Plantagenet, which is a great shire, to continue its work. However, there is a bit of a precedent that we have to be careful with here because it will be the case in future years that someone will come along and look at that ideal site and determine that it is a good outcome for their local government because it will keep the re-use, recycling and refuse component further away from people. With that, I think the time frame is appropriate and I also commend the bill to the house.

Question put and passed.

Bill read a third time and passed.

DUTIES AMENDMENT (OFF-THE-PLAN CONCESSION AND FOREIGN PERSONS EXEMPTIONS) BILL 2023

Second Reading

Resumed from 15 November.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [2.20 pm]: As I indicated yesterday, the opposition will support the Duties Amendment (Off-the-Plan Concession and Foreign Persons Exemptions) Bill 2023. It is my intention to go into Committee of the Whole House to have a bit of debate on clause 1. I could

ask a series of questions, as I did for the previous order of business, but the reality is that it is much easier at the table. At this point, I propose to ask questions only on clause 1 because I want to examine the process so far and try to gauge its success or otherwise as we move forward. I think a clause 1 debate is required; I do not imagine we will continue for a particularly long time. Unless the crossbench gets highly enthusiastic, I do not think there is any chance we will still be dealing with this bill at the end of the day.

Sorry? There is a conversation going on, Acting President. I must have picked up someone's comment to someone else!

This is, in effect, a housing bill, as I mentioned in the very brief contribution I made yesterday. The government intends through this legislation to try to do a number of things. Obviously, every government in Australia is trying to provide adequate housing for current and future communities. This state government will attempt to use this process to increase housing density. That is, in some places, a fairly controversial topic, and I will deal with that in more detail going forward. But the reality is that we have to look at increased housing density in Western Australia because the greater metropolitan region of the city of Perth is more than 100 kilometres long. It is not all that wide and there are small pockets of increased urban density, but compared with most cities in the world, we are incredibly spaced out. Obviously that would be fine if we had the facilities and financial capacity to spread our services far and wide, but it would obviously be easier and more cost-effective to provide critical services—power, water, waste, roads and rubbish—in a more densely populated city.

In Western Australia we build little satellite suburbs over an area of a few kilometres. The developers tap into and pay for existing infrastructure, which gives them the capacity to develop those little suburbs. Most of the new developments have a remarkably small amount of high-density living. There is actually not a lot of high-density housing in places like Ellenbrook and other outer suburbs. That is the classic issue, which we will deal with in a bit more detail: people generally do not want to live in high-density housing on the outer fringes of the metropolitan region. They are not really interested in living in a 10-storey apartment when they have to commute 50 kilometres to their work, for example. If they are going to live in a 10-storey apartment, they want it to be close to their employment or close to the beach.

I have always laughed at the idea of Australia's national character. When we think of that, we think of a man or woman in a broad-brimmed hat wearing jeans and boots with a very country, *Lonesome Dove*–style appearance, and nothing could be further from the truth, although there are plenty of good Liberals who could be categorised that way! On a population basis, that is not who we are; we are one of the most urbanised populations in the world, but despite that, we have low-density housing. One would think that that is a little bizarre, but that is exactly what we are doing.

We should never trust anything we read on the internet, but members should google housing developments in some of the Asian countries. There are a couple of extreme examples of entire cities being built that cover only a couple of kilometres either side of a railway line, and they are building upwards. They have lots of oil money, and anyone who has filled their car recently will understand why, but it is high-density vertical living. Their engineers have worked out that that is probably the most cost-effective way to house their people. I can tell members that the explosion of construction in China is not semidetached and detached housing.

Having had the joy of living in regional areas with lots of space around me, I like my hundred acres, thank you very much, where everyone is a bit further away. That is incredibly luxurious, for the most part, and I am very appreciative of that. The reality is that high-density living is increasing all around the world, but not in Western Australia, so I understand the government's intent. The opposition supports this bill—it is an extension of an existing program—because we have a similar aim in respect of opening up diverse housing options, and we recognise the need for additional population density. The question that we will get to is: where, precisely, should we put that? That will be the ongoing argument.

I want to spend a bit of time talking about the housing crisis we are currently facing in Australia. In fact, it is not just limited to Australia. We think the economic parameters we are facing are exclusive to us, and we do not realise that this stuff is happening around the world. Central banks around the world are raising interest rates. I was amused at the vitriol directed at the previous Reserve Bank Governor, because I thought he was actually a nice man, but he increased interest rates. That was all going to change because we had a new Reserve Bank Governor, but, hang on a minute, on Melbourne Cup day, interest rates went up again. The popular press and people who are easily outraged, of whom there are many in the world today, want someone to blame, and it is easy to point the finger at a particular person, but the reality is that interest rates went up for an economic reason. There are those who think economics has now become disjointed from the wider debate; maybe I am a dinosaur, but I think economic theory still stands.

I was talking to someone for whom I have a lot of respect, but who is not popular on the other side of the chamber: Tony Abbott. I asked him, "Am I a dinosaur because I actually believe in long-term economic principles when the world seems to have thrown them out? We have gone beyond Keynesian economics to the modern monetary theorists. Perhaps that makes me a dinosaur. I actually still believe in balanced budgets." He said, "Well, perhaps I am a dinosaur too, then." We still exist out there; conservative economic philosophers still exist, but I think we

are an endangered species. There is a group of people who suggest that it is not necessarily the fault of the previous Reserve Bank Governor that interest rates increased but rather a whole pile of parameters, some of which government had control over, but most of which it did not. I sometimes think that dinosaurs like us need to make our voices heard a bit more.

Obviously, housing is an issue, particularly in this era of interest rate rises. We may not have seen the last interest rate rise, even though we went from 4.1 per cent to 4.35 per cent, and it was 0.1 per cent 15 or 16 months ago. Again, I am a dinosaur. I remember very high interest rates, although the world has shifted, so the price of a house when interest rates were very high was proportionately very much lower. I have a habit of throwing my own history out into these debates, and I am happy to do that again. I paid \$42 500 for the first house I bought some decades ago. My wage, which was the average wage in Australia at the time, was \$25 000, so I paid about one and a half times the average wage. The average wage today is a bit over \$90 000, which means we should be able to pick up a house for about \$150 000. Good luck trying to do that anywhere in Western Australia. The price of land has absolutely increased. I have a chart on this, which I might see if I can show to members at some point because I think it is quite useful. If we map house prices versus average wages over a period, we discover that the relationship is linear until about 2000 to 2005; then housing prices just explode in comparison. I charted this out and mapped out housing prices compared with wages, and then I worked out the middle line. If housing prices had gone up at the same pace as wages, I think that economic growth in terms of wealth creation and housing would be sustainable below that line and unsustainable above that line. We are still absolutely in the unsustainable housing growth market. Interestingly, housing prices are starting to go up again. Housing prices are starting to lift at a time when we are already significantly above the house price that would be sustainable.

This becomes critical because there is a housing crisis across the country. Of course, the problem is that for every policy position that we take, for every winner, there is a loser. It is very hard not to do that. We could develop a policy to reduce the housing price so that perhaps our children might be able to buy their first house under a fairly normal economic regime, but to do that, we have to drive down the price of houses, and that is a pretty unpopular policy for everybody who currently owns a house, I have to say. Not too many people of the generation of Hon Martin Pritchard and I would be very keen to see, by my calculation, about a third wiped off the current value of their house. That is not a policy that I plan to take to the next election. I am happy to lend it to the Labor Party if we are trying to balance things out a bit.

Hon Dan Caddy: We've got plenty!

Several members interjected.

Hon Dr STEVE THOMAS: We have plenty of policies; just because we are not putting them out there yet does not mean they are not there.

Several members interjected.

Hon Dr STEVE THOMAS: Members should be very calm; they will see them in the fullness of time. The reality is that there is an issue around house pricing, so what do we do with that? We could put policies in place to reduce the value of houses, although that would be pretty unpopular, to a point at which the next generation might be able to afford them under their own steam, because, effectively, unless young people can do that, it is the bank of mum and dad getting them into housing. Here is a bit of advice for everybody. If people want to be clever, at some point, the best solution to this is for grandparents to bypass a generation with their inheritance and give it to the second generation down. Grandparents should be leaving their inheritance to their grandchildren, because most of their children are old enough and generally already own their first house.

Hon Klara Andric: My parents would absolutely jump on board with that.

Hon Dr STEVE THOMAS: They would jump on board with that, so you would miss out.

Hon Klara Andric: They would skip me in a heartbeat!

Hon Dr STEVE THOMAS: Your comfortable retirement is out the window. You no longer get the old parliamentary pension process. I do not think anybody in the upper house gets one, so everyone has to do it the hard way.

A member: I think there's only one person left.

Hon Dr STEVE THOMAS: Only one person left? There we go. That is one way to get around this. Wealth transfer across two generations gives the bottom generation the capacity to buy into the housing market. Of course, that is not government policy—government policy cannot create that—and, of course, it requires a generation to miss out. Although it is a great plan and a great policy, no generation wants to miss out. In fact, those who are old enough might remember that there was a particularly good member for Pearce called Judi Moylan who became the Minister for Family Services. Judi came up with a policy whereby people would contribute more to their aged care, so when mum and dad both moved out of their family home, that could be sold to partially subsidise their aged care, and the next generation would get back the unused portion. That particular policy probably cost Judi Moylan her ongoing political career. It was thrown out not too long afterwards because it was incredibly unpopular, and she was removed

from the ministry, probably because those people who were about to inherit a \$300 000 house and figured that was their holiday home, their boat and their trip around the world on the QEII or whatever it was did not like the idea that that would go into an account to fund aged care in the interim, and they would get back only that bit that was still unused after their aged parents had passed. They would get 80 to 90 per cent of it back, so they actually ended up with most of their inheritance; they just had to wait a bit longer for it. That was so unpopular that it probably cost a good member of Parliament their career. As a rule, Australians do not have a good history of an altruistic approach. I suspect that although we could have a policy that reduces the price, based on Judi's experience, I do not necessarily want to see my career go down the same path, so that is not a policy that members will see me release in the fullness of time in the process of bringing down the current government; there will be alternatives to that.

The other option is the one that I suspect will ultimately happen, and that is we will see a stabilising of house prices over a fairly long period. They have gone back up again, but if we take the jump that occurred between roughly 2003 and 2007, during which time, if someone owned property, the value of their property basically doubled, it has been relatively stable since. A lot of people who bought in 2010, for example, found that by 2020, the value of their property was lower than the loan they had originally taken out to purchase it. If they had taken out an interest-only loan over a 10-year period and were paying only the interest, they owed the same amount on that property, but the property was worth less than the loan. That has absolutely been the case for some people. We have seen a little uptick over the last 18 months or so. The question is: have we again disengaged between affordability and house price, and are we going to see that trend continue? Members should be aware, again, for the economic tragedies amongst us, that that disengagement is not just limited to the housing market. The share market is exactly the same. Part of the reason the share market continues to boom is those people who might have invested in housing have seen a very stable return. For example, if someone has invested in residential real estate—under the current circumstances, they take their life or at least their economic future into their own hands if they do so—going forward, they are waiting for the price to go up, because they are effectively not making much out of the rent. Most people make very little out of the rent. It has got better lately, because rents have skyrocketed, and that is an enormous impost for people.

I will tell members a story in a minute from my early days in Parliament. Rent is an absolute impost for people who do not own their own home. Actually, I will tell members that story now. If I do not tell it now, I will probably forget. I was the member for Capel in state Parliament. A couple came to see me and said that they could not survive on the pension, which was absolutely true in many cases. I said to them that in my view, someone's ability to survive on the pension is very much related to whether they own their own house or not. If they have paid their house off and are not still trying to pay it off as they retire, a pension is not a huge amount of money, but a lot of people can live on a pension reasonably comfortably; they can take their caravan up north once a year and they are okay. As we age, oftentimes the amount of money we expend decreases. We actually start to make money out of it, because by the time we hit a certain age, we only really want to get up, have a cup of tea, have a snooze, watch the cricket and go to bed.

Hon Dan Caddy: You're not going to nightclubs any more.

Hon Dr STEVE THOMAS: It has been a lot of years since I have been to nightclubs, Hon Dan Caddy.

Hon Darren West: Were you a groover like Hon Martin Pritchard? Can you dance like him?

Hon Dr STEVE THOMAS: No, I do not do any belly dancing, thank you very much. We do not need that image back in our brains for the rest of this debate, thank you very much, Hon Darren West. I had just managed to remove it during a good economic debate so far, so thank you for that.

A couple came to me and said that they could not survive on the pension. They thought that was wrong. I asked whether they rented. Some people have really struggled. For a range of reasons, some people are renting when they retire. Some of them have never been in a financial position to buy a house. Some of them have had a house and something has gone wrong. One of the most common versions of that is marital break-up, when people's assets are split. If someone has paid off a house and does not have other assets, it is pretty hard. Some people live at either end of the house, but that would be tough. At that point, they both basically downsize into something they can barely afford.

Some people have invested and lost everything. A lot of people start a business. That is why small business is a tough marketplace. The old figure used to be that 80 per cent of small businesses do not survive either the first two or three years, depending on whom we listened to. A huge number of small businesses go under. It occurs in veterinary businesses. Given the price vets charge, we would not think they could go broke, but that is absolutely the case. It was a terrible business for a lot of people. They just did not survive.

I asked this couple about their circumstances. They basically said that they lived a hell of a life. They worked for the railways and they were always provided with a house for peppercorn rent. They just never needed to buy. They had no significant savings. They did not own a house. There was this philosophy around at the time, which probably still exists in a few cases, that the world owed people something by the time they retired, and the world should look after people. I think the world has shifted beyond that point. It is funny; we were talking about Labor leaders. I think Gough Whitlam instigated that particular philosophy, and Paul Keating probably reversed it because he shifted

to his superannuation policies, which actually put the onus back on individuals to plan for their own retirement. I suspect that Paul Keating looked at that policy and said, “I’m doing this so that the government does not spend \$100 billion more every year on pensions.” Despite not being the calmest and politest person, he was obviously highly intelligent when it came to economic policy, and that is why he went down that path.

Hon Darren West: The world’s greatest Treasurer.

Hon Dr STEVE THOMAS: I do not think I would go that far. He did some good things; I will give him that much.

Hon Martin Pritchard: It was an initiative of the union movement.

Hon Dr STEVE THOMAS: Does the member think that Paul Keating just took credit for it?

Hon Martin Pritchard: I think he carried on the good work of the labour movement.

Hon Dr STEVE THOMAS: Paul Keating might disagree with the member, and he might do so in a flamboyant manner, which I will not try to imitate in the house today. I am saving all that for my final speech of the year!

It was good economic policy. It is good to see that that has shifted. I think personal responsibility is critically important. Funnily enough, we are in a fairly conservative philosophical position in Western Australian politics at the moment. Members opposite are not generally out-and-out communists. Sorry; there are a couple, of course—blatantly and proudly so. For the most part, a degree of common sense is also creeping through, which is probably quite dangerous in a political sense. Next year may look a little different. We have had a shift.

At the other end, when we start looking at housing policy, which is effectively what this bill is about, I strongly take the view that private landlords probably remain the most critical part of the housing debate. I get incredibly tired and frustrated with the vilification of residential housing investment as a wealth-creation device. It drives me absolutely mad. From memory, about 14 per cent of the rental market in Western Australia is public, which means that 86 per cent of the rental market is private. Those figures are not even close. For those people who think the rental market is a state government issue, it is not. In fact, I am right wing, so I believe we should encourage and extend that. In an ideal world, there are enough houses for everybody and there is an incentive for people to invest in residential real estate.

Members probably remember that on occasions, with the use of high levels of leverage, which means debt, some people manage to get themselves from zero to 27 houses in a very short period. They used to make those *A Current Affairs*-type shows all the time, saying, “I got rich.” If we looked at their figures, we would see that yes, they have 27 houses but they probably owe 50 times more than the average person given their debt structure. We do not see it so much anymore because interest rates moved and it was not that difficult. We should encourage that. That should be part of every government’s strategy when addressing the housing issue, which I will discuss in more detail later. Every government—state and federal—should encourage and embrace private residential investment and private rentals.

For that reason, I have grave concerns about the push we have seen in recent times to undermine the rights and roles of landlords compared with tenants. There is no doubt that I will take a very different view from my good friend Hon Wilson Tucker, who has been a bit of a champion for tenants’ rights, given the questions he has asked this year. I take a very different view, which is completely normal and reasonable, because every Parliament should have views from all sides of the debate. In my opinion, the reality is that we have to enhance the private provision of residential real estate rather than undermine it. I do not know how long members present spend with residential investors. Most of the ones I know are trying very hard to get out of it. Most have decided that it is not worth the effort to put residential houses on the market when they appear to have no rights to control their investment. I think people’s views on this change dramatically, whether they own residential housing investment or not. By the way, just in case anyone questions me, I do not own residential houses that I rent out to people. Other members do; we can check the register of members’ interests for all those things.

Those who invest have to be able to protect their investment. The newest push around Australia is to reduce landlords’ rights more to ensure that tenants can change significant parts of the building they rent without the permission or approval of the landlord. That might be as simple as painting three of the bedrooms black because their kids have turned into goths. Maybe that is not a great investment for the person who owns the building. Tenants may or may not require permission to have a pet, for example.

The damage that occurs in some rentals is significant. If a member has not had a landlord in their office at some point telling them a horror story about how their property was semi-destroyed, I do not think they have done their job. It happens. That is not to vilify tenants and say that tenants are bad. Probably over 90 per cent of tenants are wonderful people, but landlords need to maintain some right and control over their property. When that is partly taken away—it has been suggested that it could be further taken away—what can happen? Landlords will stop leasing to long-term tenants. The south west is probably a hotspot for this. If somebody owns an investment residential house in Margaret River, Dunsborough, Busselton, Bunbury, Albany, probably Mt Barker, definitely Denmark, or Walpole, they could offer that into the private tenancy market. If they sign someone up for a yearlong lease and a potential yearlong extension, they lose a lot of control of their asset. Or, they could put it on Airbnb. The price that they would

generally get away with is so much higher than the price they would be able to rent it for long term as they would probably rent it for fewer than six months of the year in blocks of one or two weeks as a holiday rental. They would lose absolutely no control because the short-term tenant has none of the powers that disempower landlords.

Hon Dan Caddy: They can still trash the property.

Hon Dr STEVE THOMAS: They can, but they have much less power to do so. It does still happen. A university student rents a property and 27 students end up living in it, so yes, it happens, but there are ways and means of dealing with that through not just bonds but the proper identification of the person who rents the property. That is a lot easier to manage than a long-term rental.

What is happening out there? We just have to look at the numbers. How many Airbnbs are out there? It is not just greed on the part of landlords that is driving that number but the argument that they are losing control of their properties. That is the part of the argument that needs to be addressed. A lot of housing in Western Australia is empty much of the time, some of which, not all of it, is on Airbnb. Properties are simply sitting idle and empty—I am not going to look at anybody or name any names—because that is probably a safer option than putting in a long-term renter. If we are going to fix this housing crisis, that has to change because we are not suddenly going to be building and delivering tens of thousands of more dwellings overnight. As much as I would like to blame the state government for the current lack of housing production, there are some reasonable mitigating excuses and reasons. The COVID expenditure around the world is massive. Infrastructure spend around the world is massive. I note that the federal government has decided in the last 48 hours that infrastructure spend is a pretty big issue because it has decided to cut it back. The federal government has said that the average federal infrastructure spend is about \$12 billion, and it needs to cut that back because it is driving inflation, it is driving up house prices and costs —

A member interjected.

Hon Dr STEVE THOMAS: There is also a lack of workers, but we will come to that in a minute. The federal government is cutting back. To be honest with members, I thought that was interesting because in the old days funding models were not split 80–20. I note that the state is outraged because the 80–20 model is going to go, but if anyone has been around long enough, they will know that those splits come and they potentially go again. I am pleased to see that a Labor government is doing it because Labor state governments will give the Labor federal government a good kicking over this, but the reality is that it has probably gone back to the long-term averages.

The infrastructure spend has an inflationary impact. The federal government is going to try to average the budget spend to \$12 billion a year. The Western Australian state budget on infrastructure is aiming to get \$10 billion out of it. Across Australia, the commonwealth investment will be \$12 billion a year. Infrastructure Western Australia tried to get to—not necessarily successfully, but it got a fair bit of it—over \$8 billion, nearly \$9 billion by the end of the last financial year. That is almost as much as the federal government is spending. On top of the largesse that is coming in from the federal government—the state government is very good at claiming federal government spend as its own, which is not new to the Labor Party. I think every government has done that forever. Anyway, that is the old-fashioned dinosaur economist in me. This is a massive investment in infrastructure that is again having an inflationary effect. Thank heavens for international stimulus spending, particularly in China, because it has kept the iron ore price up. It means that this government has had bigger surpluses over time. I do not imagine Queensland will repeat its massive one that beat Western Australia, but the reality is that this is the biggest boom that this or any state has ever seen thanks to the Chinese purchase of iron ore, and it looks like it is going to continue. I expected the Scrooge McDuck era to end probably a year or so ago. They usually last four or five years, so no more Scrooge McDuck. I am going to have to start using “Donald” and “Daisy” in descriptors from now on. The reality is that the boom is still going on. We are still in the middle of this boom, we have a massive spend, and housing prices will remain high. On top of the government investment in infrastructure, it is not going to be able to build tens of thousands of houses. In fact, here is a bet. The government has put a massive budget in for housing stimulus. We cannot say that the Cook government has not put money on the table to get housing going. It has put billions into it. I imagine the Minister for Finance will stand up in a minute and probably tell us how many billions, but it has put billions on the table. That is very different from being able to spend it. The government, funnily enough, is in fierce competition with itself. The government has an extra billion dollars for Metronet because that has blown out again. and the Bunbury Outer Ring Road is up by half a billion dollars. The government has cut the scope back because it cannot afford to get it out on budget. Here is another bet: I bet the Bunbury Outer Ring Road blows out again from \$1.35 billion. If it gets built for under \$1.5 billion, I will be astounded. I might—no, I am not going to say what I am going to do. I will be absolutely shocked if that figure does not blow out again, based on the current circumstances.

The government, with the best will in the world, will not be out there building hundreds of thousands of houses. The Western Australian population was growing faster than any other state’s last time the population figures came out. The government will not be able to build the houses required. The government will not be able to provide the infrastructure. We have this strange paradox in which we have a massive shortage of labour in the construction industry so we have to import labour into the construction industry, but when those people get here, they have to have somewhere to live. The government did not invent this. This is not something that the government made, but

we are stuck in this cycle in which the government, in order to get more houses on the ground, has to import people who require more houses. I do not think there is an easy solution to that unless those people start bringing tents with them when they immigrate. That is no long-term solution for anybody. It is going to be a devilishly difficult thing to deliver.

One of the issues that the government should focus on more is getting those houses that have already been built and are out of the marketplace back into the marketplace. The government has absolutely done some of that. I am sure the minister can go through this in more detail, but the government has announced \$10 000 for Airbnb owners to put their houses back into the long-term marketplace. I absolutely welcome that. The issue might be that for an owner of an Airbnb property, even a pretty average house in the south west, that \$10 000 is probably the difference between a long-term rental market property and what they can pull in from an Airbnb holiday rental. It is probably a net negative, even with that \$10 000. I support what the government has done. It is not my suggestion that the government needs to raise the price to make it cost neutral, because if the government nets over a \$6 billion surplus for 2023–24—we should gamble on that. I might run a sweepstake on the next surplus. I have just decided that I am going to go with \$6.3 billion. We will see how we go. It depends what the iron ore price does over the next six months. Hon Martin Pritchard, write down \$6.3 billion. If the iron ore price crashes back to normal, it will be \$5 billion. There you go. I welcome that the government is attempting to do something in this regard. It is important and I appreciate it, but none of this in itself is a solution. There is no easy solution to this.

The government has done other things. It has provided some land tax relief, which again I have welcomed. It has done a couple of other things around stamp duty. The Duties Amendment (Off-the-Plan Concession and Foreign Persons Exemptions) Bill 2023, in extending that stamp duty exemption, is again something that we welcome. It will extend the program that commenced during the COVID pandemic. Interestingly, I think it was put in place to maintain industry throughput more than anything else, although government worked out that doing it in higher density was potentially a better outcome than simply doing it across the board, and it did that. The government put in place significant building bonuses. We had a state and federal building bonus and, to be honest, my view was that, for the most part, the cost of a house rose approximately by the combined price of the two building bonuses—state and federal—in Western Australia and started to become incredibly expensive. I think that is backed up pretty much across the board. Did it really achieve what it was meant to achieve? I am not so sure. What it did do is convince people to take advantage of it and put a lot of building into the construction marketplace. Suddenly, there were masses of people signing up to get the building bonus, and they had to get started within a certain time. For about a year, people could not get a concreter for love nor money because everybody was trying to get a slab down. The year after that, they could not get wall framers or carpenters because they were all busy. For a year after that point, people could not get roofers. This worked its way through the marketplace with the massive stimulus and it drove the over-demand. What happened with the over-demand? Building companies put their prices up significantly because of the demand and the increase in the cost of materials and labour, as the price of a brick for a brickie doubled. If a building company did not offer that price, the brickie could walk up to another company down the street and say, “I’ve quit and I’ve come here because you’re going to give me twice as much”, and they did. I know builders to whom that happened. They could make twice as much money. The poor old builders had signed contracts to deliver a certain thing by a certain time, and many of them were fixed-price contracts. The reason they are now trying to ban fixed-price contracts is that they cannot get the workers. The cost of materials went up, but they could not find the workers. The workers would walk off. I have dealt with a whole pile of issues about whether builders could or could not get workers. The reality is that a lot of builders went bust as a result of that. People might wonder how on earth, in a building boom with massive state and federal government subsidies, a building company could go bust, but that is part of the problem.

I get the intent of the government. I think it was perhaps more about stimulating the economy. In a bit of unity, as a government and an opposition, we perhaps need to be a little more sceptical about interest groups that say that their industry needs more support and start applying a more rigorous set of tests to the reality of that. In government, we all get a bit susceptible to “our industry has an issue”, when I suspect that, in this case, that industry might have been just as well served without the stimulus, bearing in mind that the federal and state governments were Liberal and Labor at the time.

Hon Klara Andric: The building industry was in crisis. There was no doubt about the circumstances of the building industry during that time.

Hon Dr STEVE THOMAS: If we make the assumption that that is true, it went from crisis to crisis; it is just that the type of crisis changed, and that is not necessarily the best outcome. I am going to run out of time. I take the member’s point, but I am not sure that I agree with it 100 per cent, but now is probably not the time to go into it. That is an hour-long negotiation in itself, and, in the old days, when we had unlimited time, we could have done that, but we are not going to do that today.

The government has come up with a range of measures initially to stimulate the building economy as much as to provide housing; it has kind of morphed into the provision of housing. I agree with the government; I think that using that process to increase density is a good idea. The argument that arises when density is increased is that the

people who live in a lot of places do not want an increase in density there, and that becomes an issue. We would think that the obvious solution to the density issue would be to build high-density living around, let us say, all the transport nodes that will come from the \$13 billion to \$15 billion Metronet project. It is a really good theory and the government has done a bit of that. The tricky part is that more people want to live in high density in the leafy western suburbs than in the nodes further north, south and east.

Hon Dan Caddy: The Town of Claremont did it very well.

Hon Dr STEVE THOMAS: There are good examples of where density can be increased. The member is brilliantly diverting me from my key point. Subiaco has also done it pretty well in patches.

Hon Darren West: What about Nedlands?

Hon Dr STEVE THOMAS: I do not know Nedlands so well. Hon Darren West might know it better than I do. There is some really good higher density living in the City of Subiaco. I happen to have made an effort because it is nice and close and the map reader got me there easily. Again, it is around a station, not necessarily a Metronet station, but it is around public transport. It kind of makes sense. There are some really good examples of development that has increased density. In my view, it can be done in a way that does not significantly negatively impact on the people who already reside there. In fact, in many cases it can be made better, because these developments often have additional services, such as little niche supermarkets, cafes and restaurants.

Hon Dan Caddy: There are upgrades to services as well.

Hon Dr STEVE THOMAS: Yes, sometimes there are. The marketing of this becomes critically important—that something that can be seen to be good is being put in.

One of the issues with urban infill and higher density is parking and disruption to roads. I know that there are planning policies that work around it. It would be a good investigation for a parliamentary committee at the start of a parliamentary term, not towards the end of it, to look at the parking model and whether enough parking can be put in place. It is pretty hard for a family living in a three-bedroom apartment that has one parking space. What do the parents do when the kids turn 17 years old and they decide to work somewhere else? They can kick them out. Are Hon Dan Caddy's kids old enough to kick out? It is not as easy a process as he might think. Take it from me: even when you kick them out, sometimes they come back. It is not the simplest thing in the world to do.

Those are the issues around higher density and more complex living that we need to start addressing in a better way, and I think we can do that. We can do that in conjunction with the development industry to make sure that when it develops, it develops to the greater benefit of the wider community. There are lots of places that can be upgraded. Some of the apartment buildings that were built 30 or 40 years ago are like enormous concrete boxes and are pretty unappealing. It can be done in a much better way now, but obviously that comes at a cost, and that impacts on the price of housing. I suspect that there are not many first home owners who were not funded by mum and dad who are living in the Subiaco high-rise apartments that I inspected.

Hon Dan Caddy: ONE Subiaco?

Hon Dr STEVE THOMAS: I do not remember the name. I do not want to give any free plugs. I do not know whether I could afford to live there. Again, we get back to this affordability issue.

What will this bill do in particular? It will extend a program that currently exists for stamp duty rebates by converting them into stamp duty reductions up-front, which is a good thing. The thresholds will be increased to make sure that they better reflect the costs of things. I will be asking in debate on clause 1 for a bit more detail about how often the thresholds are reached and the effectiveness of the thresholds. The other thing this bill will do is open up this stamp duty rebate for foreign buyers.

I want to finish my contribution with the foreign buyer component of the real estate marketplace. In the first instance, we need to remove from the debate the xenophobic argument about foreigners coming in and buying our land. We have to put that aside. We are talking about foreign investment in real estate development. There are foreign owners of some real estate, as there are foreign owners of farms et cetera. I have never been frightened of that, because it is very hard for them to pick it up and take it somewhere else. We need to remove that xenophobic argument from the debate. The us-and-them component has no truck here. Sometimes foreign investors will purchase off the plan, which is more common overseas generally than it is here. Foreign buyers are more likely to underpin many of those developments compared with what would happen if foreign buyers were not in the marketplace.

A few years go, this government added a seven per cent foreign buyer stamp duty surcharge. That does not raise an enormous amount of money. In the briefings, we were told that it had raised about \$90 million. It is not a huge amount of money. That went through because the government said that we do not necessarily want foreign buyers to be competing on equal terms with Western Australian residents. I understand the principle, but I do not necessarily agree with it. The question that I think we need to look at in clause 1 is: What has the effect of that been? Has that additional impost on foreign purchasers reduced or restricted investment in higher density residential real estate, so that we have ended up cutting off our nose to spite our face, to use my father's oft-used term? In an attempt to

give locals a competitive advantage, we have restricted the number of developments that have occurred. I think it is incumbent on us to try to chase some of that through. That is what I want to do on clause 1. I certainly intend to finish the bill today, but I want to work through some of the bits and pieces around the impact to date.

Obviously, this is an extension of an existing scheme that was going to end at the end of this year. The bill will add a couple of years to it. Obviously, all these things have to be started by a certain time, so it will not be forever. I make the point that this is not a permanent stamp duty reduction; this is a temporary measure. It will not last forever. The government might keep extending it until the current boom dies away. I had thought that might have happened by now, but it might still be a couple of years away. It is a temporary measure. It gives some money back, but we just need to flesh out the impact a little. Having said that, if it has been less than perfect in the past, that will not change the opposition's support for the bill now; it just means that this is an interesting opportunity to work out whether this is the best policy going forward.

I will finish with this. What the minister will say, and she will be absolutely right, is that this is part of a suite of housing measures the government has put in place, some of which have been better than others; some have not necessarily done the things they were meant to do and some have been reasonably effective. It is incumbent upon the chamber to give its best efforts to look at that. That is what we will do, hopefully over half an hour or perhaps a bit more of the clause 1 debate. At that point, I would like to let the rest of the bill pass through.

HON SUE ELLERY (South Metropolitan — Minister for Finance) [3.12 pm] — in reply: I thank the Leader of the Opposition, Hon Dr Steve Thomas, for his support for the Duties Amendment (Off-the-Plan Concession and Foreign Persons Exemptions) Bill 2023. He is correct; this is one part of a suite of measures that we are putting in place to deal with the housing situation.

Hon Dr Steve Thomas: I hope I am that accurate with the budget surplus!

Hon SUE ELLERY: Yes. At the time of the announcement of the extension of the exemption, my colleague the Minister for Housing, John Carey, identified that industry feedback had indicated a kind of perverse situation in which apartment developers were holding back from beginning construction to ensure that buyers in their projects qualified for the off-the-plan discount. That then had a flow-on effect of delaying the development of new housing at a time, as the honourable member noted, when our rental vacancy rate is at an all-time low and the number of houses and apartments available for sale are also at an all-time low. Whether it is land tax, stamp duty or the planning measures that we will debate when we next sit, the government is putting in place a range of measures to address those issues. The suite of measures within the bill before us is part of that. As the member noted in his contribution, there is not one, single silver-bullet solution to this. He made the point that this is not a Western Australian issue and not even just an issue in Australia; it is an issue around the world. At the same time that we have had the issue with the supply of goods and then the supply of labour in Australia, we have also had 13 interest rate rises—12 in a quite compacted period and the thirteenth just a week ago. We are dealing with a market under pressure.

The Leader of the Opposition noted the history of the scheme and made the point that it came out of the COVID-19 pandemic. In fact, the duty rebate scheme was initially announced prior to the pandemic, on 23 October 2019, as we were looking to increase investment in the residential multi-tiered apartment market and to stimulate jobs in the construction sector at a time when jobs were hard to find in the construction sector, by promoting presales in developments for which construction was yet to commence. The rebate scheme was then extended during the period of the pandemic to apartments under construction as part of the housing stimulus package to boost our recovery. A temporary rebate applied only to under-construction contracts that had been signed between 4 June 2020 and 31 December 2020. Hon Dr Steve Thomas highlighted the state of the construction market and identified his support for our recent land-tax relief announcements. The off-the-plan duty rebate scheme will promote investment in the housing market and deliver more housing choice, particularly at the affordable end of the market, providing more opportunities for Western Australians to get into the property market or for those at the other end of their life to downsize. It is quite deliberately about trying to smooth the pipeline for the construction sector and to ensure that it remains sustainable.

The member noted that he is interested to see what impact that additional seven per cent has had on the building industry in WA. Our surcharge is not a unique situation, with surcharges applying in all Australian states and in many other jurisdictions globally. Foreign buyers duty revenue has been around expectation and has grown steadily since the introduction of the surcharge, which suggests that it has not had a major impact on foreign investment in residential real estate in WA.

The honourable member noted a range of other things the government is doing to address housing. Those things are not contained in the bill before us so I will not get into them. However, I note the most recent announcement around how we will deal with short-term rental accommodation—the Airbnbs and Stayz of this world. It is interesting to note that we announced the \$10 000 grant project on Thursday last week, which is open to those who had advertised a property for rent through a short-term rental accommodation platform in the six weeks prior to the date of the announcement, and as of Tuesday morning this week, we had about 105 houses through about 90 expressions of interest, so that shows there is some interest out there. He also made the point that there will be some areas in which \$10 000 is not attractive when compared with what owners can get on the short-term rental market. We are well aware of that. We think the sweet spot is around the older inner-city one or two-bedroom apartments and

units. If we get some of them onto the long-term rental market, that will be a good thing; we will take that. We are not interested in shutting down the short-term rental market. We are not interested in putting in place sticks and disincentives, as some other jurisdictions have done. I note that New York City made a very bold decision not so long ago to completely ban Airbnb. We are not going to do that, but we do think there are things we can do to assist in relieving the pressure in the housing market. I am happy to have a conversation around the impact of the duty on foreign investment during the clause 1 debate in the committee stage of the bill.

I thank the opposition for its support of the bill, and I commend the bill to the house.

Question put and passed.

Bill read a second time.

Committee

The Chair of Committees (Hon Martin Aldridge) in the chair; Hon Sue Ellery (Minister for Finance) in charge of the bill.

Clause 1: Short title —

Hon Dr STEVE THOMAS: There are nine clauses in the bill, which is not a heck of a lot. I am more than happy to deal with effectively everything in the clause 1 debate and then move along, if the minister is comfortable with that. I will start with the history. As the minister said in her second reading response, this extension started in 2019. Can the minister give us an indication of the original budget for the stamp duty? At that point it was a rebate. Some of my questions will be related to figures that the minister may not have at the table; it depends on what the minister's advisers have. I will chase the figures anyway and if the minister does not have them, I will end up putting it on notice and get the figures next year. What was the original budget for this stamp duty rebate? I think it was originally designed to go to 2021–22. What was the annual budget at that point and what did it end up expending?

Hon SUE ELLERY: From October 2019 to October 2021, there was a 75 per cent pre-construction rebate and the budgeted cost was \$33.6 million. I will take the member through to the 50 per cent pre-construction rebate from October 2021 to October 2023. The budgeted cost for that was some \$31.1 million. The increase to the scaled pre-construction rebate from May 2023 to October 2023 was \$4.7 million. That is on top of the 50 per cent rebate. The 75 per cent under-construction rebate from June 2020 to December 2020 was \$8.2 million. In total, it was \$77.6 million. If it is helpful, I can table that document.

[See paper [2835](#).]

Hon Dr STEVE THOMAS: That will be useful; thank you, minister. I neglected to say that from the briefing, we sought some additional information and the department provided that. Some of what the minister said is included in that. I thank the minister for the briefing and the staff who assisted that process.

Hon Sue Ellery: I am happy to take the glory for their hard work.

Hon Dr STEVE THOMAS: It sounds like a good plan.

Regarding the outcomes of that, can the minister give us an indication of what the actual was versus the budget expenditure for these programs? This might be a separate question, but I am interested in the number of rebates that were applied. Let us start with the total expenditure. I will then ask a separate question on the numbers; it is confusing if I do too much at once.

Hon SUE ELLERY: There is a bit of a lag, so I cannot give the member finalised figures, but as at 30 September, 265 rebates have been paid for off-the-plan contracts entered into before construction, totalling \$6.29 million. Of those, 17 have been made to foreign buyers, which total around \$688 000. All the payments have been to contracts signed between 23 October 2019 and 23 October 2021 that are eligible for a 75 per cent rebate. This reflects the lag between when the contractors signed and when the rebate is paid after settlement once the purchaser has been registered on the title. For the under-construction rebate, as at 30 September, 254 rebates have been paid for off-the-plan contracts entered into after construction commenced, totalling around \$4.4 million. Of these, seven have been made to foreign buyers, totalling around \$175 000.

Hon Dr STEVE THOMAS: I thank the minister for that. I am pleased to note that that is pretty similar to the briefing note that I got. It is nice to know we have consistency. I will just jump in. When we talk about development commencing, the indication in the briefing was that that was effectively the commencement of earthworks. Is that the definition used for the commencement of development?

Hon SUE ELLERY: Yes. It is when excavation for the construction of the building commences.

Hon Dr STEVE THOMAS: I want to get that down, too. With the numbers that the minister gave me, for the pre-construction rebate, as at 30 September—so it is a couple of months old—there were 265 rebates for \$6.29 million. With my quick calculation, the average rebate was between \$23 000 and \$24 000. There was, I think, a cap on that original program of \$50 000.

Hon Sue Ellery: Yes.

Hon Dr STEVE THOMAS: Did any applications submitted for the rebate reach the cap?

Hon SUE ELLERY: Yes, we think there would have been, but we do not have that level of detail here at the table with us.

Hon Dr STEVE THOMAS: A couple of other questions that come out of this might be a bit similar in that I was interested to work out the price range of the apartments that have been paid for. The stamp duty that is paid is ultimately set on the purchase price of the apartment that they are purchasing.

Hon SUE ELLERY: In respect of off-the-plan rebates for pre-construction contracts 71 rebates were paid for properties with a dutiable value of between zero and \$500 000, 70 were paid with a value from \$500 00 to \$700 000, 60 were paid with a value from \$700 000 to \$900 000 and 64 were paid with a value of \$900 000-plus. Those numbers add up to the total of 265.

Hon Dr STEVE THOMAS: They are very useful numbers. With that many at \$900 000-plus, I would imagine therefore some would have reached the cap under those circumstances. It was hard to get that information to work out how high that was potentially likely to go. Some of those payments had been made to foreign buyers, I think the minister said \$688 000 of that. Payments to foreign buyers was \$688 000, and there were only 17 of those, which means the average was \$40 000 compared with \$24 000. Would it be reasonable to suggest that that is based on a lower number of foreign buyers purchasing potentially higher priced apartments?

Hon SUE ELLERY: It is really a function of the fact that they are paying a higher duty. It is not necessarily that they are purchasing properties at a higher value; it is what I said at the beginning of that sentence—they are paying a higher amount.

Hon Dr STEVE THOMAS: Yes. That extra amount is the seven per cent duty in the foreign purchase surcharge. The minister may not have the figures for the comparisons of the value of the land. Is it safe to assume that the vast majority of that price difference is probably simply that they are paying the seven per cent surcharge?

Hon SUE ELLERY: If I give the member another set of numbers for each of those brackets of the dutiable value, that might be of some assistance. Again, between zero dollars and \$500 000, the number of rebates paid for contracts liable for foreign transfer duty is eight out of the 71; between \$500 000 and \$700 000, there were four out of the 70; between \$700 000 and \$900 000, there were four out of the 60; and for \$900 00-plus, it was one out of the 64.

Hon Dr STEVE THOMAS: They are very interesting numbers. In effect, there is not much difference or variation in the purchase patterns between the foreign investors and local investors. That probably flies in the face of the anecdotal stories that we hear all the time about foreign investors pushing up prices significantly. That is interesting. I might take that to various real estate people and see what they think about that.

Hon Sue Ellery: You might note that the period of time we are talking about was essentially during the pandemic when the world was doing all sorts of crazy things and the kinds of financial pressures et cetera that we were experiencing here were also happening around the world, so I think it is a unique period of time.

Hon Dr STEVE THOMAS: That is probably right. The 2023–24 budget for the extension of this is \$81.7 million. I might, if I can, get the minister to break that down into the two components, which are the increase in the thresholds and the up-front concession versus the rebate versus the extension of the foreign buyers component of that, if it is available.

Hon SUE ELLERY: It was reported in the 2023–24 budget that extending until 30 June 2025 the off-the-plan duty assistance for apartments sold before construction commences and increasing the thresholds would come at a cost to the budget of \$33.2 million over the forward estimates. Converting the off-the-plan duty rebate to an up-front concession from 31 August 2023 is estimated to reduce the transfer duty receipts by a further \$48.5 million over the forward estimates, but that is fully offset by a reduction in expenditure of \$48.5 million; therefore, it will have no impact on net debt. For the under-construction concession, the estimated cost to the budget was announced when we made the announcement. That will be \$13.9 million over the forward estimates and that will be reported in the midyear review.

Hon Dr STEVE THOMAS: Every other member is free to contribute.

Hon Sue Ellery: It's just you and me, mate.

Hon Dr STEVE THOMAS: Are we able to quantify the level of foreign investment in the residential marketplace in Western Australia as it currently exists?

Hon SUE ELLERY: Since it was introduced on 1 January 2019, there have been 2 859 transactions and \$93 million in revenue has been collected from the foreign buyers duty as at 30 June this year. If I break that down for the honourable member, in 2018–19—that is really only half the year because it started on 1 January—there were 208 transactions; in 2019–20, there were 570 transactions; in 2020–21, there were 550 transactions; in 2021–22, there were 597 transactions; and in 2022–23, there were 934 transactions.

Hon Dr STEVE THOMAS: They are useful figures. This might stretch the friendship, but do we have the number of transactions going back before the foreign purchase surcharge was put in place? They are the numbers we probably really need to test it against.

Hon SUE ELLERY: No, I do not have that information here.

Hon Dr STEVE THOMAS: That might be a question on notice at some point to work out what the potential impact of the foreign investors surcharge might have been. I think that would be really useful to find out. We will get to that in the fullness of time.

The announcement made at the time of the budget was called a pre-enactment. I am taking it back to 1 January this year. I presume that is because of an issue of the throughput around getting these things built. Can the minister give us the official reason that the pre-enactment was required?

Hon SUE ELLERY: It was about maximising the impact of the measure so that we could start applying it before the legislation passed. It was just about making sure that we pulled every lever that was available to us to have an impact on the increasing supply.

Hon Dr STEVE THOMAS: What would have been the impact of not doing the pre-enactment?

Hon SUE ELLERY: The difference, honourable member, is that if we had not done the pre-enactment, people would have been able to apply post-settlement after the passage of this bill and, administratively, they could have applied for a rebate and the bureaucrats would have had to process that. By doing it this way, we know that those people will be captured anyway. It is a smoother process to reduce red tape for them and ensure that they can get access to it. We do whatever is possible for us to do to increase supply.

Hon Dr STEVE THOMAS: I will make sure that I have this right. Effectively, is the difference with the pre-enactment that it shifted people from a rebate to a concession?

Hon Sue Ellery: Effectively, yes.

Hon Dr STEVE THOMAS: That is effectively what it was aimed at. It is shifting people early into the concession so that they pay less stamp duty rather than paying it first and then getting it back.

Hon Sue Ellery: It sends a message to the market as well.

Hon Dr STEVE THOMAS: Yes. That makes sense. Thank you; that is good. I said half an hour, and I will probably be pretty close to it, I suspect.

In the 2021–22 budget, that extension was expected to cost only \$8 million, according to page 65 of budget paper 3—which at this point does not matter. That was a very small change to the extension of the off-the-plan duty rebate scheme at that point. I am interested to know why that impact was very small compared with the current impact. I think that extension was for a fairly short period of time, from June to December. It was only a six-month extension at that point. Part of the issue is the fairly small amount for an obviously fairly small period of time, because the original extension was from 19 October—which I think you said earlier—to 21 October. The government effectively had this small extension. It might not be possible because we are jumping part way through the scheme, but why was the extension for contracts between 4 June and 31 December 2020 needed under the scheme already in place?

Hon SUE ELLERY: That picks up the variation to the scheme put in place during the COVID-19 pandemic for the under-construction element. We announced an arrangement, pre-COVID. For that June to December period during the COVID pandemic, we took another step to try to provide stability for the construction market and maximise the pipeline of work.

Hon Dr STEVE THOMAS: As we get to the end of the scheme, and probably getting towards the end of my questions on this, will there then be a hard line or border? The scheme will be extended to, I think, 30 June 2025. I do not remember the date now.

Hon Sue Ellery: Yes.

Hon Dr STEVE THOMAS: It was 30 June 2025. Is that expected to be a hard line in the sand or will that depend upon what the marketplace looks like? I know I am asking the minister to be Nostradamus a bit, but under the current model, we would say that that is a set border, basically.

Hon SUE ELLERY: It is what it is right now. I will no longer be here by June 2025—I did not have a smile on my face when I said that!

Hon Dr Steve Thomas interjected.

Hon SUE ELLERY: I do not think that is proposed to change. Anyway, let us not get distracted.

That will be a decision the government makes or not depending on all the circumstances that we face as we get closer to that 2025 date.

Hon Dr STEVE THOMAS: I do not suppose the minister wants to tell us whether that has been part of the discussions and policy development for the pre-budget election.

Hon SUE ELLERY: No, it has not, honourable member.

Hon Dr STEVE THOMAS: I am trying to pull out a bit of election year budget policy before we start, just to get ahead.

Hon Sue Ellery: You start putting some policies in place and maybe we can have another conversation.

Hon Dr STEVE THOMAS: They are on the way. They will be there in the fullness of time. They will get there.

I come to the end of my clause 1 debate and I think we have covered the things we need to in clauses 2 to 9. At this point, I thank the minister for her assistance, and particularly pass on my thanks to the advisers. The additional information they provided was quite useful and it means that we have managed to progress through Committee of the Whole in a very timely manner.

Clause put and passed.

Clauses 2 to 9 put and passed.

Title put and passed.

Report

Bill reported without amendment, and the report adopted.

Third Reading

HON SUE ELLERY (South Metropolitan — Minister for Finance) [3.45 pm]: I move —

That the bill be now read a third time.

The member is so blatant.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [3.45 pm]: Outrageous comments! It is a Thursday, so I will let the minister get away with it. So blatant.

Just before we move on to the Western Australian Marine Amendment Bill, I pass on my thanks to the minister for the assistance of her staff and the briefings I received on this bill.

It is always pleasing to see a government take its hand out of people's pockets and give a little bit back. This government has done a little bit of that, but it could have afforded to do an awful lot more of that, I have to say, in a budget that has thus far seen \$30 billion worth of surpluses delivered and expected. It will possibly go slightly over that in the not-too-distant future if the next budget hits \$6 billion through the iron ore price staying up where it is again. It is actually nice to see the government deliver something of a handback to people. Obviously, the government could do a significant amount more with the amount of money it currently has. For example, the government could afford to freeze its fees and charges for a while, or certainly reduce the increases in its fees and charges. The government could invest in the frontline not-for-profit sector that is trying to help people keep a roof over their head and food on the table. This government could invest in all of these things in a significantly greater manner than it is currently doing. I guess we need to be thankful for the little tidbits that the government does hand out. The government expects high praise for the small amounts it puts forward and expects to be lauded.

That is L-A-U-D-E-D, just in case, because Hon Pierre Yang has got a strange expression.

Hon Pierre Yang: I'm puzzled why you are saying those things while the government is doing a good job.

Hon Dr STEVE THOMAS: Hon Pierre Yang might think the government is doing a good job, but I think that issue could be debated, and I suspect it will be debated at not irregular times over the next 12 months.

However, today we passed a fairly small but partially valuable contribution to the expansion. As I said during the second reading debate, it is important to embrace density in housing and deliver a higher density in a greater number of areas. Obviously, we should be somewhat selective about the number of areas in which we look to deliver these. That is part of the bigger strategy that I think the government should take on board. I accept that the bill we have debated now and are about to pass is but one small component of the housing strategy that needs to be presented for the state.

I would love to be able to hold the government to account completely for where we find ourselves. As we have said before, every government in Australia is struggling with part of that. The government has a very big housing budget, though it is struggling to deliver that budget to plenty of sections of the housing sector, particularly existing housing that needs to be upgraded or repaired. Again, although I accept that that requires a construction workforce, which is difficult to supply, the government has not been all that good at opening that level of housing compared with its level of income and its capacity to do so.

The government needs to take a very long, hard look at the amount of money it is putting into its infrastructure pipeline. There is no doubt that the government is competing with itself for workers and materials and driving up the price for both in a fierce competition with itself. Perhaps that needs to be a greater focus than some of the things that the government is trying to do, particularly around expanding its project pipeline. For example, it is struggling to deliver Metronet, and it certainly will not deliver within the time frames that it proposed.

The bill that we are about to pass is modest. The opposition supports it. It is not the answer to the housing crisis that we find not only in this state but admittedly around the country and the world, but it is a small contribution to it. I am always pleased to pass a bill that reduces a government impost on people, particularly in relation to the essentials of life—in this case, housing. Like the minister, I commend the bill to the house.

Question put and passed.

Bill read a third time and passed.

WESTERN AUSTRALIAN MARINE AMENDMENT BILL 2023

Second Reading

Resumed from 9 November.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [3.52 pm]: It is good to deal with the Western Australian Marine Amendment Bill 2023, particularly on behalf of all those recreational boaters out there. I will spend a bit of time during this debate talking about fishing as well as boating. I will do so because in my experience, there are probably more people out there who fish as their recreational boating pastime than simply drive around on the ocean or dive or enjoy any other activities. An enormous number of recreational boats are out there. They are a massive part of the economy. I think most of them are used for fishing. Despite the government's best attempt to restrict that on occasions, the reality is that most of them are out there fishing.

I will start with a statement that I have made a few times in this house. One of the worst jobs a member can get in government is the role of Minister for Fisheries. It is a punishment generally given to people the Premier of the day does not like because basically they are only ever the minister for killjoy. Not many ministers for fisheries announce an increase in quotas, a reduction in size limits or an increase in bag limits. I do not think I have ever seen it.

Hon Darren West: You get the parliamentary secretary to make the good announcements.

Hon Dr STEVE THOMAS: Is that what the Labor Party does? The minister delivers the bad news and the parliamentary secretary delivers the good news. If that were genuinely the case, I would be astounded. We might encourage the Premier to send out the parliamentary secretary and the director general whenever there is bad news, but I expect they will find themselves on urgent government or parliamentary business. When the next major environmental crisis occurs—when the next contamination is found at a waste management site—I suspect Hon Darren West might be out there, as he was, leading the way on the Aboriginal cultural heritage debate. At least he went out and engaged in the debate. He was not backwards in coming forwards; he was not shy. He was not right but he was not shy. I will give him some credit for that.

Much of this bill refers to applying the same sort of regulatory environment to recreational boating as we would find in the Road Traffic Act 1974 for the roads. Obviously, nobody will suggest that people drink driving while fishing is acceptable. I hope the minister is taking copious notes. Actually, the minister is from up north; I might ask about his fishing and boating exploits in a little while. We will come to that in the fullness of time.

Obviously, we do not want open slather on the water any more than we want open slather on the roads. If anything, the boating environment is even more dangerous than the road environment. We will get to the committee stage of the bill, though not today. Sorry; I have caused some disappointment. The minister can write that down if he likes: “committee stage, but not today”. When we get to that stage, we will be looking for some statistics et cetera, particularly injury and potentially death as a result of boating accidents. There have been a couple of quite prominent ones in the last year or two. I am not looking to use specific examples; I am looking for statistics across the board because we are trying to make waterways safer.

As someone who has a recreational skipper's ticket, I am always a bit astounded that we cannot apply the same—I was going to say “regulatory regime”—compliance regime to those on the waterways as we can to those on the motorways. The bill before the house is worthy of support.

One of the things that gets people out on the water is the attraction of going fishing in Western Australia. The restrictions that have been put in place, particularly the extended closure seasons and the bag limits around demersal fish, must be having an impact. During the committee stage, I will try to get some statistics on what the government has seen, both in the number of registrations and the number of licences applied for in that area, to determine whether there has been a visual impact in recreational boating use as a result of its changes. It is very hard to harangue the government for too long about its proposed changes to the fishing rules because, ultimately, it simply has to work off the science as best it has. The science will frequently show that the waterways have been overfished, so therefore bag limits need to be reduced. I think the best example of that would be in Shark Bay in the minister's electorate. Is Shark Bay part of the Mining and Pastoral Region?

Hon Stephen Dawson: Yes.

Hon Dr STEVE THOMAS: It is in the minister's electorate, where overfishing was obvious to observe by those who have been around for a long time. People—many from the south west—would go to Shark Bay, take up

a chest freezer and a generator and pillage the ocean for a long period to a point where there were genuine concerns about the viability of that area. Restrictions were put in place. It would appear that those restrictions have been relatively successful. For example, we have seen the recovery of some of those species. We have seen an improvement in numbers—also, to some degree, in size. Most people fish in Shark Bay for pink snapper. There is a bit of variety out there but most people go to Shark Bay for pink snapper. They reaped the ocean many years ago. I think the limits are now slightly more relaxed than they were at the peak of restrictions. Obviously, that is an incentive. One issue is that a significant change to the fishing rules changes the incentive for people to both own and use boats recreationally. The changed fishing rules have had a significant impact on various parts of the economy. One of the first of those is the bait and tackle shops. They have seen a significant impact both in Perth and in areas where the recreational fishing industry is centred. I suspect that Shark Bay has probably escaped that more than most, but some of the restrictions are fiercest for demersal catches between Augusta and Geraldton. We are probably seeing the worst and most significant impacts in the south west demersal zone. When we get to the committee stage of the bill, I will be interested to see the sorts of numbers that were looked at to work out the impact that might have had on the number of boats out there.

There were some statistics about injuries in the minister's second reading speech, which I will quote from. It states —

... statistics show that in Western Australia from July 2017 to July 2023, there were approximately 257 reports of injury and 46 fatalities on the state's waterways.

This next part makes it difficult, though —

Although it is not possible to say for certain, given the current lack of alcohol and drug testing on the water, evidence suggests that it is highly likely that alcohol and drugs may have played a role in many of these cases.

That statement in itself is remarkably difficult to measure. In effect, it is legislation that is operating on anecdotal evidence. It may well be true, but it is difficult to make that assessment. We have to watch the statistics when we are dealing with land-based road statistics. For example, a statistic states that alcohol was involved in X number of accidents across Western Australia. We go, "Okay". The hardest thing is then asking the questions: What does "involved" mean? Was it the cause? Was it a contributing factor? Was there an assumption that it was a contributing factor or was it simply that alcohol was in the person's system? That probably depends on the measure of the alcohol in that person's system.

[Interruption.]

Hon Dr STEVE THOMAS: Will somebody get the phone?

Hon Darren West: Hello. Yes. It is for you.

Hon Dr STEVE THOMAS: Nothing would surprise us, Hon Darren West. If alcohol was involved in a road statistic, did the person have .001 per cent alcohol in their breath, for example, but it was still listed as a factor in a road incident, injury or death? How we measure the causation of that is one of the really difficult questions. Obviously, the bill is intended to try to answer some of those questions because the bill will try to get some averaged-out statistics on the ground. Allowing random breath tests for boat drivers might produce statistics. Minister, I would be interested in the measurement of the intended random breath testing of boats. Inland waterways and ocean waterways are different. In inland waterways, it is probably reasonably efficient and economic to have a boat, like we would have a police vehicle on a road. There are probably spots in which authorities could put —

Hon Sue Ellery: There are not going to be booze boats.

Hon Dr STEVE THOMAS: No, so are we talking about tests at ramps?

Hon Sue Ellery: In the normal course of their duties, and we can talk about this in committee, if they see or have reason to believe that alcohol is involved, they can stop and test. They can direct a person to a safe place to do the test, but we are not going to be having big booze —

Hon Dr STEVE THOMAS: A big booze boat.

Hon Sue Ellery: No.

Hon Dr STEVE THOMAS: Okay. That would be very difficult to do. As we do with fishing laws, for example, the most obvious place to apply these laws efficiently is at boat ramps. It is obvious that the difficulty with an alcohol test versus applying fishing laws is that they have to identify who on the boat is driving as it comes in. If everybody is drunk on a boat, it is pretty simple, someone takes the fall for it. If there are four people in the boat and there are 16 sized demersal fish coming out of the Geographe Bay area, ultimately the skipper of the boat takes responsibility, so it is fairly simple to do. That cannot be done automatically. I would be interested to know about the range of activities proposed in this bill and what might be possible.

I understood that, in this case, a water police officer who suspected that the driver of the boat was driving or controlling the boat under the influence of drugs or alcohol already had some capacity to pull the boat over, stop

it and arrest that person if required. I was under the impression that they could currently test for alcohol and drug levels but only under certain circumstances, and the bill before the house broadens that. Perhaps in the second reading reply, the minister could give us a much broader aspect of what they do.

I suspect it is probably more complicated when we get to the section in the minister's second reading speech about Surf Life Saving Australia and drowning deaths in Western Australia. I go to that area of the speech, which states —

Research conducted by Surf Life Saving Australia between 2012 and 2022 shows that alcohol and drugs were causal factors in 21 per cent of drowning deaths in Western Australia.

I presume that that is not necessarily restricted to drowning deaths from boats but drowning death more generally, so when we get to the second reading reply, we will potentially chase that down. The speech continues —

Data from Royal Life Saving WA found that of the 98 boating and watercraft fatalities that occurred in Western Australia between 2002 and 2019, 12.33 per cent had an alcohol content above the legal driving limit, 6.85 per cent ... had a blood alcohol content of .15 or above —

Which, I have to say, is more than I think I could manage these days. Perhaps in my youth I could have got to that level. The speech continues —

and 10.96 per cent of the 98 fatalities had illicit drugs in their system.

The speech does not break down whether those drugs were causative or incidental to what went on. In debate on clause 1 we can start to break those numbers down into those that were initially drowning deaths. I will presume that that is drowning deaths across the board. Taking the boat out of the argument for a minute, people who have been drinking around water, particularly drinking significantly, are far more likely to drown than someone who has not. I understand that they lose a bit of direction. I remember a very good study many years ago in which it appeared—because the dead person cannot be asked exactly what they were thinking—from interviews with people who had nearly drowned that many of them became disorientated and thought they were swimming to the top of the water when they were swimming to the bottom. I thought that was quite interesting. This is where this research came from. Imagine someone near a reasonably deep dam with a reasonable amount of alcohol in their system. They are at a barbecue on a dam somewhere; they have had a few drinks and they go for a swim. Hon Dr Brian Walker, is not here otherwise he would tell us—no there he is.

Hon Sue Ellery: That is not him.

Hon Dr STEVE THOMAS: No, that is not him; that is the Acting President. Hon Dr Brian Walker would perhaps tell us that that is not done with cannabinoids but it is done with alcohol. I will be interested to see whether he makes a contribution later in the day. It is not uncommon for people to become disorientated and drown or nearly drown. The assumption is that if people are near to drowning, particularly from becoming disorientated due to a significant amount of alcohol in their system, a fair proportion of those people go the whole way—they do not figure it out in the end, particularly in those deeper sections of waterways. A person does not always bump the bottom and think, “Hang on, there’s the bottom. I’ve gone in completely the wrong direction.” The assumption is that they quite frequently hit the bottom and do not realise exactly what they are doing, which is probably more of an issue for inland waterways than ocean waterways. There are probably exceptions. For those with large enough boats to hold a party on et cetera and carry people who are significantly engaged in a drinking culture and jumping into the ocean—I suspect that ever since the movie *Jaws*, less of that has happened. The ocean is not necessarily where we see most of this activity happening.

We have been told that drugs were a causal factor in 21 per cent of drowning deaths. When we get to that point in committee, can the minister clarify how that figure relates to boating versus non-boating fatalities? I am also interested in alcohol in the same circumstances—boating versus non-boating fatalities—to work out the level.

The minister said that in a quarter of cases, the toxicology results were unknown. I find that to be an unusual statement. In her second reading speech, the minister talked about boating and watercraft fatalities. I would have thought it unusual that in the case of a fatality due to misadventure, be it a boat crash or a drowning, samples were not taken. When the death has a question mark over it, or it is even an accidental death, the normal post-mortem autopsy process is usually investigated in a reasonably detailed manner. It just surprises me that in 25 per cent of cases resulting in a fatality related to a watercraft, no-one has taken samples in a quarter of those. Perhaps I am wrong. Perhaps there are occasions when the certifying doctor says that the cause of death was completely obvious, so sampling was not required, but I would have thought it would be standard operating procedure for that to occur.

I will move on a little further. We are basically focused on recreational boating. By the time we get to commercial vessels, the rules for someone with a commercial skipper's ticket are different again, certainly in terms of employment. Most companies that employ particularly commercial skipper's, but for the most part any on-boat staff have a zero alcohol tolerance. My understanding is that that applies to commercial water passenger vehicles as well. Again, when we get to the clause 1 debate, the minister might be able to tell us what the commercial laws are around the provision of passenger services, and potentially the provision of freight transport services. My understanding is that the companies themselves have zero alcohol tolerance policies.

Interestingly, I noted on the news this morning that the Royal Australian Navy has taken a stern approach to alcohol on board one of its ships.

Hon Kyle McGinn: No. It used to be two cans per day per man.

Hon Dr STEVE THOMAS: In the Navy?

Hon Kyle McGinn: Yes.

Hon Dr STEVE THOMAS: Was the member in the Navy?

Hon Kyle McGinn: I was in the merchant navy and they had the customs guys and it was two cans per day.

Hon Dr STEVE THOMAS: Okay.

Hon Sue Ellery interjected.

Hon Dr STEVE THOMAS: Relax, Leader of the House. It is not actually going to make any difference to progress.

Hon Sue Ellery: He doesn't need to help you!

Several members interjected.

Hon Dr STEVE THOMAS: Hon Louise Kingston is here.

Hon Dan Caddy: The navy is not that far from whaling —

Several members interjected.

The ACTING PRESIDENT (Hon Dr Brian Walker): Members, I draw your attention to the primary debate here.

Hon Dr STEVE THOMAS: Thank you for your direction, Acting President. It is easy to get distracted by Hon Kyle McGinn: the man, the myth, the mullet.

It was interesting to see the Navy come out with that today. Apparently, the story today was that officers in the Navy are prohibited from consuming alcohol because they are theoretically in charge of the ship. I think Hon Kyle McGinn might be roughly right about the consumption levels. What are the ranks in the navy called? Non-commissioned officers or non-commissioned ranks in the Navy are allowed a couple of drinks a day, but the officers, being the decision-makers, are prohibited from doing so. I am sure that is very different from the Navy historically. We have all seen the long-held stories of the rations of rum that were handed out over a long period. We find ourselves in a very different world. It was interesting that the Navy released this information today. It was holding a very senior officer to account for flouting the rules around alcohol consumption in the Navy. It will be interesting to see what the punishment is these days. It was interesting that as we hit this debate, that happened to be on the news this morning.

One of the things that intrigued me in the minister's second reading speech was the examination of section 59(2) of the Western Australian Marine Act 1982. The current offence specifically applies to alcohol or drug-impaired navigation. The minister stated —

This prohibits persons from navigating a vessel while under the influence of alcohol or drugs to such an extent as to be incapable of having proper control of the vessel.

That is obviously a fairly difficult test to set. That is probably why the next line of his speech states —

Although prosecutions under this section have been successful, the provision is infrequently used. In part, this is due to the absence of statutory powers to permit alcohol or drug testing outside cases involving serious injury or death.

This has become the intent of the bill. I presume that as we go through the bill, we will extend the powers beyond the case in which the operation of a vessel has caused serious injury or death. It is probably worth looking at the definition of "serious injury". My question is whether the word "navigating" effectively means being in control of a boat. Could it be argued on a legal precedent that the person was not navigating even if they were driving the boat? It is just one of those little quirks of the law that says that someone is navigating. I can understand if someone is going from Perth to Jakarta, but are they really navigating if they are going across the river, for example? In that case, if they were affected by alcohol or drugs, they would probably be more dangerous than the person who was doing a long trip on the open ocean where there is not much traffic. I wonder whether the term "navigating" needs to be looked at and changed.

Currently, a person convicted of a section 59(2) offence can be given a maximum penalty of a \$1 000 fine. The government says that that is, in its words, manifestly inadequate. It is pretty hard to argue with that, particularly if someone has the wherewithal to own a boat in the first place. Currently, under section 59(2), for a person to go through the process of being charged, they must have caused serious injury or death. At that point, having caused serious injury or death, they would have had a drug and alcohol test, and I do not know whether there are any exemptions for the medical use of marijuana. That is something that other members of the house can raise in the fullness of time. At that point, the person would have caused considerable damage, so a \$1 000 fine would be

completely inadequate. It is not the case that the person would have effectively been picked up while driving with alcohol in their system but would have posed no risk or caused no damage to anybody. I do not remember the current fines. I have never gone through the process of a drink-driving conviction, so I do not know what the fines are off the top of my head, but I imagine that they are significantly higher than \$1 000.

The penalties for someone who drives a motor vehicle while they are over .05 and crashes and causes serious injury or death are significant. I finally got used to .05 versus .08. It was .08 when I first started driving all those years ago when I was a young fellow, which was probably a reasonable amount of alcohol for someone who is young and does not drink much, so I get the argument to go down to .05. Dangerous driving causing death not infrequently results in a term of incarceration. It is a prison term offence. I suspect that if the person does not go to prison, the fine would be significant and they could expect to lose the privilege of driving for a significant period. I am not sure whether the intent of the bill is to make the time period that someone loses their recreational skipper's ticket for equivalent to the time period that someone loses their licence for if they commit that type of offence, but it will probably take that level of penalty to have a significant impact on people's behaviour. I agree with the government; the difference is quite stark, and perhaps that is because everybody is pretty much involved in risk on the road, while a smaller percentage of the population takes that risk when they go boating. I think there are 300 000 or 400 000 boat owners in Western Australia out of a population of 2.5 million. A huge slab of the population owns a boat so there is a significant risk out there. The penalties should probably much better reflect that. The government comes into some of these things. The second reading speech includes the contrast, which is useful. I quote —

By contrast, the equivalent offence under section 63 of the Road Traffic Act imposes a minimum penalty of \$1 750 for a first offence. A person who drives while intoxicated and crashes into another vehicle killing another person or causing them grievous bodily harm could face up to 20 years' imprisonment.

I remember a case—it was the son of someone I shared a seat with on the backbench in the other place, the place that shall not be named here. The driver of the boat caused significant damage to a passenger. It was fairly famous. It ended up in the courts. I think it ended up in the civil courts because the criminal courts could not process it to the satisfaction of the injured party. Sometimes people have to get justice in whatever form they can find it. After all, they got Al Capone on tax evasion not for the multiple murders he committed. In this case, it was a speedboat. From memory, it was an inshore river episode; the accident occurred on the river. I am pretty confident excessive speed and poor behaviour were involved. I suspect that beyond issues of what might have been in the person's bloodstream, there were some significant contributing factors beyond that. I suspect if they had been obeying the boat traffic laws of the day, the accident would not have occurred. Even if it did, it would have been fairly mild. Running into somebody at five kilometres an hour is a very different episode from running into them at 50 kilometres an hour, which is very different from running into them at 150 kilometres an hour. The penalties are incredibly disparate so I think it was only a matter of time before we came to the point where we would catch-up. The minister goes on to explain the second component of that. I quote again from the second reading —

These offences do not apply to many of the evidentiary presumptions and rules around the level of intoxication that are available under road laws, nor do they overtly capture many factors relating to vessel operations, specifically the duties and responsibilities of the vessel master, otherwise known as the skipper.

This is an area of significant confusion; what are the functions, powers and responsibilities of the skipper? They go through a skipper's training course. I did mine in Manjimup, which seems a bit weird because we did the practical component on a dam in Manjimup. There is a fairly big water component down there. Actually, Hon Louise Kingston, it was on the north side, just out of town, on a dam up behind the roadhouse. After going through that training course about the roles and responsibility of the skipper, the hard part is that people can be given all the power and responsibility but the enforcement of that is somewhat more difficult. I think we need to have a discussion in clause 1 around the absolute authorities and powers that will be applied to the skipper of a boat, versus those that we think we have. It is a bit like, in theory, the driver of a car is responsible for minors who might not be wearing a seatbelt, for example. It sounds easy to say but it is rather more problematic trying to convince a hulking 17-year-old to put on a seatbelt when they do not want to. It is not as simple as people would think to maintain that level of control. It is not as simple as we think.

Debate interrupted, pursuant to standing orders.

[Continued on page 6502.]

QUESTIONS WITHOUT NOTICE

SYNERGY — COAL IMPORTS

1471. Hon Dr STEVE THOMAS to the parliamentary secretary representing the Minister for Energy:

I refer to Synergy's unprecedented action to bring 103 000 tonnes of coal from Newcastle to Collie last summer.

- (1) What is the current blending ratio of imported Newcastle coal to local Collie coal?
- (2) How much of the imported Newcastle coal has been blended to be used for electrical generation?

- (3) How much of the imported Newcastle coal has been burnt for generation?
- (4) What is the anticipated date on which all the imported Newcastle coal will have been burnt for generation?
- (5) What was the total cost of bringing the coal to Collie?

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 Energy.

- (1) The blending ratio of the Newcastle coal changes to meet operational requirements. The current ratio is 10 to one.
- (2)–(3) The amount is 79.5 kilotons.
- (4) The coal consumption time line of the Newcastle coal will be dependent on the level of blending with Collie coal, which will be determined by Synergy's operational requirements.
- (5) Please refer to the answer to question without notice 1186.

GRIFFIN COAL — AD ASTRA CORPORATE ADVISORY

1472. Hon Dr STEVE THOMAS to the minister representing the Treasurer:

I refer to the letter of engagement signed by Ad Astra Corporate Advisory on 5 April 2023, as successful tenderer in Treasury's public commercial and economic advisory services panel tender TREAS20010, to conduct negotiations with the insolvent and foreign-owned Griffin Coal.

- (1) What is the hourly rate apportioned to the Ad Astra–Griffin contract as per the commercial and economic advisory services contract?
- (2) Since 5 April 2023 to date —
 - (a) how many billing hours has Ad Astra invoiced the state in relation to its negotiations with Griffin Coal;
 - (b) how many Ad Astra employees or operatives have been engaged in or have contributed to negotiations with Griffin Coal; and
 - (c) has Ad Astra engaged with Ashurst or the State Solicitor's Office in any format or capacity pertaining to the insolvent Griffin Coal?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. The following answer is provided on behalf of the Treasurer.

- (1)–(2) Advice is being sought on the legal, probity and confidentiality issues around the release of this information.

FIREARMS ACT — REFORM — CONSULTATION

1473. Hon COLIN de GRUSSA to the minister representing the Minister for Police:

I refer to the firearms ownership reforms, as proposed under the Firearms Act review, that were released for public consultation.

- (1) Can the minister please advise why no advice, by email or post, was provided to individual firearms licence holders regarding the proposed changes?
- (2) Can the minister please provide the dates and venues of the forums that individual firearms licence holders were able to attend as part of the consultation process?

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) As part of almost two years of public consultation on firearms reforms, the Western Australian public—both licensed firearms owners and non-firearms licence holders, all of whom have an interest in public safety—were notified of the proposed firearms reforms via the following means.

I have to have a sip of water.

Hon Dr Steve Thomas: You're exhausted already!

Hon STEPHEN DAWSON: Indeed.

Hon Dr Steve Thomas: Do you want to swap jobs?

Hon STEPHEN DAWSON: The Leader of the Opposition is more exhausted than me! The answer continues as follows.

The public was notified through engagement with the Western Australian Firearms Community Alliance, which represents some individual firearms licence holders, clubs, dealers, collectors and the broader firearms community; the Western Australian Primary Producers Firearms Advisory Board, consisting of representatives from the Western Australian Farmers Federation, Pastoralists and Graziers Association of Western Australia, Kimberley Pilbara Cattlemen's Association, vegetablesWA and Wines of Western Australia; ministerial media briefings or statements; the Western Australia Police Force website, including via the firearms licensing service's blogsite; the state government website; and media advertisements in all mainstream media, including newspapers, radio, television and online sites.

(2) The information is in tabular form and I seek leave to have it incorporated into *Hansard*.

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

Stakeholder Groups	Date	Venue/Address
Public Consultation Session – Albany	31/03/2022	102 North Road, Yakamia
Public Consultation Session – Kalgoorlie	31/03/2022	35 Cheetham Street, Kalgoorlie
Public Consultation Session – Carnarvon	01/04/2022	Gwoonwardu Mia (Aboriginal Heritage and Cultural Centre), 146 Robinson Street, Carnarvon
Public Consultation Session – Geraldton	01/04/2022	Batavia Coast Conference Centre (The Gerald Hotel), 25 Cathedral Avenue, Geraldton
Public Consultation Session – Broome	02/04/2022	Broome Lotteries House 20 Cable Beach Road East, Broome
Public Consultation Session – Karratha	02/04/2022	Karratha Leisureplex (Millars Well Pavilion), Dampier Highway, Pegs Creek
Public Consultation Session – Kununurra	03/04/2022	Kununurra Leisure Centre Hall, 115 Coolibah Drive, Kununurra
Public Consultation Session – Hillarys	05/04/2022	Flinders Park Community Centre (Main Hall), 137 Broadbeach Avenue, Hillarys
Public Consultation Session – Guildford	07/04/2022	Guildford Town Hall, 97-99 James Street, Guildford
Public Consultation Session – Bunbury	08/04/2022	Chamber of Commerce, 15 Stirling Street, Bunbury
Public Consultation Session – Busselton	08/04/2022	City of Busselton (Undalup Room), 47 Bussell Highway, West Busselton
Public Consultation Session – Northam	08/04/2022	Northam Town Hall, 83 Wellington Street East, Northam
Public Consultation Session – Narrogin	08/04/2022	Dryandra Country Visitors Centre (Narrogin Visitors Centre), Fairway Street and Park Street Narrogin
Public Consultation Session – Rockingham	12/04/2022	Gary Holland Community Centre, 19 Kent Street, Rockingham
Public Consultation Session – Cannington	14/04/2022	303 Sevenoaks Street, Cannington

METRONET — CAPITAL SPENDING AND FUNDING

1474. Hon TJORN SIBMA to the minister representing the Minister for Transport:

I refer to the additional \$1 billion that the commonwealth government has gifted to the state government to cover the most recent cost blowouts for Metronet.

- (1) What is the best current rounded estimate of the full capital cost of Metronet —
 - (a) \$11 billion;
 - (b) \$12 billion; or
 - (c) \$13 billion?
- (2) Does the minister rule out any further budget blowouts of the kind she has consistently delivered each year since 2017?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) The \$1 billion allocated by the federal government reflects a contribution towards just its share of cost escalations, as per national partnership agreements. This is shown in the 2023–24 state budget. Cost escalations have been experienced across the whole economy, whether one is building a patio or a railway. The cost per kilometre for Metronet projects remains significantly lower than other major rail projects across Australia.

FIREARMS ACT — REFORM

1475. Hon PETER COLLIER to the minister representing the Minister for Police:

I refer to the proposed changes to the Firearms Act 1973 and the associated *Firearms Act reform (FAR): Numerical limits additional information* on the Western Australia Police Force website. How many registered firearms owners have more firearms than the proposed limits across the following categories —

- (a) individual club/competition (10);
- (b) individual target (5);
- (c) individual hunt (5);
- (d) individual with multiple subtypes (10); and
- (e) primary producers (10)?

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.

These categories of firearms licence do not currently exist; therefore, it is not possible to determine how many firearms licence holders will be subject to specific category limits.

CHEVRON AUSTRALIA — GORGON CARBON CAPTURE AND STORAGE

1476. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Minister for Environment:

I refer to Chevron's carbon capture and storage facility, which is currently burying only a third of the pollution it committed to as part of the Gorgon gas project.

- (1) How many carbon credits has Chevron purchased in the past two years to make up for the ongoing shortfalls of the 80 per cent injection target?
- (2) What oversight does the government have over international carbon credits being purchased by Chevron to make up for the shortfall in its CCS facility?
- (3) If none, why not?

Hon DARREN WEST replied:

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

- (1) Chevron reported in its 2022 annual performance report that it had acquired and surrendered in excess of 2.3 million offsets. This includes Australian carbon credit units, verified emission reduction units and verified carbon units. The number of individual carbon credits purchased is not reported.
- (2) As required in the conditions of ministerial statement 1198 published in October 2022, for offsets other than those specifically mentioned in the ministerial statement to be acceptable, the minister would have to provide specific written advice that they meet integrity principles and are based on clear, enforceable and accountable methods.
- (3) Not applicable.

PUBLIC HOUSING — AIR CONDITIONING

1477. Hon WILSON TUCKER to the minister representing the Minister for Housing:

As we approach the summer months, and with climatologists declaring the arrival of El Nino bringing hotter than usual conditions, will the minister conduct a review of the public housing climate control policy that does not provide for air conditioning in public housing?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. The state government provides cooling in homes through cost-effective means for tenants, including ceiling fans, higher ceilings, roof and wall insulation and appropriate design relevant to the environment and locality as outlined in the current climate control policy.

INDUSTRIAL HEMP — PFAS CONTAMINATION

1478. Hon Dr BRIAN WALKER to the parliamentary secretary representing the Minister for Environment:

I refer the minister to a recent study published by Swedish agricultural scientists suggesting that PFAS—a compound threatening water quality worldwide, as well as here in Western Australia—can be mitigated through phytoremediation, with cannabis, in the form of industrial hemp, proving to be a fine candidate crop for such clean-ups.

- (1) How many cases of PFAS or suspected PFAS contamination have been reported to the Department of Water and Environmental Regulation in the past 12 months?

- (2) What clean-up options are currently employed or recommended by the department in the event of PFAS contamination?
- (3) Will the minister encourage the department to consider phytoremediation, particularly as it relates to industrial hemp, as one of its potential solutions going forward?

Hon DARREN WEST replied:

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

- (1) There were 31 cases.
- (2) The Department of Water and Environmental Regulation's *Guideline: Assessment and management of contaminated sites*, published in 2021, outlines in section 12.3 the general process for undertaking an evaluation of remedial options for all contaminated sites. This guideline does not recommend any specific remediation options for PFAS. However, nationally consistent guidance and standards for the management of PFAS contamination is provided in the *PFAS national environmental management plan*. Appendix C of the PFAS NEMP provides an overview of a range of common treatment technologies that are available in Australia.
- (3) While DWER does not recommend or endorse any specific technologies for remediation, options such as phytoremediation, including using industrial hemp, may be considered and assessed by the party responsible for remediation in accordance with the guidelines mentioned above.

LOCAL GOVERNMENT — ELECTIONS

1479. Hon MARTIN ALDRIDGE to the Leader of the House representing the Minister for Local Government:

I refer to the conduct of the recent local government elections.

- (1) Have any concerns been expressed to the minister about the conduct of elections by the Western Australian Electoral Commission?
- (2) Is the minister satisfied with the conduct of the local government elections with regard to the performance of the WA Electoral Commission?
- (3) Given that the recent elections were the first that included optional preferential voting, does the government have any plan to review the conduct of elections; and, if so, can the minister please provide detail?

Hon SUE ELLERY replied:

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

- (1)–(3) The Western Australian Electoral Commission operates impartially in conducting elections. There is always commentary and feedback on the conduct of local government ordinary elections. It is also usual practice to discuss and debrief on the conduct of elections. The Department of Local Government, Sport and Cultural Industries is engaging with the Western Australian Electoral Commission to debrief on the conduct of the recent ordinary elections. Optional preferential voting was successfully implemented at these elections. The new backfilling provisions, which have been made possible by the optional preferential voting system, mean that the need for extraordinary elections is reduced, saving costs for ratepayers and preventing disruptions to councils.

NATIVE FOREST — LOGGING

1480. Hon LOUISE KINGSTON to the Minister for Forestry:

I refer to the native forestry ban and the impact it will have on Western Australian communities, and the use of snippers on prime sawlogs.

- (1) Why were contractors verbally instructed by the Forest Products Commission to use large hydraulic splitters, known as snippers, on sawlogs instead of the traditional circular saw?
- (2) How many sawlogs were processed using snippers?
- (3) Why were snippers used?

Hon JACKIE JARVIS replied:

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

- (1)–(3) Forest Products Commission contractors do not use snippers for sawlog production.

CHILDREN IN CARE — WHEREABOUTS UNKNOWN

1481. Hon NICK GOIRAN to the minister representing the Minister for Child Protection:

I refer to the answer of 9 November 2023 to my question without notice.

- (1) Have the two children recorded in the placement type “missing” been found?

- (2) For how many days have they been or were they missing?
- (3) How many children who are in the care of the CEO have their whereabouts currently recorded as missing?

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.

As at 16 November 2023, the Department of Communities advises the following.

- (1) Yes.
- (2) Two days for each child.
- (3) One child.

RESOURCES COMMUNITY INVESTMENT INITIATIVE

1482. Hon Dr STEVE THOMAS to the Leader of the House representing the Premier:

I refer to the government's launch on 22 November 2022 of the resources community investment initiative. As at 16 November 2023 and from the inception of the RCII, I ask the following.

- (1) What is the total value of the financial commitments made by WA resources companies, entities or individuals?
- (2) How many WA resources companies, entities or individuals have been approached by the state government to participate in the RCII?
- (3) What is the methodology of approach utilised by the government to WA resources companies, entities, or individuals to participate in the RCII?
- (4) As participants in the RCII, are companies, entities or individuals obliged to remain party to the RCII for a specified time frame?
- (5) If yes to (4), what is that time frame?

Hon SUE ELLERY replied:

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

- (1) A value of \$750 million.
- (2) There were 38.
- (3) Letters and facilitation of workshops.
- (4) No.
- (5) Not applicable.

FIREARMS ACT — REFORM — CONSULTATION

1483. Hon COLIN de GRUSSA to the minister representing the Minister for Police:

I refer to the firearms ownership reforms released for public consultation as proposed under the Firearms Act review. Can the minister please table the research that the state government used to correlate public safety and a reduction in crime to the number of firearms held by licence holders?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. I saw the question and signed off on it earlier but it is not in my file. If it comes in by the end of question time, I will give it to the member.

METRONET — ARMADALE RAIL LINE — SHUTDOWN

1484. Hon TJORN SIBMA to the minister representing the Minister for Transport:

I refer to the situation facing some patrons with disabilities who will have their travel plans severely disrupted by the closure of the Armadale train line for an extended period. What potential mitigating solutions suggested by those users and their advocates has the government refused and what justification has been offered for those refusals?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. As with any initiative across government or industry, a range of solutions for a problem are explored and the most appropriate solutions are selected. The state government will continue to work with passengers with disability on a one-on-one basis to provide assistance based on their circumstances.

LOCAL GOVERNMENT — ELECTIONS

1485. Hon PETER COLLIER to the parliamentary secretary representing the Minister for Electoral Affairs:

- (1) Is the Western Australian Electoral Commission responsible for conducting local government elections in Western Australia?

- (2) If yes to (1), why were the results from the recent local government elections not available on the WAEC website on the night of the poll, 21 October, or, in some instances, for days or weeks after the elections?

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) Under the Local Government Act 1995, a local government opting for a postal election must declare, by agreement, that the Electoral Commissioner will conduct the election on its behalf. Councils may choose to conduct their own in-person election or ask the Western Australian Electoral Commission to conduct an in-person election on their behalf. The WAEC recently conducted 124 of the 139 local government elections.
- (2) Official results are published by the Electoral Commission on its website only after a formal declaration by a returning officer. The Electoral Commission provided advice in the lead-up to the elections that final results may not be available until the Monday or Tuesday. This advice was also published on its website and social medial channels on election day and the following days.

All local government elections, except for the City of Swan, were formally declared by the Electoral Commission by Wednesday, 25 October 2023. The result for the City of Swan was declared on Thursday, 26 October 2023.

PUBLIC HOUSING — WAITLIST

1486. Hon Dr BRAD PETTITT to the minister representing the Minister for Housing:

I refer to the wait-turn and the priority public housing waitlists.

- (1) How many applicants and individuals were on each list at the end of October 2023?
- (2) On what date did the applicant who has been waiting the longest on each waitlist initially join the waitlist?
- (3) Given that Parliament will not sit again until February next year, will the minister commit to publishing this data for the months of December, January and February when there will not be an opportunity to ask questions without notice?
- (4) If no to (3), why not?

Hon JACKIE JARVIS replied:

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

I note that the Parliament is sitting again this year. The following response has been provided by the Minister for Housing.

- (1) As at 31 October 2023, there were 19 328 applications on the public housing waitlist statewide, representing 34 478 people. This includes 4 960 priority applications, representing 9 710 people.
- (2) The requested data requires a significant amount of government resources, including a manual review of individual files. Therefore, it is not possible to gather this information regularly without an unreasonable use of government resources, nor within the time frame provided today. Should the member wish to place this question on notice, the minister will endeavour to provide a response.
- (3)–(4) Please refer to Legislative Council question without notice 1037 answered on 13 September 2023.

ROEBOURNE REGIONAL PRISON — AIR CONDITIONING

1487. Hon WILSON TUCKER to the minister representing the Minister for Corrective Services:

The weather forecast for next week shows that Roebourne will reach a top of 41 degrees. Can the minister please update the house on when the rollout of air conditioning in prison cells at Roebourne Regional Prison will be completed?

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 Department of Justice advises that the temperature management project at Roebourne Regional Prison is scheduled for completion by December 2024.

METRONET — WORKS — LAWFUL COMPLIANCE

1488. Hon Dr BRIAN WALKER to the minister representing the Minister for Transport:

I refer the minister to the reply she was good enough to provide to my question without notice 1382, asked on 8 November 2023, about PERMAcast and the expectations that companies contracted as part of the Metronet rollout should execute their contracts in a legal manner.

- (1) Has the government abdicated all responsibility for Metronet contractors to the relevant Metronet alliance?

- (2) If yes to (1), what recourse do ordinary citizens, including those in the 29 residential properties abutting PERMAcast's unlicensed facilities in the Shire of Serpentine Jarrahdale, have when impacted by what amounts to an illegal operation undertaken by an alliance contractor?
- (3) If no to (1), will the government exercise its obligations as the initiator of this particular contract to suspend all Metronet work on the site until such time as PERMAcast has complied in full with the local planning laws and requirements; and, if not, why not?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) Compliance matters are being addressed by the responsible authorities.

URGENT CARE CLINICS — DATA COLLECTION

1489. Hon MARTIN ALDRIDGE to the minister representing the Minister for Health:

I refer to the state government's 2017 broken promise to provide urgent care clinics to multiple regional locations and Legislative Council question on notice 1659 answered on 15 November 2023.

- (1) Will the government please table the end-of-pilot analysis review for the GP urgent care network which was completed in March 2022?
- (2) If no to (1), why not?

Hon SUE ELLERY replied:

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

- (1) No.
- (2) The Cook government continues to work with the Albanese government to establish seven bulk-billing urgent care clinics in Western Australia, including one in Broome and one in Bunbury. Our Bunbury urgent care clinic is up and running at the health hub at Eaton Fair Shopping Centre. Other urgent care clinics are open in Morley, Rockingham, Clarkson and Beeliar. This complements the GP urgent care network that continues to operate across the state. The end-of-pilot analysis reviewed an early stage of the full cross-government approach to roll out GP urgent care that is now underway and is no longer relevant or current.

FOREST MANAGEMENT PLAN 2014–23 — SILVICULTURAL GUIDELINES

1490. Hon LOUISE KINGSTON to the parliamentary secretary representing the Minister for Environment:

I refer to *A report on silvicultural guidelines for the 2024–2033 Forest Management Plan to the Western Australian Department of Biodiversity, Conservation and Attractions* of May 2022 provided by an independent panel to the department as required by the *Forest management plan 2014–23*.

- (1) Given the report does not identify a reduction in growth rates, what forest growth measurements and analysis has the government relied on to introduce its ban on the native forestry industry?
- (2) If the department is in possession of these measurements, will the minister table this report?

Hon DARREN WEST replied:

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

- (1) A range of biological factors can influence tree growth. As outlined in the independent silviculture review panel report of May 2022, the projected increased warming and drying climate trends across the south west region have the potential to reduce growth rates and carrying capacity of forests. The report also highlights the positive impact thinning can have on tree growth. The proposed Forest Management Plan 2024–2033 provides for ecological thinning in regrowth forests to promote growth of retained trees, enhancing climate and fire resilience.
- (2) No such report exists.

FIREARMS ACT — REFORM

1491. Hon NICK GOIRAN to the minister representing the Minister for Police:

I refer to the minister's answer to my question without notice 1314 on 19 October 2023, which informed the house that a working group involving WA police has been established to investigate the most effective process for health assessments associated with proposed reforms to firearms laws.

- (1) On what dates has the working group met?
- (2) When is the working group scheduled to provide its recommendations?

- (3) Is the minister aware the Law Reform Commission recommended that a detailed analysis and assessment of the policy surrounding mental health and access to firearms be undertaken?
- (4) Will this be done by the working group?
- (5) Will the minister be tabling this detailed analysis and assessment?

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)–(5) The Western Australia Police Force advises that the health assessment working group met on the following dates: 6 February 2023; 7 March 2023; 11 April 2023; 30 May 2023; 22 June 2023; and 27 June 2023. Since its last meeting, HAWG has been working on advice to be provided to the government and that is expected in early December.

TIER 3 LINES — BUSINESS CASES

1492. Hon Dr STEVE THOMAS to the minister representing the Minister for Transport:

I refer to my questions without notice 194, 241, 667, 691, 877 and 976 asked in 2022, and 58 and 774 of 2023 in relation to the Quairading–York, Kulin via Yilliminning to Narrogin, and Kondinin via Naremburn to West Merredin proposed tier 3 lines.

- (1) Have the business cases for any of these three lines been completed?
- (2) If yes to (1), when were they completed, and have the business cases been submitted to Infrastructure Australia; and, if no to (1), when will they be completed?
- (3) When will the business cases for each of the proposed lines be made public?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The question I have is dated 18 October, but it is the same question that the member asked. The answer is current as at that date, obviously.

- (1)–(3) Analysis on the recommissioning of tier 3 lines is ongoing.

WESTERN AUSTRALIA POLICE ACADEMY — GRADUATES

1493. Hon TJORN SIBMA to the minister representing the Minister for Police:

I refer to the 56 officers who graduated from the Western Australia Police Academy on 2 November 2023.

- (1) How many officers had completed all critical training components required to be deployed on frontline duties?
- (2) For any officers who have not completed the above to an acceptable standard, by when are they required to achieve this standard?

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 every graduate completed the required components to be deployed to frontline duties.

WASTE MANAGEMENT — FOOD ORGANICS AND GARDEN ORGANICS

1494. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Minister for Environment:

I refer to question without notice 1078 regarding food organics and garden organics, which was answered on Tuesday, 19 September 2023, and note that this is National Recycling Week.

- (1) What percentage of metropolitan local governments are currently participating in FOGO?
- (2) What percentage of households across the metropolitan area are currently participating in FOGO?
- (3) What percentage of costs towards FOGO is the state government contributing to participating local governments for —
 - (a) FOGO set-up; and
 - (b) FOGO operations?

Hon DARREN WEST replied:

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

- (1) Thirty per cent of Perth metropolitan local governments currently provide FOGO services.

- (2) Approximately 16.4 per cent of households in the Perth metropolitan region have access to FOGO services.
- (3) (a) Costs to implement three-bin FOGO services are highly variable. Payments of \$15 and \$25 a household are made available to local governments participating in the state government's Better Bins Plus: Go FOGO program, which is primarily spent on caddies and compostable liners, as well as on householder education.
- (b) The state government does not make payments to local governments for FOGO operations. The Department of Water and Environmental Regulation is delivering a grants program that includes \$5.625 million in state funding to support three new organic recycling infrastructure projects. These three recycling infrastructure projects will divert up to 275 000 tonnes of FOGO waste from landfill each year and convert it into compost. The grant funding is matched by the commonwealth to provide a total of \$11.25 million through a food waste for healthy soils program.

ROAD TRAUMA TRUST ACCOUNT — AUDITOR GENERAL'S REPORT

1495. Hon MARTIN ALDRIDGE to the minister representing the Minister for Road Safety:

I refer to the Auditor General's seventh report of 2023–24, *Management of the road trauma trust account*, which found that the road trauma trust account is not being administered effectively, and there was no systemic approach to recommending and evaluating projects for funding.

- (1) Does the state government support the findings and recommendations made by the Auditor General?
- (2) What is the current process for an organisation wishing to apply for funding from the road trauma trust account?
- (3) Noting the RTTA has a surplus of \$95 million and the use of new point-to-point camera systems are expected to generate an additional \$69 million, how will this funding be utilised effectively to reduce WA's road death toll?

Hon SUE ELLERY replied:

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

- (1) The government accepts the Auditor General's findings and recommendations. A broad reform program is already underway to address the issues raised in the Office of the Auditor General's report.
- (2) Funding applications for the road trauma trust account should be directed to the Road Safety Commission for assessment.
- (3) Focusing on the cash balance in the RTTA at any one point in time is misleading and does not reflect planned expenditure or funding commitments over the forward estimates period. Based on current funding commitments and revenue estimates, \$35 million will remain in the RTTA by the end of the forward estimates period.

JUSTICE — PRISONER EMPLOYMENT PROGRAM

1496. Hon NICK GOIRAN to the minister representing the Minister for Corrective Services:

My question is directed to the parliamentary secretary, but I suspect it has been redirected to the Minister for Emergency Services representing the Minister for Corrective Services. I refer to the research report entitled *Let them work: how criminal justice reform can help address Australia's worker shortage* published by the Institute of Public Affairs in March this year that advocates for the introduction of work-focused community service orders for all nonviolent and non-sexual offenders who are prepared to work full time.

- (1) Is the minister aware of this research report?
- (2) Is the minister aware that the report argues that such work-focused community service orders would help address the current worker shortages, reduce incarceration rates and, consequentially, the state's prison expenditure, and enhance the rehabilitation of nonviolent offenders?
- (3) When did the department brief the former minister about this report?
- (4) When did the department brief the current minister about this report?
- (5) Has the minister discussed the report with the Premier or the Attorney General?

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.

- (1) No.
- (2) Not applicable.

- (3) The department did not brief the former Minister for Corrective Services prior to the change of minister.
- (4) The Department of Justice has not briefed the minister on this report.
- (5) No.

BIOSECURITY, CONSERVATION AND ATTRACTIONS — PRESCRIBED BURNS

1497. Hon Dr STEVE THOMAS to the parliamentary secretary representing the Minister for Environment:

This question was asked on 17 or 18 October. For each of the financial years 2017–18 to 2022–23, inclusive, what area of prescribed burning was completed in the Department of Biosecurity, Conservation and Attractions in —

- (1) DBCA's three south west forest regions;
- (2) DBCA's Kimberley region;
- (3) DBCA's Pilbara region;
- (4) DBCA's goldfields region;
- (5) DBCA's midwest region;
- (6) DBCA's wheatbelt region; and
- (7) DBCA's south coast region?

Hon DARREN WEST replied:

I thank the member for some notice of the question. On behalf of the Minister for Environment, I provide the following answer, which is so extensive and in tabular form that I seek leave to have it incorporated into *Hansard*.

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

Answer

- (1) 2017–18 approximately 218,965 hectares
2018–19 approximately 168,043 hectares
2019–20 approximately 132,940 hectares
2020–21 approximately 171,236 hectares
2021–22 approximately 192,257 hectares
2022–23 approximately 175,414 hectares
- (2) 2017–18 approximately 3,463,140 hectares
2018–19 approximately 2,878,158 hectares
2019–20 approximately 3,076,035 hectares
2020–21 approximately 3,217,272 hectares
2021–22 approximately 4,641,088 hectares
2022–23 approximately 4,150,189 hectares
- (3) 2017–18 approximately 992,339 hectares
2018–19 approximately 498,345 hectares
2019–20 approximately 303,180 hectares
2020–21 approximately 370,525 hectares
2021–22 approximately 14,669 hectares
2022–23 approximately 394,518 hectares
- (4) 2017–18 approximately 265 hectares
2018–19 approximately 337 hectares
2019–20 approximately 14,590 hectares
2020–21 approximately 2,341 hectares
2021–22 approximately 21,700 hectares
2022–23 approximately 34,158 hectares
- (5) 2017–18 approximately 228,601 hectares
2018–19 approximately 14,736 hectares
2019–20 approximately 16,898 hectares
2020–21 approximately 8,505 hectares
2021–22 approximately 15,396 hectares
2022–23 approximately 171,962 hectares

- (6) 2017–18 approximately 1,610 hectares
2018–19 approximately 181 hectares
2019–20 approximately 460 hectares
2020–21 approximately 368 hectares
2021–22 approximately 371 hectares
2022–23 approximately 24,144 hectares
- (7) 2017–18 approximately 6,123 hectares
2018–19 approximately 3,338 hectares
2019–20 approximately 9,123 hectares
2020–21 approximately 2,989 hectares
2021–22 approximately 6,629 hectares
2022–23 approximately 14,950 hectares

GEOTECHNIC DRILLING — COLLIE

1498. Hon Dr STEVE THOMAS to the minister representing the Minister for Lands:

This question was asked on 15 August. I refer to my question without notice 763 of 8 August 2023.

- (1) What budgetary allocation has DevelopmentWA apportioned for the acquisition or leasing of industrial land in Collie for the financial years 2023–24, 2024–25, 2025–26 and 2026–27?
- (2) What area or volume of industrial land in Collie is DevelopmentWA seeking to acquire or lease in the financial years 2023–24, 2024–25, 2025–26 and 2026–27?
- (3) What is the projected time frame from the point of freehold acquisition of industrial land in Collie by DevelopmentWA to the delivery of fully serviced, ready-to-go industrial lots to the end consumer?

Hon JACKIE JARVIS replied:

I thank the member for some notice of the question. The following response has been provided by the Minister for Lands. I note this answer was correct as of Tuesday, 15 August.

- (1) An amount of \$12 million is allocated from 2023–24.
- (2)–(3) DevelopmentWA is seeking to acquire industrial land in the Collie region over the next two years. The amount of land to be acquired and the delivery time frame are subject to numerous factors, including the existing zoning and servicing capacity of the land, when the land can be secured and the identified needs of any future proponents.

GREAT EASTERN HIGHWAY BYPASS INTERCHANGE — ROE HIGHWAY–ABERNETHY ROAD

1499. Hon Dr STEVE THOMAS to the minister representing the Minister for Transport:

This question dates from 16 October. I refer to the on-hold Great Eastern Highway bypass interchanges at Roe Highway and Abernethy Road, which has a lot of PFAS.

- (1) What further approvals does Main Roads require for further construction on the project to commence?
- (2) As at 16 October 2023, what is the status of each of the required approvals?
- (3) What was the contractual value of interchanges project awarded in February 2021?
- (4) As at 16 October 2023, what financial variations have been applied or added to the project in variance to the value applied to the original project awarded in February 2021?

Hon SUE ELLERY replied:

I thank the member for some notice of the question. I answer on behalf of the Minister for Emergency Services, and I note the answer is correct as at 17 October.

- (1) Main Roads requires environmental approvals and approvals from Perth Airport Pty Ltd and associated sub-lessees to access lands.
- (2) Work with the relevant environmental authorities regarding relevant environmental offset requirements is ongoing. Main Roads and the Department of Planning, Lands and Heritage are continuing discussions with Perth Airport in order to reach a mutually agreeable outcome that transfers federal land to the state.
- (3) The project delivery structure is an alliance tasked with project development as well as design and construction. There was no agreed contractual value at award, as the final scope of the project was subject to development and regulatory approvals.
- (4) Not applicable.

HOSPITALS AND HEALTH CAMPUSES — MAINTENANCE FUNDING*Question without Notice 1465 — Answer*

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.04 pm]: I would like to provide an answer to Hon Martin Aldridge's question without notice 1465 asked yesterday. I seek leave to have the response incorporated into *Hansard*.

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

-
- (1) \$7.7million,
 - (2) Nil.
 - (3) Infrastructure and maintenance workforce figures are not held by WA Health.
-

FIREARMS ACT — REFORM — CONSULTATION*Question without Notice 1483 — Answer*

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.05 pm]: On behalf of the minister representing the Minister for Police, I provide an answer to Hon Colin de Grussa's question without notice 1483 asked earlier today.

The following information has been provided to me by the Minister for Police.

As recommended by the Law Reform Commission of Western Australia's report of October 2016, *Review of the Firearms Act 1973 (WA)*, the Firearms Act 1973 is being rewritten from the ground up with a statement as to the purpose of the firearms legislation that confirms —

- (a) the primary principle is the need to ensure public safety;
- (b) the possession and use of firearms is a privilege that is always conditional on the need to ensure public safety; and
- (c) public safety can be improved by requiring strict controls on the possession, use, dealing and manufacturing of firearms, and requiring the safe and secure storage and carriage of firearms.

COMMUNITIES — STAFFING — KIMBERLEY*Question without Notice 1424 — Answer*

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [5.06 pm]: I would like to provide a response to Hon Wilson Tucker's question without notice 1424 asked on Tuesday, 14 November. 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 Department of Communities advises that like other employers and industries, it is facing market challenges such as skilled labour shortages. To attract and retain staff, particularly frontline workers, the State Government has invested \$3.7 million under the Temporary Regional Attraction and Retention Incentive (RARI) scheme. As was announced on 22 June 2023, under the RARI scheme, eligible staff may receive up to \$13,000 in additional financial support in the Kimberley region.

As at 31 October 2023, the Department of Communities headcount in the Kimberley region is 300 with 74.1 Full-Time Equivalent (FTE) positions with ongoing recruitment campaigns. It is important to note that the headcount of employees is not directly comparable to FTE positions.

WESTERN AUSTRALIAN MARINE AMENDMENT BILL 2023*Second Reading*

Resumed from an earlier stage of the sitting.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [5.06 pm]: We were interrupted by question time when I still had a few questions to ask, but I did the best I could this afternoon. I intend to conclude my introductory remarks on the Western Australian Marine Amendment Bill 2023 in the not-too-distant future, and then when we come back we will obviously have this bill and the planning bill in the list of important bills that we are trying to get through. I suspect that when we get back Hon Neil Thomson, as the lead speaker for the opposition, will make a fairly brief contribution and spend a smallish amount of time on the committee stage and we will move forward fairly quickly. In fact, Hon Neil Thomson will not need his full time if he is the lead speaker, so he can be marked down for 45 minutes. I do not expect him to take that time, particularly after today. I think he can be fairly well restricted. I am not sure if any crossbench members are planning to make a contribution in relation to —

Hon Sue Ellery: No, I asked them.

Hon NEIL THOMSON: No, so we will get through that bill fairly quickly when we return for the next sitting week, which will leave us simply the planning bill to get through. It is the opposition's intent to get through that in

a reasonably timely manner as well. Although both these bills are reasonably sized, this particular bill is far bigger than the Duties Amendment (Off-the-Plan Concession and Foreign Persons Exemptions) Bill 2023 that we dealt with previously, which contains nine clauses. Although this bill has a lot of pages in it, the number of clauses is not massive at 39. The bill itself runs to 165 pages, most of which relates to —

Hon Sue Ellery: Come on! You can do better.

Hon Dr STEVE THOMAS: I am trying my best. In the few remaining minutes, I will finish going through the minister's second reading speech, which is the way that we have approached this bill all the way through. I note on page four of the minister's second reading speech, which we were discussing before we were interrupted for question time, that the new legislation will apply to recreational and commercial vessels and that any disqualification imposed under this bill will affect only marine qualifications issued under the Western Australian Marine Act. I have raised the issue of the difference between commercial and recreational vessels. Recreational vessels, I would have thought, was fairly obvious. I am not sure whether there is any other form of recreational licence apart from a WA skipper's ticket. For everything else, I assume it is a commercial licence. This bill will capture commercial licences, but only qualifications issued under the WA Marine Act. For example, the questions might be: if someone is issued with, presumably, an Australia-wide skipper's ticket or international qualification, is there a retrospective recognition of the qualification from outside Western Australia's jurisdiction? If there is, under what circumstances are they captured or missed? I would not expect a huge number of people to come in with qualifications. There are some other countries with recreational skipper's tickets, and presumably they will be picked up somehow, so I think that is probably all right. I suspect this might relate more to commercial qualifications, but it is worth checking out precisely when those things apply.

Before question time, we were also talking about how the mechanism of testing et cetera will be undertaken. I will quote from page 4 of the minister's second reading speech before adding to it. It states —

Alcohol and drug testing operations on the water present many challenges that do not arise on road-based operations. The marine environment has a lower density of traffic, operations will need to take place over a wider area, and testing may take additional time. Weather and environmental conditions will also have a greater influence, as intercepting or boarding a vessel in adverse sea conditions can raise safety concerns.

That tends to indicate that there will be a testing regime or activity out on the water. Earlier on, by interjection, the minister stated she was not suggesting a booze boat. I am happy to take the minister at her word on that particular outcome. However, it suggests that an intended outcome of this legislation will be that we will see a significant amount of testing on the water. The minister is right; that poses —

Hon Sue Ellery: Honourable member, they will be directed to the nearest safe place to conduct the testing.

Hon Dr STEVE THOMAS: Okay. That is the next line. It states —

To accommodate the operational complexities of on-water testing, the bill will empower officers to make requirements and give directions to facilitate the marine testing regime. Depending on the time, place and circumstances, an enforcement officer may need to move the vessel to a safe location to safely conduct an alcohol or drug test.

The indication is that that would happen on all occasions.

Hon Sue Ellery: No, it won't be all occasions, but there will be many occasions. There will be occasions when the safest thing to do is direct the boat to the nearest jetty. It might get to that jetty and it is too crowded and you can't do it there, so you direct on again.

Hon Dr STEVE THOMAS: I fully accept that, but the impression I got before was that there would not be testing on the water on a boat. I think what the minister is saying with this —

Hon Sue Ellery: Not a booze bus-type, just everyone pull over.

Hon Dr STEVE THOMAS: Yes, exactly. When it is safe to do so, a police boat could stop a recreational boat for a breath test, for example. Presumably, officers will use the same tests as police in a roadside vehicle test. That should probably be another question we will get to.

Hon Sue Ellery: It's the same kind of testing. Yes.

Hon Dr STEVE THOMAS: When we get there. I am not trying to delay next week, but when we get there. One would assume they would be tested with the same materials, but if there is a variation, that might be useful to know. I can understand how a booze boat would probably be a crazy thing to try to implement, if for no other reason than pretty much every boat has a marine radio. The first thing that would happen is someone would say a booze boat is parked out the front of Queen Elizabeth —

Hon Kate Doust: Betty's jetty.

Hon Dr STEVE THOMAS: Betty's jetty. Yes, I was trying to think of the official term for it. It seems a bit disrespectful to call her that since she has passed away, but anyway. The first thing someone would do is they

would go to the two-way radio and say there was a booze boat sitting out front. Everyone with a radio on the river would realise that. I think it would be remarkably surprising if a single person could be caught by a booze boat sitting there. It makes sense that the government is not going to go down that path.

The only indication was perhaps that there was not going to be on-boat on-water testing. I think there are obviously circumstances in which that would occur. I suspect that there would be more on-boat on-water testing on inland waters than there would be if it was sent and directed somewhere else. It is just for the sake of convenience. If it is only a question mark and it is not reasonably certain that the person is operating the vehicle under the influence of either drugs or alcohol, sending them to a jetty might take half an hour to get to. Even if it is not a big distance, an officer cannot travel very fast on the Swan River. It takes half an hour to get a person to a testing point. As the minister said, if that point cannot be used, they then have to go half an hour to the next point. It makes sense to me that in the first instance, the officer would seek to and attempt to conduct a test on the water where the boat is pulled over. I think that would probably be a safe outcome in a large range of circumstances. I absolutely understand that there will be circumstances in which the officer does not. That makes sense to me.

I have a couple of last-minute things to say before I sit down. On page 4, the minister's second reading speech states —

This bill will give the ... Transport and police officers the necessary authority to effectively and appropriately respond to individuals whom they believe are incapable of safely navigating a vessel ...

Police officers makes sense. I am interested to see what the role of transport officers will be in the testing regime that the government will put in place. Are there specific transport transit officers? Are we talking about the kinds of powers that a transit officer has on the rail lines, for example? The rail transit officers have some level of police powers—not all levels, but some components. Is it the case that transport department officers will play a role in this? I think it would be worth identifying which officers that might be and under what circumstances that will apply. I think it needs to be said.

The bottom of that paragraph says what the minister has reinforced several times today. It states —

It is not the intention of the government to use these powers to undertake random breath test-style testing on our waterways.

I suspect that the house will pass the bill on Tuesday. If not, and we go straight to the Planning and Development Amendment Bill 2023, it will certainly pass next week. That is a commitment of the opposition. It is a fairly short time frame. It appears as though the legislation might allow for an RBT-style approach, even if it is not the intent of the current government to do so. I am assuming that the government would be empowered to conduct booze boat-type activity under the legislation that we are about to pass, even though it is not necessarily the case that it is intended. I guess that sometimes happens with legislation.

With all the best intent in the world, the government can say, “We did not intend at any time to engage in that sort of booze boat activity. We were not intending to put random breath testing in for officers.” If the government was going to do it, I suspect it would make sense to do it at the boat ramp, rather than anywhere else. I guess the argument is: if a person is being RBT-ed at the boat ramp, would an officer get them as driving under the influence or boating under the influence? They have to be able to drive down to put their boat in the water.

The DEPUTY PRESIDENT: Order! Member, I am reluctant to interrupt you, but the time has arrived for members' statements.

Debate adjourned, pursuant to standing orders.

JUSTICE — PRISONER EMPLOYMENT PROGRAM QUESTION WITHOUT NOTICE 1496 — ANSWER VERACITY

Statement

HON NICK GOIRAN (South Metropolitan) [5.19 pm]: Deputy President, I rise to draw to your attention a false answer given during question time today by Hon Stephen Dawson, Minister for Emergency Services, who, regrettably, is away from the chamber on urgent parliamentary business. The question that was asked of the minister in his capacity as minister representing the Minister for Corrective Services was whether the minister was aware of a research report. The answer that was provided today was no. That answer must be false. In drawing this to your attention, Deputy President, there is no doubt in my mind that that answer must be false. The reason that I am so certain to draw this to your attention and ask you and/or the President to consider this over the coming recess is that on 21 September this year, I asked that same minister a question about that very same research report and the response to question without notice 1156 that was provided by Hon Stephen Dawson, Minister for Emergency Services representing the Minister for Corrective Services, was as follows —

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

Honourable member, this is the first time I have seen the answer. It was in somebody else's file. I am advised that this question falls under the corrective services portfolio and the Minister for Corrective Services is

unable to answer for the Attorney General. The minister requires the question to be referred to the Minister for Corrective Services to respond accordingly. He should have given that answer. I will get the member an answer for the next sitting day.

That was on 21 September 2023. Obviously, Hon Stephen Dawson knew of this research report on that particular day, albeit in a representative capacity. When we next sat, Hon Stephen Dawson decided in a very shifty fashion to not provide the answer orally in the house, but to instead table the answer. The answer in response to the question about that same research report was tabled on 10 October 2023. Hon Stephen Dawson said in a representative capacity at that time in this tabled answer, which is another issue I wish to draw to your attention in a moment, Deputy President, the following —

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.

Noting that this question refers to the previous Minister, I understand that a briefing was provided. As I was not involved in the meeting further details are unable to be provided to the Honourable Member.

Obviously, Hon Stephen Dawson and the Minister for Corrective Services were aware of this research report as at the day that the Minister for Corrective Services signed the answer that was tabled by Hon Stephen Dawson. It is dated Monday, 9 October 2023. In accordance with my notes and records, it was tabled in this house the following day. It was obviously the case that Hon Stephen Dawson and the Minister for Corrective Services knew about this at least as early as 10 October this year. A minister of the Crown cannot come into the house today and say that, no, they are unaware of that particular report. The parliamentary record reflects that they are aware of the report. It makes a complete mockery of the system to have a minister say one thing one day and then the opposite the next day, with no explanation provided.

This is no trivial matter, Deputy President. Let me draw to your attention what Hon Sue Ellery had to say about a similar circumstance on 17 March 2016 when an answer provided to the house was also no when, actually, the answer was yes. Hon Sue Ellery said this, and I quote from *Hansard* of 17 March 2016 —

In providing any answer, every minister and parliamentary secretary is responsible for the answer they give. Irrespective of the fact that the answer may be prepared by staff and signed off by the responsible minister—in this case the Premier—every answer given is in fact the answer of the person giving it to the house whether in a representative capacity or not. The answer given to the question was the answer of the Leader of the House. There is a trend for parliamentary secretaries in this house who answer questions in a representative capacity to give answers prefaced by expressions like “The department for X advises” or “The minister for X advises”. Those prefaces do not absolve the person from ensuring that they are confident the answer is correct. If in doubt, do not give the answer. Those prefaces do not alter the fact that the answers are theirs in this house.

That is what Hon Sue Ellery had to say on 17 March 2016. That particular matter was then referred to the Standing Committee on Procedure and Privileges for an investigation.

Hon Sue Ellery: So refer it; move a motion to refer if you think you’ve got something to refer, but you won’t. You just threaten it. You do it all the time.

The DEPUTY PRESIDENT: Order.

Hon NICK GOIRAN: Honourable Leader of the House, you would know, having been here for a very long time, that it is entirely within order for a member to draw something like this to the attention of the Presiding Officer. That is what I am doing at this particular time.

Hon Sue Ellery: They’re not in a position to check the facts. You need to refer it. If that is what you want to do, refer it.

Hon NICK GOIRAN: Is that what the standing orders say? Is there an obligation on my part to refer it? The member knows that is not true, so stop with your not only unruly interjections but inaccurate ones.

Hon Sue Ellery interjected.

The DEPUTY PRESIDENT: Order.

Hon NICK GOIRAN: Deputy President, I am drawing to your attention, and to the President’s attention through you, the question of whether a false answer has been given in this instance and whether the house ought to be concerned about that. Was the person responsible the Minister for Emergency Services or the Minister for Corrective Services? The other matter, Deputy President, that I wish for you to consider at this time, is whether it is permissible for a minister to table an answer. Is it permissible? If it is permissible for a minister to table an answer, I do not know why we bother to go through the charade of question time. We may as well just give notice of the questions and every responsible minister or parliamentary secretary can simply stand up, table the answer and we will move to the next question. It would certainly be a far more efficient system. I would like to know, when we resume,

whether it is permissible for that to happen. If it is permissible, is it conventional? More to the point, as the Presiding Officers, do you and the President think that it is desirable? Is it desirable to have a minister of the Crown table a response? As I say, the response at that time indicates that the minister here and the minister in the other place obviously knew that this research report exists. This has to do with a research report prepared by the Institute of Public Affairs in March this year.

I have been pursuing this matter since March this year. I draw to the Deputy President's attention, and to the honourable President's attention, question without notice 298, which I asked around 15 March this year, as well as the matter I referred to earlier, on 21 September—the tabled answer by the minister on 10 October 2023 and today's question and answer. I draw to your attention and to the honourable President's that sequence of four events. Why? It is because this particular report from the Institute of Public Affairs in March of this year advocates for the introduction of work-focused community service orders for all nonviolent and non-sexual offenders who are prepared to work full-time. In other words—a translation for those who need it—there are people who are incarcerated who are referred to as nonviolent and non-sexual offenders. This report is asking whether those people are best served to continue to be incarcerated or whether it is possible to put them to work. It is a genuine policy question that ought to be considered by honourable members, especially those within government. That is why, since March this year, I have drawn this serious matter to the attention of the Minister for Corrective Services. I accept that during that time there was a change in the Minister for Corrective Services, as is the right of the government of the day. At the end of the day, it does not change this material fact. Hon Stephen Dawson and the Minister for Corrective Services were both well aware of this report since at least 10 October 2023. I would argue that the Minister for Corrective Services knew about it from 9 October 2023. Why? It is his signature here on this document. I would argue that Hon Stephen Dawson knew about it from at least 21 September 2023 when he said in this place in response to my question —

I will get the member an answer for the next sitting day.

Deputy President, I draw these matters respectfully to your attention and also to the honourable President's attention. I would like them considered over the coming recess.

Statement by Deputy President

THE DEPUTY PRESIDENT (Hon Martin Aldridge) [5.29 pm]: Before I give the call to the next member, I want to respond to a number of matters raised by Hon Nick Goiran. One was that Hon Nick Goiran sought some advice in relation to the tabling of answers during question time. There are obviously clear standing orders in relation to the tabling of papers, but he asked a broader question around conventions. For that reason, I will ask the President to consider the issues the member has raised and to report to the house as she sees fit.

Hon Nick Goiran also raised an issue with respect to an answer he received in question time today. There is a fine but clear line between taking issue with an answer that has been provided and making a claim that a member has misled the house. If it is the latter, the member should rise under standing order 93, which relates to matters of privilege, and formally refer the matter to the President for her consideration.

WA JEWISH COMMUNITY — ANTI-SEMITISM

Statement

HON KATE DOUST (South Metropolitan) [5.30 pm]: Tonight I want to talk about some issues that are happening in Perth. Last Sunday, I was fortunate to be able to attend the Kristallnacht event held at Carmel School with my colleagues Simon Millman, the member for Mount Lawley, and Bill Johnston, MLA. This annual event is run by the Council of Christians and Jews Western Australia. This year saw the eighty-fifth commemoration of Kristallnacht, otherwise known as the night of broken glass. The night of 9 November 1938 was a turning point for Jews all around the world. This was the night that the Nazis stormed through Germany and killed a significant number of people, arrested 30 000 men and deported them to camps, destroyed 257 synagogues, and ransacked and destroyed over 7 000 businesses. We then saw the ongoing destruction of Jewish lives throughout Europe as a result of those events. People talk about Kristallnacht and the ramifications that flowed from it. They say that these events should never happen again. Before I go on to the matters that I want to canvass, I thank Mrs Judith Arkwright, who spoke on Sunday night about her late husband, Ken Arkwright, and his experience as a nine-year-old child on the night of the broken glass. She read to us parts of Ken's story of his memories of that night; it was just heartbreaking stuff. I was fortunate enough to know Ken through my working life as a union official and always held him in high regard, particularly for his contribution to the Jewish community. He was, indeed, a very lovely man.

Kristallnacht reminds us of events that none of us want to see happen again. Sadly, as we have seen in both written media and social media, a number of events that we would class as anti-Semitic have occurred around the world, and certainly in parts of Australia, be they verbal abuse, aggressive behaviour or the destruction of property—even to the point of a couple of murders in different parts of the world. As I have talked about previously, although Perth has had a relatively quiet history of anti-Semitic behaviour and has not had the high number of recorded events that have been seen in other parts of Australia, members of the Jewish community told me that this type of

occurrence has been on the rise in recent weeks—since the 7 October attacks in Israel. They have asked me to put these examples on the record to remind people of these situations, so that we know what is happening here—things that we would not expect to happen in Perth. It is disappointing that it is happening, certainly for the members of that community who are having to deal with it.

These examples include a mother taking her two children shopping in a supermarket in Dianella one afternoon after school. The children were in their uniform. The mother went into another aisle to pick up something and came back to find the older child, a girl, cuddling her brother. She had removed his kippah. Her mother asked, “What’s happened? What’s happened?”, and the girl said, “I took it off his head because people came and stood over us and were staring and I felt nervous.” She removed the identifying kippah so they would not be hassled. That is one example.

Two women I know quite well recently told me how they had left a rally in the city on a Sunday, which I had also attended with Simon Millman, that was around freeing the hostages. As those two women left the rally, a total stranger came up to them. There is a word that I cannot use in this chamber, so I will use just the first letter. They were called Jewish Cs. Members can imagine what that word is. It is a word that I find offensive on any level. They were shocked and upset that this would happen to them in Perth as they were going about their business, and that it was a random stranger.

A couple of weekends ago at the Labor Party state conference a man came into the hall during a lunch break and distributed anti-Semitic material on all the tables from the Spartacus group, which I understand is an anti-Semitic organisation based overseas. Fortunately, those papers were removed and cleared away. The fact that that person decided to do that at such a large event indicates it was organised.

I received an email from a mother that I took up with Minister Buti and I thank him for the follow-up actions he has taken on this. It was about a nine-year-old child in a school in the northern suburbs. For a couple of weeks now an older boy has followed her around. I preface this by saying—the mother has told me I should talk about this—that this child has left the Carmel school because her parents and the child wanted her to experience a different sort of education where she mixed with people from all sorts of nationalities and beliefs. They had not told anyone at the school until the last year that she was a Jew. In the past few weeks the older boy has followed her around, yelling at her, “Free Palestine” and “Israel or Palestine”, and telling her that she had to choose. This is a nine-year-old child. I do not understand why this is happening in a playground; it is sad. The mother said that the matter was taken up with the school. About only a week ago the older child organised a larger group of children who were around the classroom calling the child’s name—calling for her—and the child hid because she was afraid. Her friend named the child to the group and said, “She’s not at school today”, to protect her friend. I have never heard of this happening in one of our local schools in Perth. The parents were very concerned because they had only just started letting her walk to school. They have said that they do not feel that they can do that now. They will be driving her to school because they do not know what else can happen. It is an unusual situation. The matter has been taken up by Minister Buti directly with the school and I understand that discussions and works are in progress to try to sort through that. Again, these are kids; this is a schoolyard. I have never come across these sorts of activities and I would be surprised if others in this room had come across a situation like that.

Rabbi Danny Lieberman told me on Sunday about an incident at another school in the northern suburbs when a swastika was daubed on the walls of the school. I see my colleague across the way nodding, so he may be aware of that. I know that Rabbi Danny has had meetings with the principal and that they are working through how to deal with that situation.

These are just a couple of examples that have happened here in Perth over the past couple of weeks. People are coming up with these examples. They talk about how in business negative comments are made either about what is happening in the Middle East or negative comments about Jews in general from people they have been dealing with in business for a long time. I have another email from a business that asks, “How do we deal with this? How do we engage with people when they know who we are but they are making these comments that we see as being anti-Semitic? How do we continue?” They are seeking guidance from government and others about how they manage this.

People are saying that they now feel unsafe. They are concerned for their safety and concerned for their place here. They worry about the actions being accelerated and becoming more aggressive. We come back to Kristallnacht. The reason they commemorate it is to remind us that these actions should not happen—never again—but we start to see these things happening. I think everyone in this room would say that anti-Semitic actions and targeting Jewish people because of their faith should not be tolerated or condoned and that we should not turn a blind eye to it. Western Australian Jews should be allowed to live their life like anyone else in safety, security and peace, and get on with their lives. I urge members that when they become aware of these situations, they report and support their community. These are serious issues. I significantly hope that over time, as we watch the events overseas unfold, we are able to maintain some sort of calm at a more local level and provide that sense of security. It has given me pause for thought. I stood up here about 18 months ago and put a call on the government to introduce anti-swastika legislation.

ALBANY SHOW — LOG CHOPPING*Statement*

HON LOUISE KINGSTON (South West) [5.40 pm]: Last weekend I was extremely privileged to present the Jack Davis Ironman log chopping trophy for the very first time at the Albany Show. Log chopping shows are an institution in Australia. The modern sport of woodchopping in Australia is said to have had its genesis in 1870 in Ulverstone, Tasmania as a result of a £25, or \$50, bet between two axemen on who could first fell a tree. An alternative origin story comes from sixteenth century Basque Country in Europe, in which a man ran a marathon and chopped 10 logs to be allowed to propose to his future wife. The world's first log chopping championship was held in 1891 at Bells Parade in Latrobe, Tasmania. This event was celebrated and commemorated with the selection of the site to be the home of the Australian Axeman's Hall of Fame and Timberworks, which I have visited on a number of occasions. It is the most amazing display you will ever see.

The ironman competition involves, in order: underhand; cross-cut, single handed; standing block; and tree felling with two boards, which entails making a cut in the tree to place standing boards to get to the top of the tree. The Cyril John "Jack" Davis trophy is presented to the Albany Ironman axeman winner. The trophy was donated by Jack's relation, Kevin Shanhan, and is one of Jack's axes mounted on a beautiful piece of polished native blackbutt timber, which was supplied by Rogan and Jenny Coffey from Sugg's Timber Machining and Joinery, a longstanding timber business in Albany.

Cyril John Davis, known as Jack, was born on 30 December 1931 and passed away on 9 August 2014. Jack worked for Cullity Timbers, Carlisle, felling pine trees after returning from New Guinea at the end of World War II at 15 years of age. He then worked for Curnow's mill at Quindanning for a couple of years from 1948 to 1950. In 1950, he moved to Lucer's timber mill in Kojonup where he competed in log chopping events across the region. Jack then took up farming in the Porongurup area in 1953. This year's winner was Joe Thomas, who was very moved by the presentation of the trophy, as was I, as members can tell. His son, the next generation of log choppers, also competed in the junior competition. Some of those kids were as young as nine or 10 years old. It was absolutely incredible to watch, and will frame log chopping competitions going forward.

WARTIME INTERNMENT CAMPS — ITALIAN COMMUNITY*Statement*

HON PIERRE YANG (North Metropolitan — Parliamentary Secretary) [5.43 pm]: Thank you, Deputy President, for the opportunity to continue my contribution on internment policies in Canada, the United States of America and Australia during World War I and World War II. On 14 September 2023, I mentioned that 600 Canadians of Italian cultural heritage were taken from their home during World War II and interned as part of measures imposed by the Canadian government. Many of the heartbreaking stories and human tragedies experienced by Australians of Italian cultural heritage were shared by the experience of Canadians of Italian cultural heritage. Over the past several decades there had been calls for a state apology that recognised the injustices suffered by Canadians of Italian cultural heritage. That was achieved in 1990. The then Prime Minister of Canada, Brian Mulroney, offered an admission of wrongdoing at a gathering of Italian-Canadian community organisations and declared —

What happened to many Italian-Canadians is deeply offensive to the simple notion of respect for human dignity and the presumption of innocence. The brutal injustice was inflicted arbitrarily, not only on individuals suspected of being security risks but also on individuals whose only crime was being of Italian origin.

It was often, in the simplest of terms, an act of prejudice—organized and carried out under law, but prejudice nonetheless ...

He continued —

On behalf of the government and people of Canada, I offer a full and unqualified apology for the wrongs done to our fellow Canadians of Italian origin during World War II.

It was an amazing achievement by Canadians of Italian cultural heritage and Canadians of all backgrounds for the head of government of that nation to offer an apology to the people of Canada of Italian cultural heritage. I think it was an amazing outcome. Nevertheless, it was seen by some in Canada as a disproportionate response to the mistreatment experienced by Canadians of Italian cultural heritage during the war, as this acknowledgement was made in a banquet hall. So, in 2010, a member of the Canadian House of Commons, Mr Massimo Pacetti moved a private member's bill to call for an apology. If I may, the bill reads as follows —

The Parliament of Canada hereby acknowledges the unjust treatment received by persons of Italian origin as a result of their designation as "enemy aliens", their registration and internment and other infringements of their rights during the Second World War, and apologizes on behalf of Parliament, the Government of Canada and the Canadian people of earlier times and of today for the suffering that this treatment caused.

The bill also called for restitution in the form of an educational foundation promoting ethnic and regional harmony and for a commemorative postage stamp to be issued acknowledging the internment of persons of Italian origin.

Unfortunately, that bill never made it through the Senate because although it sailed through the House of Commons, it only reached the second reading stage of the Senate but never progressed further. Mr Pacetti introduced the same bill in 2004 in the thirty-eighth Parliament of Canada and in 2006 during the thirty-ninth Parliament. Unfortunately, on those occasions it never went beyond the first reading stage. Canadians would have to wait for another decade before they heard the Canadian government's apology in the chamber of the House of Commons. Finally, the Prime Minister, Justin Trudeau delivered a state apology on 27 May 2021 —

To the men and women who were taken to Prisoner of War camps or jail without charge—people who are no longer with us to hear this apology—to the tens of thousands of innocent Italian Canadians who were labelled enemy aliens, to the children and grandchildren who have carried a past generation's shame and hurt, and to their community, a community that has given so much to our country, we are sorry.

This apology was unanimously supported by all major political parties in the Canadian Parliament. In fact, the apologies in Canada were backed up with financial measures as well. In 2005, which was 15 years after the first apology by the then Prime Minister in 1990, the Prime Minister at the time, Prime Minister Paul Martin, pledged that his government would set up a fund to acknowledge the Italian internments, specifying that, whilst there was no apology, the amount to be provided by the government was \$2.5 million. When Prime Minister Stephen Harper took office after the election, he implemented a program that offered \$5 million to commemorate the wartime experiences of a number of ethno-cultural communities.

I think we all agree that Canada has done amazing work in addressing past injustices. I think Canadians can stand tall and proud for addressing historical injustices. I commend and acknowledge the Canadian community for what it has done. I understand that my colleague Hon Dr Brad Pettitt may have a member's statement as well, so I wish to conclude today with that acknowledgement to the Canadian people. I want to foreshadow that I would like to continue my remarks on the response in the United States of America.

EMANUEL EXPORTS — LEGAL ACTION

Statement

HON DR BRAD PETTITT (South Metropolitan) [5.51 pm]: I rise to give a member's statement on live sheep exports because on Monday this week we heard, when the story broke in Nine newspapers, that the WA government intended to drop its long-running prosecution of live sheep exporter Emanuel Exports for the death of 2 400 sheep—an extraordinary number—on the *Awassi Express* in 2017. This was the day before the trial was due to commence. Then the very next day in court it was confirmed by prosecutors for the Department of Primary Industries and Regional Development that they would drop the case, citing the complexity of the case and the public costs and the administrative sanctions already incurred by the company. I, and I think many others who have been watching this closely, were extremely disappointed by this outcome. When more than 2 000 sheep die of heat stress—often, frankly, drowning in their own waste—in conditions that were appalling, I, like many others in the community, expected that the WA government would hold Emanuel Exports to account. If anyone has seen the videos that were captured by the whistleblowers, they were really difficult to watch.

I am not the only one. The federal Labor member for Fremantle, Josh Wilson, who I know very well, put out a media release. I want to quote what he had to say on this issue because we both agree on it. He said —

“This is a disappointing outcome. The community will be bewildered that no specific consequences follow the appalling failure of the *Awassi Express* fiasco.

He is right, because when these kinds of things happen, we need to make sure that there are consequences. It is a really important role for the WA government to do and, frankly, it failed. These were very serious criminal charges regarding a matter of great public interest. Where I live in Fremantle, the port is a regular reminder, frankly, of the cruelty of the live export trade.

We have already seen over the last decade, a massive decline in live sheep exports from Fremantle port, down almost 90 per cent from where it was at its peak. Frankly, this is all the more reason to get on and end the trade with a sensible managed transition out of live exports from WA.

The decision to drop the charges came just weeks, interestingly enough, before Emanuel Exports was granted regulatory approval to reopen the live sheep export trade with the Kingdom of Saudi Arabia. To see those charges dropped at that point, on the basis of the interests of taxpayers, raises more questions than it does answers. The question that comes to mind for me is: is it too expensive to uphold the law for animal cruelty? I certainly hope not because I think this sends a very poor message to the WA community. It sets a precedent that, ultimately, the live export trade, which is cruel by nature, can get away with this, and that leads me to one conclusion. If that is going to happen, the best thing is for the trade to be shut down. If the government cannot prosecute it, cannot manage it and cannot make sure that it can be held to account for what happens out on the high seas, there is only one way forward, and that is for this industry to be shut down as quickly as possible.

I am standing today to appeal to the WA government to listen to its federal counterparts, the Greens and the public, and commit to ending the cruel live export trade from WA, once and for all.

ELECTRICITY INDUSTRY AMENDMENT (ALTERNATIVE ELECTRICITY SERVICES) BILL 2023*Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Matthew Swinbourn (Parliamentary Secretary)**, read a first time.

Second Reading

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [5.56 pm]: I move —

That the bill be now read a second time.

The Electricity Industry Amendment (Alternative Electricity Services) Bill 2023 will create a framework that can extend enforceable protections and access to independent dispute resolution to customers receiving electricity supplies and services through emerging or atypical electricity business models. Most electricity customers purchase their electricity from a licensed electricity retailer. However, an increasing number of customers buy electricity or electricity services from suppliers that do not hold an electricity retail licence. These suppliers either fall within an exemption from the requirement to be licensed or are entirely out of scope of the licensing and exemption framework.

The electricity licensing and exemption framework has been in effect since 2004. Licences with comprehensive customer protection obligations and stringent compliance requirements were applied to large operators, while licence exemptions were utilised in some instances, recognising that it was not practical for all energy supply arrangements to be licensed. However, a growing range of innovative electricity services and new or atypical business models and activities are emerging for which neither licences nor exemptions are fit for purpose. These services may incorporate retailing, storage, aggregation, generation and/or distribution of electricity. They may involve electricity management products or the collection or manipulation of electricity data. They may also involve different kinds of financing arrangements, such as a leasing or membership-based ownership arrangement for electricity assets. Specific examples include but are not limited to the onselling of electricity within embedded networks, such as apartment buildings, shopping centres, retirement villages and long-stay residential parks, and the sale of electricity to customers through solar power purchase agreements. In the case of the former, it usually is the customer's sole supply of electricity—electricity as an essential service. In the latter, the supply is usually supplementary to electricity supplied by a licensed retailer. The primary challenge is that these new and emerging types of business models and arrangements can pose risks for electricity customers of those services, in particular, to small-use customers who may assume they enjoy the same protections as customers of licensed retailers. For these kinds of electricity services, applying the existing licensing framework would impose onerous costs and regulatory burden, and some licensing compliance requirements would not be practicable or relevant to some services. However, continuing to rely on licence exemptions leaves customers without recourse to enforceable customer protections relevant to the activity or access to the Energy and Water Ombudsman to resolve complaints and disputes. Some types of electricity-related activities also fall outside the ambit of the licensing and exemption framework, such as services related to the use of energy data.

The purpose of this amendment bill is to create a flexible registration framework that allows activities to be prescribed as an alternative electricity service or AES. The framework will then require providers of prescribed services to register, to become a member of the Energy Ombudsman scheme, and to comply with conditions of registration. This registration framework will deliver enforceable protections for electricity customers of those AES providers. The primary legislation does not itself impose new regulatory obligations on any person or activity. To allow flexibility for the framework to be applied to new and innovative services, the activities regulated under the AES registration framework will be prescribed in regulation.

The bill will create the heads of power for an AES code of practice that will set out customer protection requirements to be complied with by registration holders. The requirements for providers of each prescribed service can be tailored to the particular characteristics of that service. Consistent with the Better Regulation Program, before any activity is regulated under the AES framework, a regulatory impact assessment will be undertaken, including stakeholder consultation, to examine whether regulation is warranted, whether the AES registration framework is the appropriate form of regulation for the activity, and, if so, the regulatory settings that should be applied to that activity.

The bill will establish that the Economic Regulation Authority be responsible for monitoring compliance with, and enforcement of, the registration framework, as well as for maintaining the register of AES providers. As far as practicable, the structure of the AES registration framework in the new part 3A inserted into the Electricity Industry Act reflects part 2 of the act, which establishes the licensing framework, but with alterations to provide for a lighter handed, lower cost and flexible regulatory framework. The aim is that the AES registration framework is flexible enough to be able to cover a broad range of electricity-related activities into the future if and when a need for regulation of those activities arises. It is designed to provide a fit-for-purpose regulatory regime to extend protections to customers of innovative and emerging electricity services.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to a bilateral or multilateral intergovernmental agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and table the explanatory memorandum.

[See paper [2836](#).]

Debate adjourned, pursuant to standing orders.

House adjourned at 6.02 pm
