



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2024

LEGISLATIVE COUNCIL

Thursday, 24 October 2024

Legislative Council

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

WOODVALE SECONDARY COLLEGE — PERFORMING ARTS CENTRE

Petition

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [10.02 am]: I present an e-petition containing 818 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 ...

request that the Legislative Council urge the State Government to provide funding for the long overdue Woodvale Secondary College Performing Arts Centre in the next term of Government. Woodvale Secondary College was established in 1985 and has a long history with their comprehensive Music program. Please join us in this cause and bring a promising future for all students of Woodvale Secondary College.

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

[See paper 3745.]

PAPERS TABLED

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

JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION

Fourteenth Report — Annual report 2023–24 — Tabling

HON DR STEVE THOMAS (South West) [10.04 am]: I am directed to present the fourteenth report of the Joint Standing Committee on the Corruption and Crime Commission titled *Annual report 2023–24*.

[See paper [3746](#).]

Hon Dr STEVE THOMAS: The year 2023–24 was a productive year for the committee. The committee held 18 deliberative meetings and five evidence hearings with 20 witnesses and tabled three reports with a total of 49 findings and 39 recommendations.

The committee's eleventh report, *What happens next? Beyond a finding of serious misconduct: Examining the responses to a finding of serious misconduct and building integrity in public agencies*, was tabled in November 2023. The report covered a wide range of issues relevant to what happens after a public officer is found to have engaged in serious misconduct. The committee reported on sanctions and other outcomes that public agencies, including local governments, impose on public officers; whether lessons are being learned from misconduct events; and whether appropriate action is being taken to systemically respond to misconduct events, prevent misconduct and build integrity at public agencies. We also reported on criminal prosecutions after a finding of misconduct and recommended measures to improve outcomes and the integrity of the public sector. Many committee recommendations suggested that legislative amendments to the Corruption, Crime and Misconduct Act 2003 be considered as part of the long-awaited reform of that act.

The committee's twelfth report, *Going rogue: Serious misconduct by a commission officer: Parliamentary Inspector's report*, was tabled in March 2024. This report informed Parliament that an officer of the Corruption and Crime Commission, its human source coordinator and manager of its human source team, had engaged in serious misconduct over three years. The Parliamentary Inspector found that between early 2020 and early 2023, the officer corruptly used her position as human source coordinator to obtain a personal benefit—namely, an extensive and intimate relationship with one of the commission's human sources. The report described how the officer deceived the commission, exposed others to potential harm by revealing official information obtained through her work and neglected to responsibly perform her job. The investigation exposed serious weaknesses in how the commission managed its misconduct risks. The commission unreservedly accepted that system failure contributed to the climate in which the officer's deception was possible and continued over many years, and initiated an independent review. The commission agreed to consider, after the review is finalised, the work of its human source team and whether the team should be retained or this service delivered in another way. The commission has reported to the committee on the review and action taken to minimise its misconduct risks. The committee will report to the house on this matter in November 2024.

Finally, in May 2024, the Premier, Hon Roger Cook, MLA, recommended to the committee that a particular person be appointed Deputy Commissioner of the Corruption and Crime Commission under the CCM act. In correspondence dated May and June, the committee took issue with the Premier choosing not to provide the committee with the report

of the nominating committee and the names of the three candidates referred to him during the appointment process. This was contrary to convention and standard practice. The Premier said that the committee “does not require” this information. The committee strongly disagreed. On 15 August 2024, after the reporting period, the committee reported to both houses on this matter when it tabled its thirteenth report, *A lower standard: Information the Premier provides to the committee when undertaking its role in an appointment process on behalf of the Parliament*. The committee recommended —

That the Premier assures the House that his Government will provide future Joint Standing Committees on the Corruption and Crime Commission with the report of the nominating committee and the names of the three candidates referred to him when referring an appointment to the committee under the *Corruption, Crime and Misconduct Act 2003*.

The committee also recommended —

That the Premier and Attorney General, if concerned about Joint Standing Committees on the Corruption and Crime Commission publishing information, consider amending the *Corruption, Crime and Misconduct Act 2003* to insert a confidentiality provision similar to the laws in New South Wales and South Australia.

The Premier has since said that the process he followed was consistent with the CCM act and that the role of the committee is, and I quote, “to accept the name of the appointee or reject it by veto”. The committee awaits the formal government response to its recommendations in its thirteenth report.

STANDING COMMITTEE ON PUBLIC ADMINISTRATION

Forty-fourth Report — Inquiry into regional telecommunications in Western Australia — Tabling

HON PIERRE YANG (North Metropolitan — Parliamentary Secretary) [10.08 am]: I am directed to present the forty-fourth report of the Standing Committee on Public Administration titled *Inquiry into regional telecommunications in Western Australia*.

[See paper [3747](#).]

Hon PIERRE YANG: The report that I have just tabled advises the house that, at its meeting on 25 September 2024, the committee resolved that progress of this inquiry should be ceased, with the intention of recommending that the members of the Standing Committee on Public Administration of the forty-second Parliament consider continuing the inquiry to completion.

This decision was reached for two reasons. First, consideration of all the evidence received up to that point made it clear to the committee that in order to give proper consideration to an issue of such importance to those living in rural and regional areas, the views and experiences of a greater number of individuals and small businesses needed to be taken into account. Second, the committee received some limited examples of problems created by telecommunications shortfalls from the perspective of the emergency services. The committee believes that the taking of more detailed evidence from the individuals involved in those organisations is warranted.

Every three years, the Commonwealth Regional Telecommunications Independent Review Committee examines the adequacy of regional telecommunications, consulting publicly, including with Aboriginal and Torres Strait Islander communities. That committee has begun its 2024 review. It is chaired by Hon Alannah MacTiernan. Following meetings in Northampton and Geraldton, public consultation began in April this year, and visits to Broome and Kununurra took place in August 2024. However, its final report is not due to be presented to the commonwealth government until December 2024. It is therefore anticipated that the final report will be published after this forty-first Parliament of Western Australia has prorogued. The committee believes that the findings and recommendations of that review in the Western Australian context will be of high value to this inquiry. The report therefore contains just one recommendation: that the Standing Committee on Public Administration of the forty-second Parliament of Western Australia consider continuing the inquiry into regional telecommunications. Telecommunications is a federal matter. Therefore, in the meantime, and in order to ensure that full use of the evidence acquired thus far is of maximum benefit, I will write to Hon Alannah MacTiernan on behalf of the committee, drawing her attention to the inquiry and inviting her to consider that evidence for the purposes of her committee’s review. I commend the report to the house.

ENERGY-EFFICIENT HOMES

Motion

HON DR BRAD PETTITT (South Metropolitan) [10.12 am] — without notice: I move —

That the Legislative Council —

- (a) notes that energy-efficient, all-electric homes can significantly improve occupant health while reducing emissions and running costs;
- (b) acknowledges that social housing tenants often experience hotter conditions in summer, and colder conditions in winter and, as a result, higher energy bills due to Western Australia’s poorly insulated and ageing social housing stock; and

- (c) calls on this government to do more to support the transition towards energy-efficient housing in Western Australia by —
 - (i) incentivising household batteries, heat pumps, and more energy-efficient building materials for every Western Australian home; and
 - (ii) urgently retrofitting Western Australia’s social housing stock with solar photovoltaic and energy efficiency measures to address energy poverty as our climate gets hotter.

I would like to start by referring to Tim Forcey’s book in which he talks about an energy-efficient, all-electric house that can “slash your energy bills, protect your health and save the planet”. Those three themes are what I want to kick off my contribution to this debate on the motion today with. I start with health. It is often said that based on modern health standards if we did not already have gas in our homes, it would not be allowed. There are really good reasons for that. Burning gas in our stoves and heaters in our homes is, frankly, bad for health. Studies have shown that over 12 per cent of childhood asthma can be attributed to gas stove use. In addition to asthma symptoms, long-term exposure to nitrogen dioxide has been linked to chronic lung disease and increased mortality in general.

I will quote a couple of studies. An article in *Choice* magazine states —

... a 2018 study of New Zealand homes found that children living in homes heated by gas—regardless of whether the heater was flued or unflued—were more likely to suffer from acute respiratory infections than children living in homes heated with electricity.

Even more troubling was a Spanish study of preschools. The same article states —

A 2009 study of Spanish preschoolers found that exposure to air pollution from indoor gas appliances within the first three months of life was associated with lower scores for general cognitive, memory, verbal and executive function scores at four years old, as well as an increased risk of ADHD symptoms.

In general, there is also increasing concern on the adverse neurodevelopmental effects on children of exposure to air pollutants such as nitrogen dioxide which is produced by gas appliances. These do not even mention carbon monoxide poisoning or benzene that can leak from stoves and heaters. I quote Dr Kate Charlesworth, who said —

“Just as doctors spoke up on the dangers of asbestos and tobacco in the past, we have a responsibility now to sound the alarm on the dangers of gas,” ...

The evidence is pretty straightforward. Gas in our homes is not good for our health, so the question is: what do we use instead? The health stuff is compelling, but so is the stuff on the emissions front. This is where we get to a win-win as we electrify homes and move to more sustainable, energy-efficient ones. I must say that on the emissions front I give a big shout-out to Saul Griffith and the extraordinary work he has done. He has explained this in a really interesting way. Australia has about 11 million households, and those households are responsible for the largest portion of Australia’s domestic emissions. About one-third, or 33.5 per cent, of emissions are attributed to personal home energy and vehicle use. If we electrify our houses, paired with renewable energy to power them, it will provide the best way to decarbonisation.

Saul Griffith describes it as follows. There are 11 million households with 100 million small machines, which could be anything from water heaters to cars to space heaters to kitchen stoves, all currently burning fossil fuels. They will have to be replaced over the next 20 years or so due to their life span. If they are all replaced with machines that do not burn fossil fuels but instead run off renewable energy, we will be able to go a very long way down the decarbonisation path. Saul Griffith says that the answer to every decarbonisation problem is electrification. That is a really interesting way of imagining our future and how we do this. It is certainly a more engaging narrative than saying that decarbonisation is about taking cold and short showers. We can live quite a good life, but we have to make sure we electrify and back it up with renewable energy. To do that, we have to finance it and find a way of enabling and speeding up that transition so people do not buy more of the same 100 million machines that continue to run on fossil fuels but replace them.

How do we do this? The good news is that running electric machines is cheaper over the long run. However, they have a greater up-front cost, so there is a really important role for governments, including state governments, in how we do this. Just this week Rewiring Australia founder, Saul Griffith, who I just spoke about, was with the federal government when it launched Electrify 2515 in Warrnambool, which is a trial program with the aim of demonstrating how electrification is a cheaper way to run households than paying cash every week for fossil fuels. Some really interesting modelling is related to this very large trial that has just got underway this week. The modelling is that if an Australian household went electric today, it would save \$154 000 over the 15-year lifetime of the machines running the household. That is a pretty extraordinary number that came from both the federal government and Dr Griffith this week. That is a \$154 000 saved over a 15-year machine lifetime if a household becomes fully electrified. There is a really good reason for that. Electric machines are so much more efficient than those run on fossil fuels. For example, if a house is heated with a unit using natural gas, there is about 90 per cent efficiency,

with 0.9 units of heat. If the house was heated with reverse cycle air conditioning, which is actually a heat pump, there will be on average 3.8 units of heat, so there is 380 per cent efficiency, which is pretty extraordinary in some ways. The idea is that we have very efficient machines, especially if they run on renewable energy, and all of a sudden they become extremely cheap to run.

The Victorian government with Environment Victoria and Renew did some modelling that showed that households using split systems for heating—this is only a heating number—instead of gas, would save between \$999 and \$2 215 per annum. It is clear that it is much cheaper to do that. Of course, the challenge is how to make sure it is not only the five per cent of wealthy households who can quickly transition. I know many in this room have already started to make that transition, judging by the number of electric cars in the car park. The question is: how do we make it so that every Western Australian household can benefit from what is a very rational choice to go electric? It makes sense for health, it makes sense for the environment and it makes sense for household budgets. There is a really important role for state governments to help households transition.

What is happening in this space? I will quickly run through what other states are doing in this space because I think it is really interesting. There is a lot happening and it is really exciting. Victoria has a \$420 program to replace a gas water heater with a heat pump, or up to \$3 600 to replace a gas heater with a reverse-cycle air conditioner. New South Wales has a similar program with discounts for households replacing existing water heaters and up to \$310 to replace a gas water heater with a heat pump. The ACT has a home energy support rebate for home owners with rebates for concession card holders who upgrade to heat pump systems. Queensland had the Climate Smart Energy Savers program, which recently closed but provided 72 000 households with upgrades to old appliances and hot-water systems. In fact, more than 54 per cent went to low-income households. The average rebate paid was \$440. In South Australia, people on a low income can access interest-free loans from the government to replace their old hot-water system with a more efficient system, including a heat pump or solar system.

South Australia was the pioneer for household batteries with its home battery scheme, which has wound up. It originally offered a \$6 000 subsidy that was later wound back to \$2 000. It was taken up by 40 000 households. South Australia has the greatest proportion of households with solar and batteries at almost three per cent. The Northern Territory has a really good program through which homeowners and businesses can access \$400 per kilowatt hour of usable battery, up to \$5 000, through its home and business battery scheme.

Victoria has a solar homes program with interest-free loans of up to \$8 800 to help manage the upfront cost of installing batteries. From 1 November this year, New South Wales will have a household energy saving upgrades program, which will include incentives of up to \$2 400 for home owners to install household batteries. The ACT offered a program called Next Gen and it recently reached its target of 5 000 batteries. It is now offering no-interest loans. Queensland offered a battery booster subsidy of \$4 000 for a home battery. That was fully subscribed and ended in May this year.

We have gone for a big lap around the country and seen the extraordinary things that are happening. Even the federal government and the coalition are looking at policies to spur household battery adoption. Jacob Greber of *ABC News* stated —

The ABC understands the Albanese government is giving serious consideration to a plan that would remove up-front costs for households wanting to install batteries, heat pumps and other appliances.

There are great schemes all around the country. My favourite schemes are being run in Tasmania and the ACT. They are running loan schemes with Brighte. The Tasmanian scheme is the energy saver loan scheme. Households can borrow between \$500 and \$10 000 at a zero per cent interest rate, payable over one to three years to purchase products such as solar panels and batteries, electric heating and cooling, heat pumps, solar hot water, induction stove tops, insulation and double glazing, EV charging and energy-efficient appliances. Similarly, through the ACT's sustainable household scheme, home owners can borrow between \$2 000 and \$15 000 for up to 10 years, again with no interest, to buy energy-efficient products including solar panels, batteries, heat pumps, EVs, ceiling insulation and the like. It is a really good scheme and we have seen those things work really well.

What about WA? Over the last few days I have spent a lot of time searching and I only found one thing. I went to the "Household Renewable Energy Overview". It says the upfront incentives are —

The Commonwealth Government provides a financial incentive for the installation of renewable energy systems ...

That is solar panels. There is nothing—zero. That is extraordinary. Think of the list that I read out of what every state and territory is doing to speed up the transition to all-electric, energy-efficient homes. How is it that once again, the richest state—the state with more resources than anyone else—is doing zero in this space? It is extraordinary. I would love to know the rationale. What makes us so different and so special that we do not want to help households to be healthier; we do not want households to have more energy-efficient homes that are cheaper to run and we certainly do not want to address the climate impacts of our households? It is a pretty extraordinary omission and that is why I moved this motion today. I want to draw attention to the fact that we are the only state that is not doing

this. Literally every other state is getting on with it. The transition is happening all around the world. I know we like to call ourselves wait-a-while WA, but this is not something we should be waiting a while on. We need to do this as soon as possible.

I have talked a lot about home owners and how they can benefit, but what can we do for renters and social housing? Again, we see other states running interesting programs that benefit renters. Renters make up about 30 per cent of households in Western Australia. It is important that we come up with a program so that they can also benefit from health, environmental and financial perspectives. The Victorian government has a good example in its solar for rentals program, which helps landlords and renters to work together and benefit from putting solar on the roof. Either the landlord can pay up front and get an interest-free loan, or they can apply together and for the cost of one takeaway coffee a week, less than \$20 a month, they can get solar on the roof and lower costs. The government has compared tenants' bills and tenants are saving more than \$60 a month on their bills through that investment. They are paying \$20 but saving \$60; everyone is a winner. Again, there is a very important role for states in how they do this. Shelter WA's 2023 Make Renting Fair survey found that 79 per cent of people in public housing rentals struggle to cool and warm their homes. There is an important role in how we start to impact on these things.

I move onto social housing because I think we have a really important role as the state that owns this housing to invest in solar photovoltaic and other energy efficiency measures. Yesterday I asked a question about the solar program. I still do not understand because there was meant to be a trial or pilot program in which solar was supposed to be put on the roofs of 500 dwellings. It was not very radical. We got halfway through it—281 homes—then it was paused. It has been paused for several years. I asked whether that pause is going to be un-paused. I got a most vague answer saying “maybe, but we're not sure when”. I assume that the number of houses is still stuck at 281, even though that trial was extremely successful. I do not know why it is stuck, but at the very least I think the government should promise to rollout the project for the 500 houses. We should do that but also take it to the next level and start to rollout systems on a whole bunch more houses because that is a really important thing that we can do here. It is not just about solar; it is also about investing in insulation in these houses and making sure that they are really energy efficient. The average house built before 2010 has an energy efficiency rating of 1.8 stars. I know that applies to our social housing stock as well. Investing in that would make houses much better and more liveable for people who are renting in social housing and would also lower their bills. An analysis by Shelter WA shows that the Cook government could wipe as much as \$50 million off the energy bills of all social housing renters every year by retrofitting all 42 000 social housing dwellings by 2030. Imagine that! It would give our poorest households \$50 million off their energy bills. That is a win-win and something that I would really like to see us doing.

Interestingly, there is actually a program to do this and I would be interested in the government's response. The federal Department of Climate Change, Energy, the Environment and Water put out a social housing energy performance range of grants, in which there was matching funding. It is interesting to look at its website and see that there is still nothing about WA's involvement in this. I am told that WA has some involvement, and I did find a press release about it, but not a Western Australian government media release. Places like Queensland are doing this for 32 000 public and community houses, which will benefit from upgrades, insulation, energy-efficient hot water systems and solar power. Similarly, New South Wales is doing this for 24 000 homes. I found a note about 4 300 properties in WA, but this is only up north. Therefore, is it correct to say that social housing in Perth will be the only social housing in the country that will not benefit from this scheme? I do not understand what the thinking is there. This scheme is available to all states, and every other state has taken it up but Western Australia does not appear on that table. I am holding it up now and I am happy to send it around the room and table this document that outlines all of the states that are doing it. My reading of that is that all of the social housing in Perth, which is not regional or remote in the north, will not get any upgrades, unlike social housing all around the rest of the country. I do not know why. We are not even going to be asked to pay for it all; the federal government is paying half. There is a really good opportunity here.

In closing, I want to say that it is happening. Let us get on board. Western Australia should not “wait-a-while” on this for our health, environment and finances. We can do this.

HON DARREN WEST (Agricultural — Parliamentary Secretary) [10.33 am]: I take this opportunity to respond on behalf of the government to the motion. I begin by thanking Hon Dr Brad Pettitt for bringing this motion today. We have had two excellent motions this week to debate in the house, which have been constructive. It is really refreshing to see. I thank the member for bringing this forward. I acknowledge and admire the member's passion for the environment and the issues that his organisation stands for. He certainly leads from the front. In the main, he has supporters for a lot of these ideas in this government. I will run through a few of the things that we are doing in this space. Naturally, as in anything we do in government, it could always be argued that we could do more. I think that would be the case here, but we are focused on energy efficiency in housing. It is a great area, which will help us get to our targets by 2050, and we respect the views of the honourable member. We are focused on making the energy transition and meeting our net zero requirement by 2050; this is an important part of that. We are funding a range of initiatives to encourage households to be more energy efficient. I will run through a few of them. I am sure the member is aware of these, but some specific ones were raised.

We have the summer saving tips. The state government provides a range of energy efficiency information across the Energy Policy WA, Synergy and Horizon Power websites. I think it is in every householder's interest to understand that they can be a part of our transition across to net zero by 2050 and reduce their power bills and increase their energy efficiency in their homes. This information can help households to take proactive steps to reduce their electricity bills. Who would not want to do that? I am not sure that everybody is aware of this, but the summer saving tips are important information. Some of the simplest options in summer are to set the temperature on air conditioners to 24 degrees, which can reduce bills by up to 10 per cent. It is not uncomfortable inside on a hot day at 24 degrees. Cooling the average home makes up about 40 per cent of the average energy bill in summer. When the hot weather arrives, closing curtains and blinds during the day can keep the heat out, and using fans instead of air conditioning can help to keep bills down. Those are very practical and cost-effective ways that we can help make our houses more efficient at no cost to government.

We have the Energy Ahead program. Energy bills are just one of the many stressors households struggle with when they find themselves experiencing financial hardship. The state government, through the Western Australian Climate Policy, is supporting households in financial hardship by helping them reduce their electricity bills with the Energy Ahead program, which was previously known as the household energy efficiency scheme. It is a \$13 million program being delivered in partnership by Energy Policy WA, the state-owned electricity retailers Synergy and Horizon Power and non-government organisations. The program offers practical solutions to reduce energy-related financial hardship by helping up to 10 000 households improve home energy efficiency, which can lower high energy bills. I think we all agree that these are good initiatives. The program also replaces low-efficiency appliances such as refrigerators for households in relevant circumstances. There are ageing appliances that are very inefficient, particularly refrigerators and air conditioners.

Hon Dr Brad Pettitt: What was the name of that?

Hon DARREN WEST: It is called the Energy Ahead program. I have listed the summer saving tips and the Energy Ahead program. Working directly with households, Energy Ahead is free and available to residential customers who are experiencing difficulty; they can accept an offer of support to address these financial challenges. Launched in November 2021 and since rolled out from a pilot into full operation, Energy Ahead supports households facing financial hardship by addressing energy efficiency, a key factor that contributes to high energy bills. Eligible households benefit from personalised, one-on-one coaching; tips for saving on their energy bills; an energy pack with items to help them save money; and home visits from a program support worker. Energy Policy WA, Synergy and Horizon Power work in close collaboration with community organisations to deliver the program, providing a grounded understanding of the challenges and opportunities for customers. So far, the Energy Ahead program has successfully helped vulnerable Western Australians make changes to their homes and lifestyles that resulted in energy bill savings. In delivering practical measures like Energy Ahead, the Cook government is helping to deliver better long-term outcomes for some of our most vulnerable families.

I pause there to make the point that there are people who need some help and support when it comes to the more energy-efficient operation of living in their home. As I said before, we all have a role to play in reaching net zero by 2050. Every little thing that we do within the household particularly, ever so small, helps us reach that goal.

We have the social housing energy performance initiative. The Albanese and Cook governments are partnering to deliver better energy savings for thousands in social housing. Up to 4 300 Western Australian households will benefit from home energy upgrades, thanks to a \$63.2 million partnership to upgrade social housing properties across the state. We are getting on with that job.

Hon Dr Brad Pettitt: Are any of those in Perth?

Hon DARREN WEST: That is a good question from the member. I will have to get back to him on the actual locations. I do not have that here.

Remote and regional social housing in hotter climates such as the Kimberley, Pilbara, Gascoyne, midwest and goldfields regions will be assisted to reduce their energy bills and keep homes cooler in summer. There is a double advantage in that.

Several members interjected.

The PRESIDENT: Order!

Hon DARREN WEST: It is not only that those households can benefit the most from this operation, but also household energy is subsidised. It costs us more to deliver energy to a lot of those communities. There are two good reasons why we would start in areas such as that. The WA social housing energy performance initiative will run until 2027 and deliver energy upgrades, including hot-water systems and lighting. That initiative will help households make real cost-of-living savings through their energy bills. By supporting energy efficiency in social housing, the state and federal Labor governments are lowering power bills for some of the state's most vulnerable communities, making a real impact on their daily lives. I suspect that in years to come, we will expand that program but I think it is important to start where we can make the biggest difference.

The member will be very pleased to know that he does not have to go to Warrnambool to see a great example of how government can work with industry and local communities to electrify. We are particularly proud of the Esperance example. In about 2021, maybe even a little earlier, the gas supplier in Esperance did not get the tender to supply power to the community, so it turned off the gas line. We had to act very quickly. We negotiated an extra year of gas supply for the 400 reticulated houses in Esperance, particularly in Nulsen, an area that has a lot of social housing. On behalf of the state government, Horizon Power developed an energy transition plan to support customers to transition from the closing reticulated gas network to alternative long-term energy solutions. Our government invested over \$10 million to support approximately 400 residential, business and government customers in Esperance to transition to an alternative energy source. The Esperance energy transition plan provided financial assistance to customers for like-for-like replacement, guidance from energy efficiency experts, connection and local tradespeople and dedicated phone and email support. As a result of that successful work by Horizon Power and others, nine out of 10 customers have now chosen a full or partial electrification solution, with increased energy efficiency and lower emissions. But here is the kicker: those customers have seen a 38 per cent reduction in their household energy bills as a result of the conversion.

Hon Dr Brad Pettitt interjected.

Hon DARREN WEST: Esperance is a good practical example to start with because there was a need to move. The lessons that we learnt from the Esperance experience can now be used right across the state.

Hon Dr Brad Pettitt: Are they?

Hon DARREN WEST: Absolutely so. Householders are now moving away from gas appliances to electric appliances. They have received support from Horizon Power and Synergy as a result of lessons learnt from the Esperance experience. We do not need to go as far as Warrnambool; we only need to look at Esperance to see what a remarkable successful transition we made in that community, working with the community and our publicly owned energy utilities, to achieve a 38 per cent reduction in energy bills. I support what the member is saying. As I said, we have seen a 38 per cent reduction. I would not see that as a negative, member; I would see that as a positive if I were him.

I turn to the Sunshine Saver program. Many Western Australians who are renting want to purchase solar energy even if they are not in a position to install panels on the roof of their home. Backed by the Cook government, Horizon Power has worked to offer an innovative subscription service that allows renters, in areas supplied by new renewable energy systems, to purchase solar energy via their local electricity grid. Sunshine Saver was originally launched in Esperance in October 2023. More recently, renters, concession card holders and customers identified with ongoing financial challenges in the towns of Cue, Meekatharra, Norseman, Sandstone, Wiluna and Yalgoo now also have access to this innovative product. Sunshine Saver customers are guaranteed to save a minimum of \$197 annually and can increase savings by using energy between 6.00 am and 6.00 pm, when Horizon Power's solar farms are generating power.

Another initiative is Switch your Thinking. The Cook Labor government has invested \$500 000 to extend the Switch your Thinking program to assist Western Australian households and small businesses improve their energy efficiency and reduce their energy use. Switch your Thinking is a joint sustainability initiative of the City of Armadale, the City of Gosnells and the Shire of Serpentine–Jarrahdale—I give a shout-out to all those innovative local governments—that delivers energy-efficiency education and resources in local government areas across the state. Forty-one local governments have registered interest in the program's extension. The initiative is providing 200 do-it-yourself energy audit toolkits for loan at local libraries across metropolitan Perth and regional WA, enabling residents to perform their own home energy assessments and develop their own home energy action plans. Again, householders have a role to play in this. If they can help themselves by having more efficient households, that is a collaboration and an example of working together.

There are a few other things that I want to raise but time will always be the enemy of those who like to talk energy policy, as I do. Hon Dr Brad Pettitt may be aware of an article that appeared on The Conversation website by Kate Wingrove, a PhD candidate at the Sustainable Buildings Research Centre at the University of Wollongong, and Emma Heffernan, Associate Professor in Architecture at the University of Sydney. Kate and her team have done an extensive study. I do not have time to go through it but the member will be able to dig out that article. These two people dedicated their time to this study, which involved more than 580 000 new homes in Australia designed between 2018 and 2022. Basically, what they found across the country would be of concern to the member. They found that a house designed in 2022 is 7.6 per cent larger and requires 10 per cent more energy to build. The good news for the member is the difference between jurisdictions. For example, predicted energy requirements for a new home in Western Australia fell by 11 per cent over that period, while in Queensland and the ACT, it increased by 17 per cent. The article included a graph from the Nationwide House Energy Rating Scheme that outlines the difference in energy use in Western Australia. Congratulations to the Western Australian construction and home building sector. We are leading the nation. We are now building houses that have the greatest increase —

Hon Dr Brad Pettitt interjected.

The PRESIDENT: Order!

Hon DARREN WEST: We are leading the way —

The PRESIDENT: Order!

Hon DARREN WEST: — in energy efficiency. Thank you, President.

The PRESIDENT: Order! When I call for order, I expect everyone to stop. Hon Darren West.

Hon DARREN WEST: I have so much more to go through. I will talk about the National Construction Code and energy efficiency. We are mandating seven-star energy-efficient homes in Western Australia next year. There has been a two-year introduction. I noted that during the week the federal coalition leader announced a moratorium on that scheme. I think that is a very regressive step and something that Hon Dr Brad Pettitt may consider at the next federal election. Seven-star energy efficiency is where we need to go. It is a difficult time in the construction industry and there is a great demand for housing. It makes sense to build seven-star energy-efficient housing. We will ensure that that will be the case next year. We are working in that space.

There is much more to talk about. I will deal with a couple of points raised by Hon Dr Brad Pettitt earlier, including the battery subsidy program. As the member knows, we will be the first state to exit coal-fired power stations. That is our focus at the moment. We are building some rather large batteries that we will need to firm renewable power as we make the transition from coal to renewables and gas. I know the member's view on gas; we may talk about that later. Let me be clear that gas is the important ingredient that we need to transition from coal to renewables. I think we are in furious agreement that we need to transition from coal to renewables. We may have some differences in how we go about that. One of the things that we are doing is investing heavily in large batteries to firm that renewable energy source. That will pay dividends in the future. There are two battery energy storage systems in Kwinana: KBESS 1 opened last summer; the larger one, KBESS 2, will open this year. There are two extremely large batteries in Collie, one publicly built and one privately built, which of course is where the coal-fired power generation is coming from. Collie will continue to play a role in the provision of energy to Western Australians but as a firming for renewables and gas. Some large renewable projects are on the drawing board in the Collie area that will feed energy into these batteries.

I appreciate the member's passion for this subject. I encourage him to keep raising issues around energy efficiency in Parliament. I am sure he will do that. As a government, we are certainly playing our role in trying to lower emissions and make our energy system more efficient.

HON DR STEVE THOMAS (South West) [10.48 am]: It sort of feels like we had our Thursday debate yesterday. It is all very calm today. I love a debate in which we are competing to see who is further left on the political spectrum. That is really great. That will now come to a screeching halt as a bit of conservatism creeps into the debate.

Hon Dr Brad Pettitt moved a really good motion. The debate around how we access renewable energy in households and manage the future and the transition is very important. I thank the member for allowing us to have such a debate today. I will not really attack the motion as such because it contains bits about which we agree.

Hon Dr Sally Talbot: You're a lefty at heart.

Hon Dr STEVE THOMAS: No, no, no. I am an economically conservative person who cares about the environment and climate change, which might sound like an oxymoron on the Liberal Party but it is not. There have been others in the same boat. One does not have to oppose climate change action if they are economically conservative. They can actually use it to their advantage, and I am going to explain why.

Here is a secret that nobody outside the Liberal Party knows. About 10 years ago, I wrote a policy on energy transition for my federal colleagues. It was when the federal Liberal Party was in power. That policy talked about the real economically conservative, thus liberal values in relation to how the energy transition should work. I have always taken the view that being economically and politically conservative is about individual freedom and individual responsibilities. I absolutely believe that. The left wing is about collective action, which is why I will differ with Hon Dr Brad Pettitt at the end of this. The freedom of households to become independent and self-sufficient in energy is a target that the federal Liberal Party should have embraced many years ago. I wrote a policy based on this, which has some similarities to this: that the federal energy policy should be about the freedom for households to transition in a way that gives them individual freedom. That could be either complete disconnection from the system, which is the ultimate goal, or at least minimising independence of the system—one could work their way through. Unfortunately, at that time the response I got back was this: "Well, that policy looks really good but the Queenslanders have said it's all about coal", which is a response I will never forget. But I have been a passionate advocate for organised transition for many years. The difference that I have with the two speakers who preceded me—Hon Dr Brad Pettitt and Hon Darren West—is that they seem to be in a race for socialism in that the government has to do all the work and the lifting. There is a role for government, which I will come to in a minute, that plays in well with Hon Dr Brad Pettitt's motion.

I have done some fairly simple numbers and I have repeated those numbers every year for the last 20 years. It is feasible for almost everybody, unless they are on a very low income, to access their own renewable energy system

and develop freedom from the grid. I have in particular more isolated farming houses across the south west that do exactly that. They are going “individual” and getting freedom from the grid and they love it. The costs are quite interesting. I live out of town, so I first started investigating this 20 years ago for my personal benefit. Back then, the system that would have given my house freedom from the grid would have cost \$65 000. That system today is a lot cheaper. I will not tell members where this information comes from or give a particular company a plug, but earlier I looked up and found an eight-kilowatt solar system with rooftop panels and a 6.4-kilowatt-hour battery unit supplied and installed on this marketplace for \$13 990. That is a heck of a lot cheaper than \$65 000. Bear in mind, this system has a 25-year warranty on the solar panels and a 10-year warranty on the inverter and the battery. That price has improved significantly over recent years. That system has a warranty for 10 years, but if it lasts five years, and a person pays \$16 000, that works out at basically \$533 for each two monthly power bill or \$266 a month. That is highly competitive and what most people are paying now. It is the case that a person is actually better off. When I got solar panels on my roof in Donnybrook, my power bills went down significantly. I raised four daughters who took very long, hot showers, and my power bills were immense. Before the solar panels went in, my top bill for two months was about \$950. Every two months since, we have dropped \$300 or \$400 off every power bill. If one can save a couple of hundred dollars a month, that equates to \$2 500 a year using a \$5 000 system with a 10-year warranty. Over the last seven years, it has paid for itself and it is free energy.

When we break it down to that monthly cost, most people on a normal wage can afford to get into the renewable system. This is what I recommended to the federal government. If we go down that path, we can completely disempower the transmission system and state-trading entities. Do members know what? They are all going to eventually die anyway, so at some point we will all have to wean ourselves off that reliance, so I do not really mind. That is why I always said that if we were going to sell any part of it, we needed to sell it when it was worth something. But the government has taken over and is now privatising bits of it all over the place, particularly generation, and its privatisation strategy is still in place. As the parliamentary secretary said, more private sector people are coming in. We are all on a privatisation-by-stealth strategy, maybe with the exception of the Greens.

There is absolutely a role, Hon Dr Brad Pettitt, for government to assist those people who cannot afford the up-front cost of that transition. The bit I do not like about his motion is that every household should get a subsidy from the government to transition. I am a believer in personal responsibility. My economic credentials might not be quite to the right of Attila the Hun, but they are pretty close. I am a fairly good supporter of the user-pays model. Most people can afford to do that. For example, if those people in social housing are currently paying \$250 a month for their power, the system that should be in place—their power bills could go via a loan scheme to pay back the installation of those systems that reduce their power bills. They would not be getting it for free; they are just using the government as a loan system to get the system in place. That has a lot of legs. It is not a free handout. I am sick of handouts. That allows people to take responsibility for themselves. That group of people who cannot afford a \$16 000 up-front cost, and a lot of people cannot, can pay that back to the government probably over five years. Even if they paid it back over 10 years with that warranty, their repayments would be halved from \$250 a month to \$125 a month. That would be lower than their current power bill. That is a great opportunity for government to assist people to take responsibility for themselves. If there is anything in my mind that says “right wing”—I know that people opposite laugh a bit when I say that I am right wing, but economically right wing—it is empowering people to take responsibility for themselves. That is a great policy. That is one that we should all be discussing: how do we get people to invest in their own futures and invest in the energy transition themselves? That is one of the best ways to do it. I recommended that approach 10 years ago but I could not get the federal Liberal Party on side. The federal Liberal Party and I have had various strong discussions—we are still having them now—over energy policy, because I am a firm believer that energy is run by the states. Interestingly, the commonwealth Constitution overrides the state Constitution but only when there is a direct conflict between laws. Section 51 of the Constitution tells the commonwealth what it is able to make laws about. I had a good read through that and energy is not in there, so that will be an interesting constitutional battle.

The reality is that we should take “who is the most left wing and can give the biggest handouts” out of the debate. That is what I heard at the start of the debate, which was about who can throw the most money out there. In last night’s speech, I referred to the construction industry and stimulus and all the rest of it, because it is bad economic policy. Let us try to use good economic policy. That is where the right wingers amongst us can actually get a benefit. Even in this discussion about renewable energy and assisting people who cannot afford the transition, we can use good economic policy, without having to fight to be the most left wing, to get a great outcome for everybody. That is where the government should be focused. It should empower people through individual responsibility and freedom to help themselves.

HON WILSON TUCKER (Mining and Pastoral) [10.58 am]: I rise in support of this motion and I thank Hon Dr Brad Pettitt for raising it today. In my contribution, I would like to focus on what I describe as the inadequacy of the cooling policy in the government’s Housing Authority rental policy. The policy is that for public houses above the twenty-sixth parallel, a ceiling fan is installed and there is an aperture within the wall for the occupant to install their own air conditioning unit. If the public house does not have that aperture installed, the government will create essentially that hole in the wall and that is basically all that the occupant will have.

In contrast with that Housing Authority rental policy, the Government Regional Officers' Housing policy provides for all government workers living above the twenty-sixth parallel to have air conditioners installed. There is a bit of a sliding scale for the air conditioner. It is a blanket policy, but the energy subsidy for air conditioning varies based on what is described as the climatic discomfort index. Kununurra is on a bit of an arbitrary sliding scale, listed as a seven on that scale. It kicks in to a high degree between September and March, particularly in the Kimberley and Pilbara, and we are obviously in those months now. If any members have spent a significant amount of time there, they know that it is a very hot place to live. Having an air conditioner is not just about people's general comfort. A lot of disadvantages come with that heat.

Based on a report that I will table very shortly, public housing, particularly in the Kimberley region, comprises 59 per cent Indigenous tenants. It has been described as a policy that tends to reinforce the financial disadvantage experienced by many public housing tenants, particularly in the Kimberley region. According to the Australian Council of Social Service, a few of these disadvantages come from not having adequate cooling in properties in some regions with significant heat. In this survey, 80 per cent of people said that high temperatures made them unwell and 14 per cent sought medical attention.

Energy bills are a massive issue, particularly in older public housing builds. These houses have been described as heat sieves. Even if they can be cooled down, the cooling cannot be retained—the same applies also with heat in some cases. In those areas, 83 per cent of people surveyed pay higher energy bills in contrast with others with adequate insulation in their homes, and 43 per cent said they faced barriers to leaving their home for cooler places. There is a mental health component as well and energy bills are certainly higher. I take this opportunity to table the report, *Stuck in the heat: Climate justice case study* by Grace Dudley from the Kimberley Community Legal Service. I seek leave to table the report.

[Leave granted. See paper [3748](#).]

Hon WILSON TUCKER: As well as the report that I have just tabled, another report, which I will not table, from the Australian Housing and Urban Research Institute, *Final report no. 338: Warm, cool and energy-affordable housing policy solutions for low-income renters* reinforces a lot of the messaging and findings from the Kimberley case study. I will not go into them. There is certainly a lot of overlap, but the experience of people who live in the Kimberley is not an isolated one. The report reflects on that for a lot of different areas that have difficulty with houses without a minimum energy efficiency policy or minimum standards around insulation. That is certainly being experienced in the Kimberley.

The AHURI report mentions that in 2023, minimum energy standards were agreed to for public and social houses at a national cabinet meeting. In the last three and a half years, I have asked a number of questions in this chamber about the public housing cooling policy and received very inadequate answers. I am curious to know whether there has been any discussion with the federal government about when the state government is going to enforce some of these standards. There has been a cabinet discussion and an agreement around some of these minimum standards, but I have not seen any announcements about when Western Australia will enforce them. The questions that remain, which will be hypothetical as part of this contribution but I will certainly look for answers in the future, are around when Western Australia is looking to enforce some of these energy standards and what are we doing about current houses. If we enforce those standards moving forward for new builds, that is all well and good, but what about people living in houses right now that have inadequate insulation and have been described as heat sieves, without that adequate cooling policy?

The last question I have is: what are we doing about this cooling policy? I have asked four questions in this chamber and four times I have received a very inadequate answer. The government has displayed a very bureaucratic tendency to try to avoid answering. One of the things highlighted in this Kimberley report was that we know—unless someone is a climate denier—that climate change is coming and temperatures are increasing. I acknowledge it is a long way off, but by 2090 the Kimberley region will face 40-degree days most days. We are seeing a tendency towards warmer temperatures. People who are already in a disadvantaged position will continue to be disadvantaged until the government does something about minimum standards, looks at a backwards compatible solution for people in houses already described as heat sieves and tries to bring people to a level of advantage that is reflective of government workers in this state. In closing, I will continue to ask questions on this matter. I welcome the debate and I thank Hon Dr Brad Pettitt for moving this motion today.

HON STEPHEN PRATT (South Metropolitan) [11.06 am]: I thank Hon Dr Brad Pettitt for bringing this motion to the house. It is certainly an interesting topic, not one that I purport to be an expert on in any way. I take the opportunity to speak on it because it is important and about where we are going as a community with energy use, doing what is right for the environment and how we can all play a role in how it comes together.

I have been listening to some of the debate so far and I know that a similar motion was debated in the chamber yesterday. Unfortunately, I was out on urgent parliamentary business, but my good friend Hon Dan Caddy spoke on this issue as well. Apologies—I probably will not do it justice or speak as eloquently as he did, but there was a trial project out in the suburbs of Atwell and Harrisdale. I went to the community gathering at the end of this

pilot project called Project Symphony. It was a great example of all the key players in this space working together on a project to see what can be done and learning by doing it in a trial phase. Around 500 residential addresses were involved in the project. I think this points to how in tune the community is with what is happening in the energy transition space and the appetite to understand more. The more we can involve the community in this process and bring people along with us, the better outcomes will be going forward. Western Power, Synergy and the Australian Energy Market Operator were all involved in this project.

These suburbs were specifically chosen because of the high prevalence of rooftop solar. That is probably a result of them being new housing developments and people putting on solar panels when building their houses. It included rooftop solar, electric vehicles and home battery storage. This technology is changing and advancing quite rapidly; I am excited to see how it develops into the future. I really think that in coming years the landscape will change dramatically. As technology changes, we will see more and more of this and I think adaptation will become easier for people. There was an investment of \$35 million in this project. This is an example of the early work that we need to do to investigate the role that households and businesses can play as technology changes so that we make the best use of household energy generation. Obviously, solar panels generate a lot of power during the day and people want to use that power, but there are times when that power obviously goes to waste or is not used, so we need to find better ways to store that energy and apply it to the grid. It was an exciting project. A range of detailed information about it can be found on the Western Power website. There was a report with 18 recommendations. What we will see from all of that is some more development and change in this space.

In moving what is really a positive motion, I sensed some frustration from Hon Dr Brad Pettitt around the perception of how slow moving this stuff is and the expectation that government should show more leadership. However, I think that underestimates the community a bit. One in three households have solar panels, so the uptake of that has been grasped wholeheartedly by the community. As battery storage develops and becomes more user-friendly and more affordable, we will be able to see what comes from that. It could cause headaches for the people responsible for power generation but, at the end of the day, we are heading down a path in which these outcomes will be better for the community and the environment, and hopefully cheaper for consumers. We are in an exciting space at the moment. We can hopefully learn from what is happening around the world and in other states as different initiatives are taken up. I again point to the fact that an element of behavioural change is involved. The more we can work with people in the community and our business sector, the better the outcomes we will have.

I want to talk about a project that I became aware of more recently when I met with Alistair Richardson, who runs a new business called MoJo Car Share. This is all around electric vehicles. I am not a full bottle on this, but this is a subscription service that enables people to access a range of electric vehicles throughout WA through an app on their phone. People can swipe the app on their phone to unlock an EV, and away they can go. The app tracks where they go and the cars can be left basically wherever one likes. This has been taken up by new apartment complex developments, hotels, commercial premises and universities, which can have EVs located in their car parks through this service, enabling people to have quick access to more environmentally friendly vehicles for short trips or whatever they want to use them for. It is an interesting new model that could continue to grow.

Hon Kyle McGinn: Where is that, member?

Hon STEPHEN PRATT: The cars are located everywhere. The company is MoJo Car Share. Some vehicles are located in new apartment complexes so that residents can access them. It could be a solution for reducing the number of car parking spots that are needed, as residents can have access to one vehicle. It could be quite convenient; I can imagine how that could work. That is an interesting one to keep an eye on.

I took the opportunity to talk about Project Symphony because it is a really good example of how all the agencies involved in the energy sector got together with residents to see what can be done. The learnings from that hopefully will be rolled out so that we are able to see more of that taking place across the WA community. Hon Dr Brad Pettitt mentioned that other states are looking at different things as well. There could be advantages in us looking at what they do, learning from the mistakes from some of those initial pilot projects and implementing something better for people in WA.

HON SOPHIA MOERMOND (South West) [11.14 am]: I rise to speak in support of this motion. It is interesting timing, as energy is obviously on everyone's mind at the moment. However, one aspect that has not necessarily been addressed quite so much is that the architecture in Western Australia is not necessarily built with sustainability in mind. I know that solar panels and rainwater tanks are compulsory in some housing areas in South Australia, so I would like to see that here, too. I would like to see solar panels on roofs and wind tulips, obviously made from hemp composite, along with deep cycle batteries, as I think they could make a big difference for people. Looking at the architecture in WA, we can see that we seem to be addicted to large homes. Four by twos seem to be the standard, but that does not necessarily represent the needs of the population. We seem to be moving towards more single-person households and single-parent households as well. Obviously, the larger one's home, the more air conditioning and heating it will require, as well as more materials to build and maintain it. One thing that government could definitely address is that it could make sure that there is a wider variety of homes to choose from. In regard to building materials, obviously hemp is the way to go. People can grow their own house in about three to four

months and the carbon sequestration continues throughout the life of the home; it does not stop after it is built. We see the same thing with rammed earth and hay homes; the walls are very thick so the temperature in the home can be quite stable throughout the year, with minimal need for air conditioners, wood fires or heating of any sort.

Hon Klara Andric: You do realise that rammed earth is about 10 times the cost of bricks; it is 10 to 15 times the cost.

Hon SOPHIA MOERMOND: I get that it is not necessarily available to everyone; it is just that it provides massive energy savings in the end.

Hon Klara Andric: Absolutely, but at a very high cost.

Hon SOPHIA MOERMOND: Yes. Anyway, that was really all that I wanted to say. I thank Hon Dr Brad Pettitt for bringing this debate to the chamber.

HON DR SALLY TALBOT (South West) [11.17 am]: This is a fantastic motion and I am very pleased to stand and contribute to it today, so I congratulate Hon Dr Brad Pettitt. It is really great when we have these kinds of discussions in this place. I agree that it feels a bit more like a Wednesday than a Thursday at the moment, and I am happy to continue in that vein. However, I want to make a couple of observations, so I hope that I do not take things backwards.

I have enormous regard for Hon Dr Brad Pettitt. We come from the same place intellectually. We studied together at Murdoch University and did our postgraduate work not exactly in tandem but not far apart. We also had the same beloved mentor teacher, who I think will always live on in both of us, so we have an enormous amount in common. But there is one thing on which we will always differ. I find it really, really hard when the Greens stand up and talk about this sort of motion without any reference to the fact that, back in I think 2009, they effectively completely derailed Australia's national position on climate change. I do not think there is any other way of telling that story. I agree that one can tell different versions. There are different credible versions of what happened after that moment in 2009. I am sure that every member of this house from all the parties represented could tell their own story about what should have happened after the Greens took that absolutely astonishing move to block the measures that the federal Labor government proposed to introduce. There is a sense in which the inevitable happened when the Greens made that extraordinary decision. I do not think it is too melodramatic to say that it effectively laid the red carpet out for Tony Abbott and all that he came to represent in this country. It got to a stage where it was embarrassing to travel overseas because of what our Prime Minister Tony Abbott said at the time. I really think a coherent narrative says that had the Greens not made that one decision, we would not have had Tony Abbott as the Prime Minister at that particular time. I have no idea what the conservative parties in this state would have done long-term, but I do not think that Tony Abbott would have become the Prime Minister at that time. I think it is very clear that Australia's past towards carbon reduction would have been extraordinarily different if we went down that carbon reduction path that was proposed by the Labor government at the time. I think it is absolutely extraordinary.

While I am on the subject, I have always said this to the Greens, right back to Hon Dr Brad Pettitt's predecessor, Hon Giz Watson, with whom I also have a good relationship. I count Hon Giz Watson as a friend. I have a coffee with her when I bump into her in the street. We do not agree on a lot of things about how to play everyday politics but, fundamentally, our values setting is exactly the same. But then we got to 2018, and the Greens supported some random right-wing party to block the regulations on the plastic bag ban. Honourable members will know what I mean when I say that plastic bags are very dear to my heart. Plastic bags are not dear to my heart; the ban on plastic bags is very dear to my heart. All that time that I was the shadow Minister for Environment from 2008, I worked my butt off to get rid of plastic bags. I remember having an extended live discussion on 6PR with Paul Murray, who told me that he had stuff stored in his garage in plastic bags. He said that there was nothing wrong with plastic bags because when he went back 10 years later, all the plastic had disintegrated and his stuff was all over the garage. We know now, and I am sure he knows as well, that plastic bags disintegrate into microplastics, which are even worse for the environment. That may not be technically true; they are as bad for the environment, let me say, as plastic bags and so on. The other thing he was worried about was dog poo bags. I have to say, in the nicest possible way—I am sure he is not listening, but were he to come across this debate—that I think of Paul Murray every time I take my dog to the dog park and get the compostable poo bags out of the dispenser! I am sure he would understand what I meant. In a nice, friendly, bipartisan way, I do think of him. From 2008 to 2018 is how long it took. I cannot remember when we first debated in this place, but I remember I was sitting over there where Hon Donna Faragher sits, and we brought in this banning of plastic bags idea, and, you know, the world was going to come to an end, but we had people like Hon Dr Brad Pettitt. I am not sure, but I do not think the honourable member was mayor of Fremantle in 2008.

Hon Dr Brad Pettitt: I was mayor in 2009.

Hon Dr SALLY TALBOT: Yes. I do not think at the time we introduced the ban he was the mayor of Fremantle, but shortly after that. The City of Fremantle was leading the way. I remember describing what the city of Fremantle did. When we finally got to the plastic bag ban 10 years later, the Greens put up a disallowance motion because it wanted it to go further. It said that we were not doing enough. It argued that we had to include all the things that are

now banned. I think Hon Stephen Pratt made a very, very important point: when one is a member of a government, or indeed, I would extend that to a member of the Parliament, and one makes public policy, one can only go as far as the public will let one go. At that stage, there was a degree of nervousness about what would happen if we totally cut plastics from the environment. People said the prices would go up and people would stop getting Uber Eats, not that there was Uber Eats in those days, but members know what I am saying. We could actually bring people along and we could run education campaigns and get everybody like us in this chamber talking to school groups about it and gradually people would come along. I say to every single member of the Greens to leave the Greens and come and join the left of the Labor Party, and then we will see real change happen much, much faster. I leave my points on that particular issue and get back to the motion.

In doing so, I also want to make a passing reference to Hon Dr Steve Thomas. I make this joke with the honourable member about the fact that he is a leftie at heart and all that sort of thing. That is not just a point made in jocularity. There is a sense that what he argues when he comes in here and speaks on a motion like this is far to the left of what his own party proposes. If members want proof of that, they do not have to go any further than the recent announcement by his federal leader, Hon Peter Dutton, that he will put a 10-year moratorium on the National Construction Code 2022. A 10-year moratorium! The Premier of this state made the decision, which I think was very sensible at the time, to give Western Australia an extra 12 months. We are 12 months behind the rest of the country, but the rest of the country is already working to NCC 2022. I have not got time to go into it in great detail, but industry groups like NCC 2022, for members who are not familiar, are an energy efficiency measure that applies to new houses and other low rise multiple dwelling projects—class 1 buildings—and apartment buildings, which are class 2. Members can look that up if they want to know more. This is a very, very significant national move, as most of these measures should be. It is much, much better to have national codes in place than for each state to try to go alone. The other day the national Leader of the Opposition said that, if elected, he would put a 10-year moratorium on starting it. I just do not see how any member of the Western Australian Liberal Party, whether they are in the coalition or the alliance with the National Party, or whatever else they call themselves, could support that. We cannot support that. Industry does not support it in Western Australia.

HON LORNA HARPER (East Metropolitan) [11.27 am]: I am not sure how I will follow the most memorable quote of the day from Hon Dr Sally Talbot referring to the memories of somebody every time she picks up her dog poo! In fact, I am lucky I did not spit my water out.

Having grown up in social housing, I understand how hard it is to have to heat and cool one's house and the expense, even though the way I grew up was different because we had coal fires, which would horrify a lot of people, but it was the 1970s, and times have changed. Times have changed since I first came here to Western Australia in 1989 when I thought that on a hot 35-degree day one opened a window to let fresh air in and did not put the air conditioning on during the day, only at night. Now I have learnt, like most of us have, about the fact that we build our houses differently and we do things differently today than we did 20 or 30 years ago. That is the same with how we build social housing today. I recently built a new home. We did the E smart glass, the orientation, the eaves and we do not have artificial lawn. We are trying to do our best. We put solar in. It is a lot more affordable today than it was when I put it in in 2009 when I built. One thing I was told is that the batteries today are not financially viable for most people. If they run a pool or an electric car, yes, having a solar battery would be a good idea. Solar batteries will not be the answer for all individual houses. We need to look at things like community batteries and other things. One thing Hon Dr Brad Pettitt did not mention is that, yes, everybody is doing it tough, but here in WA we have the lowest power prices in the whole of Australia. Every time there are advertisements on TV, news reports on Channel Seven about power costs and this that and everything, or the Liberal Peter Dutton starts talking about the cost of nuclear power, they are not referring to WA. Because of the McGowan and Cook Labor governments, we have the lowest power costs. Imagine what life would have been like if the Liberals had got in and sold off Western Power. I do not think we would be having a conversation about solar and social housing because none of those words would be said in the same sentence. I would be interested to find out from Hon Dr Brad Pettitt what lobbying he has been doing and what actions he has been taking—not just standing up in Parliament discussing things, but what physical, concrete steps he is taking to lobby and make these changes.

Hon Dr Brad Pettitt: I started up a group called Electrify the Valley along with a whole range of other things.

Hon LORNA HARPER: Joining a community group is brilliant, but I want to know whether Hon Dr Brad Pettitt has been advocating to and lobbying the relevant ministers. That is something I would be interested to see. It is easy enough to stand in this place and point the finger and say the government is not doing this and that.

Hon Dr Brad Pettitt interjected.

Hon LORNA HARPER: I am not taking interjections.

Hon Dr Brad Pettitt interjected.

The ACTING PRESIDENT: Order, member!

Hon Dr Brad Pettitt interjected.

The ACTING PRESIDENT: Order, member! I understand. You have the call, Hon Lorna Harper.

Hon LORNA HARPER: It did kind of put me a wee bit off my thing.

Coming from the privileged area that we all have in Parliament, the luxury of being able to point fingers is one thing, but actually getting out there and experiencing things is another. People decry what state and federal governments are doing for people who live in the northern parts of Australia. Yes, it does get hotter in summer and cooler in winter—I think everybody here can agree about that—but it gets substantially hotter in those northern areas. The fact that there is a joint effort going towards putting in money to help social housing up there is fantastic. The point that Hon Dr Brad Pettitt was trying to make was: What about the people of Perth? Why not celebrate what is happening there at the moment? There is still a lot more to be done. There will always be more to be done when it comes to the environment. There will always be more to be done to help with social housing. We are lucky we have the Cook Labor government working with our federal Labor government against whatever the federal Greens are doing. We are doing productive things to make these changes and not just pointing fingers and saying, “You’re doing this, but what about that?” Let us actually get out there. If you are going to do it, walk your talk.

Motion lapsed, pursuant to standing orders.

SHIRE OF PINGELLY CATS LOCAL LAW 2024 — DISALLOWANCE

Discharge of Order

Hon Lorna Harper reported that the concerns of the Joint Standing Committee on Delegated Legislation had been satisfied, and on her motion without notice it was resolved —

That order of the day 2, Shire of Pingelly Cats Local Law 2024 — Disallowance, be discharged from the notice paper.

PLANNING AND DEVELOPMENT AMENDMENT (METROPOLITAN REGION SCHEME) BILL 2024

Second Reading

Resumed from 18 September.

HON STEVE MARTIN (Agricultural) [11.34 am]: I rise to make a contribution to the second reading debate on the Planning and Development Amendment (Metropolitan Region Scheme) Bill 2024. I indicate that I am the lead speaker for the opposition alliance and we will not oppose the bill.

I will briefly outline what this bill will do. The purpose of the bill is to modernise what is now a 60-plus-year-old metropolitan region scheme. It has not been updated in over six decades, so this is an appropriate thing to do. For members’ benefit, the MRS is one of the most important planning documents in Western Australia and it plays a key role in planning for the Perth metropolitan region. It was first introduced in 1963 and is the oldest of the three planning region schemes in force. The other two region schemes, the Peel region scheme and the greater Bunbury region scheme, were introduced in 2003 and 2007 respectively. The bill is purported to do a number of things. Development of zone land will not require development approval by default. It will provide an explicit head of power for a number of things, including a district structure plan and a special control area. The updated text of the MRS will confirm that if a local government has been delegated to determine an application for development approval under the MRS, it will need to make only one determination under both the local planning scheme and the MRS.

Before I get to the specifics of the bill, I thought I might take some time and follow the lead of the Minister for Planning in the other place. A good half of his second reading speech extolled the virtues of the government and its efforts in housing. He finally got around to talking about planning, but he spoke in particular on housing. I thought it would be appropriate to respond to some of the points raised by Hon John Carey. Some grand claims were made about what this bill would do. I will briefly read some of what the minister said in *Hansard*. He said —

The Cook Labor government’s message is very clear: we are driven to boost housing supply across the continuum and we will use every policy lever we can to deliver on that commitment. As the Minister for Housing; Homelessness, my priority every day is to ensure that as many Western Australians as possible have a safe and affordable place to call home.

And then he goes on. They are interesting comments in the context of some amendments to a very high level planning document, and we will get to that. I turn to housing. How will this boost housing supply? It is an interesting argument. I look forward to the Committee of the Whole House in which we will be able to tease out some the claims made and how that will take place. I am almost certain that this bill will not result in a quick response on housing in the state.

Let us look at some of the things the minister talked about in his second reading speech. We will start with social housing. Again, the minister used the second reading speech to mention the amount of money and how many homes have been delivered. He said —

Our social housing program is fundamental to achieving the aim of the government and national cabinet of ensuring that more people have access to a safe and secure home. In the 2024–25 budget, the Cook

Labor government committed \$1.1 billion for housing and homelessness, bringing total new investment since 2021–22 to \$3.2 billion. That will significantly improve the quality and accessibility of social housing and homelessness services.

I think it is worthwhile repeating the numbers. I have done it a number of times in this place, but the minister keeps mentioning them so I will keep replying. As of March this year, after almost exactly seven years of a Labor government, there were 114 more social homes in Western Australia. That is 114 after seven years. In the early years of the McGowan government, WA was investing less than Tasmania in social housing. When we got to March the number was 114. In the middle of the renewed efforts from the government and with extra funding, by the end of August we had got to an increase of slightly less than 400 new homes on the total number of social homes in Western Australia—after seven and a half years we had a fraction less than 400 homes. Of course, not all those homes had been built. A good proportion had been bought under the spot purchasing program. I note the comments from the Minister for Housing and the Premier last week about the milestone that they claimed to have reached and that they were, in fact, redoubling their efforts in spot purchasing. The obvious impact of that is that homes are taken out of the private market and put into the social market to make the social figures look slightly better, but, of course, it does not actually add homes to the Western Australian housing stock. Fewer than 400 homes in total had been added as at the end of August.

We have seen the social housing waitlist continue to grow, although I am having a hard time getting the exact number, so I cannot report that number to you, Acting President. I can tell you how many applications have been lodged with the state government, and that number continues to rise; it is over 20 000 now. Apparently, because of double counting, the housing minister is refusing to tell Parliament how many Western Australians are on the social housing waitlist. The priority waitlist is the same. We know that the number on the waitlist is significant. There is a very large number of applications, but we cannot find out how many Western Australians are on the government's own priority social housing waitlist. I have asked whether the double counting can be resolved so that we can get to the bottom of this, but after a number of questions by me and Hon Dr Brad Pettitt in this place, it is apparent that the Department of Communities either cannot or does not want to fix the double-counting problem and we will not be given the actual number of Western Australians on the social housing waitlist before the March election. That timing is not a coincidence.

Another housing initiative of the Labor government is the housing supply unit. This organisation was set up in the Department of Treasury in October 2023. It was announced by the Treasurer. It is difficult to find out what it was set up for, but we assume it was to get hold of some of the money that was about to flow from Canberra. This unit in the Department of Treasury was announced in October 2023. It first met in 2024. It took it some time to fill every position and find somewhere to work from. I have asked recently in this place what initiatives have come from the housing supply unit and where it is with outcomes after almost 12 months. In fact, it would be close to 12 months today since the housing supply unit was announced. Again, that is a key initiative of the Labor government.

Another thing that has been in the news more recently is Common Ground. It is an excellent idea and has been lauded all over the world as a groundbreaking way to impact on homelessness, in particular. It is structured accommodation with all the wraparound services that are needed to deal with the most vulnerable people in our housing situation. It is a key plank of the Labor Party's 10-year homelessness strategy. It has been talked about for years. I think Hon Simone McGurk was the minister at the time who made the announcement that East Perth was ready to roll and that Mandurah would be next. Of course, that was four or five years ago now. As we get closer to the March election, there is a flurry of activity from the government. Apparently, it is about to deliver the Mandurah facility and the East Perth facility has progressed, but it has been a very long and slow process to get anywhere near housing anyone in those Common Ground facilities, so that has been interesting.

There is also Keystart's Urban Connect program. There is a line item in the state budget for the Metronet housing fund. That is obviously to take advantage of the Labor Party's key transport policy and put some houses around those train stations. The government came up with the Urban Connect brand for a loan proposal to get people to take up opportunities around those train stations. In the first 12 months, 13 loans have been progressed under Urban Connect, and the minister has stopped talking about it, so I am guessing that it has not been a raging success for that Metronet land, which is proving very difficult to develop. The building and development sector is telling the government that it will take years to get any housing density around those Metronet train stations because greenfield sites just up the road are either cheaper than or the same price as an apartment, so people could have a three-by-two and a backyard 500 metres from a train station in some of those areas. It is going to be very difficult to progress that land. I could go on.

Of course, we saw a recent effort from the Cook government on two land releases to the far south and far north of the metropolitan area. I googled them. They are approximately 100 kilometres apart. Apparently, those blocks of land are the solution to the Labor government's slow land release program over the last seven and a half years. It will take years before there is any housing on those blocks.

That is a quick response to the first half of the minister's second reading speech. He also made some claims about speeding up housing supply through changes to planning more broadly. I want to comment on that before I get to

the substance of the bill. I do not think housing is the problem. I think the minister is looking in the wrong place if he is suggesting that by making these changes, housing supply will suddenly start to flow. I have some data on housing approvals. Sadly, approval numbers for both houses and apartments have been stuck for the last couple of years. In 2023–24, the number of residential building approvals for houses was 15 023 and for “other” it was 2 317, which is a total of 17 340. We are aware of how many homes we need to supply in this state to meet the demand. There is a very strong local demand, and the number of people coming from both overseas and the eastern states is still very strong. In recent history, 2022–23, there was a total of 14 128; in 2021–22, there was a total of 18 991.

I will go back more than a decade ago, just to show what could happen under a different planning regime. In 2013–14, there were 23 470 houses and 6 561 apartments, which is a total of 30 031. I am not sure that planning is holding up the delivery of houses. In 2014–15, there were 23 167 houses and 8 638 “other”, which is a total of 31 805. If those numbers were approved today, it would make a vast difference to the housing supply in this state. Those numbers were achieved under a different planning regime.

I understand the need to update the metropolitan region scheme, but I am not sure it is correct to suggest that it will suddenly light a torch under the housing supply issue in this state. A number of other issues are affecting housing supply in Western Australia. Sadly, we see almost daily in the media stories about the issues affecting the residential building sector in this state. Only a month or two ago, there was an article in *The West Australian* by Kim Macdonald that highlighted that 15 builders a month were going broke in Western Australia. Our residential sector continues to battle. We have seen the recent Nicheliving issues. Interestingly, it is not a builder that has gone under. It has survived, apparently, and will continue to help solve our housing crisis, according to a media release by Nicheliving.

The building sector has enormous viability issues and there is a lack of confidence in the sector. Some of that has been caused by the supply chain constraints that appeared two or three years ago in the COVID-19 era. It was difficult to get things on time and of course inflation kicked in and the prices of building materials rose. At the same time, very sadly, we had workforce issues. Our closed borders meant we had issues getting people in that we needed. Skilled labourers and tradespeople in the building sector were hard to find. As we heard yesterday from Hon Dr Steve Thomas, the obvious impact of a state government with an infrastructure program of up to \$12 billion instead of the normal \$5 billion to \$7 billion, is that it rips skilled tradespeople away from the residential building sector.

Metronet is a vast program and it took skilled people away from the building trade. At the same time, the iron price was very strong and lithium was doing very well at the time along with other minerals. The mining sector was competing with the state government sector and builders came off at least third best. They battled to attract the staff they needed to build homes. That had a huge impact on their ability to turn out the homes we need. We need about 25 000 homes built every year to get close to the federal government’s targets. The numbers for the next couple of years show we might struggle to do more than 15 000 to 17 000. Instead of taking 10 to 12 months, a lot of homes being built now are taking 12 to 18 months, if things go smoothly.

That brings me to the contents of the bill. As important as some of these changes are, I am not sure whether this high-level instrument in planning will immediately change things on the ground. I raise a couple of specific points, and I hope to have more time in Committee of the Whole House to go through them with the minister. Firstly, there is an interesting change in schedule 1, proposed clause 6, “Aims of Scheme”. The word “cultural” has been brought into the aims of the scheme. I will step back. It was revealed in the briefing that most of these changes are to bring this scheme into line with the greater Bunbury and Peel metropolitan schemes. That was the basis of the changes. I will ask where the differences are between what we will have and what are in those two earlier schemes. One in particular has been raised by people in the sector and it is on page 11 of the bill. The word “cultural” has been included in the proposed aims of the scheme. That is not in the Bunbury or Peel schemes. That is interesting. I think as far as the sector is concerned there are other issues, particularly in light of what we saw with the Aboriginal Cultural Heritage Act 2021, which has since been repealed and we reverted to the 1972 act. I believe culture is referenced in the Environmental Protection Authority. I will be interested to see how that plays out. What flow-on impacts will the inclusion of that word have on broader planning tasks? Can I get an explanation?

This matter was raised in the other place in consideration in detail. I think there was confusion from the response given by the minister. In response to a question from Libby Mettam, he stated —

Respectfully, the member may be referring to the wrong clause. I am advised that the reference to “cultural” under “Purposes of zones” is pre-existing terminology used in the greater Bunbury region scheme. It already exists in the greater Bunbury region scheme.

It does not, as far as I can discover, in the context of aims of the scheme. The minister went on to say —

The word “cultural” in the clause that the member referred to states that it is about the central city area, but it is really in reference to civic culture ...

He went on to talk about heritage. There are a couple of clauses in this bill that do reflect considerations of heritage, but that is not what this mention of “cultural” in the bill refers to. We will investigate that further in the committee process.

Hon John Carey mentioned another area a couple of times about what this bill does. It will add various heads of power for various instruments. There is a district structure plan, a region planning scheme, special control areas and regional infrastructure plan areas. A number of times he was at pains to point out that, despite these heads of power being introduced, there are no plans to use them. He said —

Again, I reiterate that this bill is purely introducing the head of power for these strategic planning instruments to be established; it is not proposing to introduce any specific special control areas, region planning scheme policies or regional infrastructure plans.

Of course, if the government introduces heads of power, I assume it intends to use them and it certainly can use them. I think there is work to be done on what those heads of power are for despite the minister's very strong claims that we do not intend to use them now. I would like some further detail on that.

The minister mentions “updating state, regional and local strategic plans to reflect their share of housing supply targets”. In conversations I have had with the sector, it is not clear that this metropolitan region scheme does reflect housing supply targets. I would appreciate some assistance on where that leads.

A key part or justification, at least in early correspondence from the Western Australian Planning Commission about the introduction of this legislation, is the need to have two development applications in place for some approvals. The sector and I were very clear that this had come about from a decision handed down in the State Administrative Tribunal last November, I believe. The ruling states —

In the case of *West Australian Shalom Inc. v City of Joondalup* [2023] WASAT 63, (the Matter) questions were raised as to whether development approval was required under the Metropolitan Region Scheme (MRS), for proposals that do not require approval under their local planning scheme.

That received attention at the time. In his second reading speech, the minister went on to say that 80 per cent of those sorts of approvals would not need the double application. I find it interesting that there is no mention in the explanatory memorandum or the second reading speech of this case being an issue. I am intrigued to know why. As far as the Western Australian Planning Commission was concerned, it was the trigger for why we needed to do this. I would like an explanation on why that was not mentioned by the minister.

As to the minister's claims that this legislation will cut red tape and streamline the planning process, it is my understanding that the vast majority of single dwellings do not need development approval under the rules now. The minister used the example of adding a deck to his property in the Town of Vincent and having to fill in two forms. He may have been doing the right thing, but after speaking to planners, almost no-one else was either aware of the need to seek approval or it was not enforced. I do not think this will cut red tape to the extent that it has been claimed and I do not think it will ease the red-tape burden. It is good that it is being done because, as we saw in the Shalom House and City of Joondalup case, it was raised and it became obvious that it certainly needed to be tidied up. It will not suddenly clear the red-tape backlog that has been holding back planning processes in Western Australia.

A number of other things that have been raised, particularly around the regional planning schemes, will possibly add to the red tape. I will be keen to see the case for regional planning schemes being included at that high level of planning, whether they can be part of the existing planning instruments and whether they are included in the Bunbury or Peel schemes.

I am nearly through some of the specifics that I would like to raise during Committee of the Whole. I will close by suggesting that a good piece of this legislation is absolutely required. It will update a 60-plus-year-old planning instrument, which is appropriate. The claims made by the Minister for Planning; Housing that it will cut red tape enormously and lead to improved housing supply in Western Australia are a stretch, but I look forward to teasing out those issues in the committee process.

HON NEIL THOMSON (Mining and Pastoral) [12.02 pm]: I want to endorse the comments made by the shadow Minister for Housing. As some members might recall, I was also the shadow Minister for Planning for a period. I want to reflect on something that Hon Steve Martin raised about the Shalom House case, which, interestingly, is absent from the explanatory memorandum to the Planning and Development Amendment (Metropolitan Region Scheme) Bill 2024. Members opposite do not like to admit it but every now and again, the things that I say sometimes end up in government policy, though not always in the full extent of reform that I would like to see. For example, we saw a partial implementation of the environmental reforms that we announced back in June in the recent amendments to the Environmental Protection Act 1986.

I always get a sense that we in the opposition are doing our job. I know that the government sometimes does not do its job. Congratulations to the current Minister for Planning; he got this piece of legislation into the Parliament, unlike the previous Minister for Planning, who tended not to keep her eye on the ball on these matters. One can only wonder how much attention has been given to her important role of Treasurer as she runs around the countryside cutting ribbons on the Metronet stations that the government is building and which she is driving to shore up her electoral chances, particularly as she rolls out the multimillion-dollar advertising campaign on Building for Tomorrow. At the eleventh hour, in the lead-up to the election, millions of dollars are being poured into government advertising, with Labor Party branding all over it. As we roll towards the election, the minister has been cutting ribbons.

I remind members opposite that if they want to learn, they can listen to the opposition because we do a good job in leading the government on what it needs to do.

Let us go back to my press release of 20 July 2023, for those who care to read it, to see what is going on here. I commend Hon Steve Martin for raising the issue of Shalom House. It stated —

The recent State Administrative Tribunal (SAT) decision to deny Shalom House’s occupancy of its Craigie premises in the northern suburbs has exposed a loophole and the potential to create uncertainty for thousands of development approvals that have been granted, according to Shadow Planning Minister Neil Thomson.

Of course, I am not the shadow minister. I would like to take a moment to reflect and remind those opposite of the important role of the opposition on Aboriginal cultural heritage —

Hon Kyle McGinn interjected.

Hon NEIL THOMSON: — and the debacle of the government, despite what the parliamentary secretary to the Minister for Environment; Minister for Energy likes to say on these things.

Hon Kyle McGinn interjected.

Hon NEIL THOMSON: I said —

“The decision by Dr S Willey of the SAT made it clear —

The ACTING PRESIDENT (Hon Dr Sally Talbot): Members, there are people in the public gallery. It might be good to reflect on whether we could just do a little bit of modelling of civil behaviour. Only one person has the call and that is Hon Neil Thomson.

Hon NEIL THOMSON: Thank you, Madam Acting President; I always appreciate your protection. It continued —

“The decision by Dr S Willey of the SAT made it clear that exemptions for an approval under the Planning and Development (Local Planning Schemes) Regulations are not considered an approval under a Region Scheme where the Region Scheme requires a duplicate approval,” Mr Thomson said.

“This means approvals granted for developments such as patios, sheds, group dwellings and swimming pools, under ‘deemed approvals’ provisions could in effect be unlawful as a consequence of this decision.

“This puts thousands of past and existing planning decisions in potential legal limbo and could create further delays in the construction sector in Perth and regional areas in Peel and Bunbury.

Here was the advice, folks. I will not labour the point; I just want to make sure that the government of the day spends some time listening to the opposition. We can make fantastic contributions. I come back to the Liberal Party’s policy on the environment—a tremendous policy. The press release continued —

“The new Minister for Planning John Carey must urgently intervene to rectify the situation.”

That was dated 20 July 2023. We are finally debating urgent business in this house in the form of this bill. That line just snuck into the press release. The government is sometimes a little ungracious when it receives advice from the opposition.

Hon Dan Caddy interjected.

Hon NEIL THOMSON: I hear the interjections. We do a lot.

Hon Steve Martin: We’re here to help.

Hon NEIL THOMSON: If people get down to Hammond Park next weekend, they can buy a raffle ticket to win a generator to help them get through the next power cut. We are in a terrible situation. I want to ensure that people are aware of that. We are always here to help because of the situation around the Kalgoorlie power grid. The explanatory memorandum states —

Development on zoned land will not require development approval by default—only certain types of development on zoned land specified in a resolution made by the Commission will require development approval under the MRS;

Finally, we get this urgent piece of work about—what is it?—16 or 17 months after the opposition provided the advice. After 16 months, the bill comes in and we get that provision along with a bunch of other things.

I am not going to go into any great detail on this other than to say, again, the same thing that I said yesterday about the government reflecting with a bit of the humility on the advice it received from the opposition, because it can learn something. I am not the shadow spokesperson, but I am very curious about planning. I know that others in this place, like the former Minister for Planning, Hon Donna Faragher, are very interested in the Planning and Development Amendment (Metropolitan Region Scheme) Bill 2024. We have some very experienced people on this side. This bill also contains other provisions about “injurious affection”, for example. I will be curious to hear

how this all works out because, clearly, we have to ensure that this does not erode any rights. As far as I can see, it does not appear to, but some of these things are complex and they pop into this place with very little explanation. I must say that some of the documentation that came with the bill did not mention the Shalom House case, which was a very pivotal case, as I advised on 25 July. I just wanted to bring that very important point to members' attention and I thank you for the opportunity.

HON DR BRAD PETTITT (South Metropolitan) [12.11 pm]: I also stand to speak on the Planning and Development Amendment (Metropolitan Region Scheme) Bill 2024. My contribution will start in a similar way to that of Hon Steve Martin in making his speech a minute ago. I will commence with what Hon Jackie Jarvis and Hon John Carey in the other place said in their second reading speeches —

The Cook Labor government's message is very clear: we are driven to boost housing supply across the continuum, and we will use every policy lever we can to deliver this commitment.

That statement is pretty interesting. That "every policy lever" line has been used again and again, over many years now, in the middle of a housing crisis. Perhaps I could take a leaf out of Hon Neil Thomson's book by reflecting on the motion that I moved in this place in 2021 because it is interesting to reflect on the things that we have said. That motion states —

That this house —

- (1) Acknowledges that Western Australia is currently facing a housing and homelessness crisis and notes that urgent action is needed to stem the increasing priority public housing waitlist.
- (2) Calls on the government to make the most of its strong financial position to immediately address this crisis by —
 - (a) prioritising investment to significantly increase public housing stock by building fully accessible, low-carbon homes;
 - (b) immediately spot purchasing vacant homes; and
 - (c) proactively investing in and supporting innovative measures like My Home.

I did not get a very warm reception to that motion back in 2021. In fact, the government, interestingly, voted against it.

Hon Stephen Dawson: What was this about?

Hon Dr BRAD PETTITT: Hon Stephen Dawson actually spoke against the motion. The words that I just read came from a motion that I moved in 2021, which was voted against by all members across the chamber from me.

Hon Stephen Dawson: Probably because you voted against us for something else, which you often do.

Hon Dr BRAD PETTITT: Maybe, but I acknowledge that now it pretty much matches many of the things that have been said since. I contemplated moving the same motion again this week during non-government business to see whether the minister would still vote against it. I thought that would have been kind of amusing, because we are now three years on, and this statement is incontrovertible.

The fundamental point is whether every lever is being pulled, because, if they are, it is clearly not working. The housing waitlist continues to rise. The latest numbers for the end of September 2024 show that there are now 20 491 applications. We do not know the number of individual people in that figure, but I expect it is pushing towards 40 000. There are 6 115 priority applications, which is well north of 10 000 individuals. That is probably the highest that figure has been. I make the point that not every lever is being pulled, and certainly not the levers that would work right now.

My staff regularly take phone calls from people on this waitlist who are desperately waiting for a house. In fact, my staff recently told me about a call that they had received from a single mum with five children who has spent three years living in a car with her five kids. She told my staff that during a call with an adviser from the minister's office—this happened yesterday—the advice she received was, "Maybe you should look for a private rental." Seriously! The private rental market vacancy rate is less than one per cent and this is the advice that was given. It is not constructive to say that. I will not go into detail on the range of levers that I have talked about because I will turn to the substance of the bill in a moment, but we need to free up thousands of short-term houses that continue to grow in number, despite the government throwing millions of dollars to turn short-term rentals into long-term rentals. I think the government spent millions on this exercise and converted 280-odd rentals in the end. During that time, the number of houses available for short-term rent grew and went in the other direction, clearly showing that if the policy settings are not right, they simply do not work. We need more robust policy settings to make those houses available. We need to look at things like banning no-grounds evictions and putting a cap on rental increases so that people are not forced out of the houses. I have moved these amendments before and they have been voted against, but I think it is worth restating them at the start of my speech on this bill that talks about moving every lever.

I will go back to what this bill aims to do, which are not controversial things, such as to “facilitate housing supply by streamlining existing, out-dated processes and cutting unnecessary red tape”. I will unpack that in a minute. The question is: is that the real block to new housing? Serious questions need to be asked about that. Other bits are not controversial at all. The broad point I make about this bill is that it is all—what is the word?—pretty mundane planning. The second aim of the bill is to “align the MRS with contemporary planning documents”. That is modelled on the greater Bunbury region and Peel region schemes that are not particularly controversial, and nor is the aim to “clarify the role of the Western Australian Planning Commission in preparing, coordinating and considering regional level plans.”

I wonder why this bill is a priority. What do we have before us? If we really do have a housing crisis, do we really think that prioritising bills like this will be the solution? No-one is arguing that we should not update what is, in some places, a 60-year-old instrument, but it misses the point around the planning and housing reform that is needed. I talked about that in terms of housing a minute ago and how we could really free up housing for people who need it right now in the middle of this housing crisis. Another point in addition to getting short-term rentals back onto the long-term market, is doing more around using vacant houses. Again, we have thrown some money at that, but that is not the best way of doing these things. We need more fancy policy changes that make sure that those houses are there.

As I have said before in this place, we have enough houses. We have enough bedrooms for everybody to have somewhere safe to sleep tonight. Those houses are just really poorly distributed in this state, and we need to reform that system.

Let us shift from housing to planning for a moment. My other frustration about the bill before us is that it misses the really substantial planning reforms that are needed. Beyond updating some words and doing what could frankly be called some tinkering around the edges for modernisation, the bill will not lead to the real planning changes that are needed in this state. Nothing in here will address Perth’s out-of-control urban sprawl. Our planning system sees 70 per cent—seven-zero per cent—of all new houses built on the urban fringe. We are bulldozing our way through a biodiversity hotspot and building housing a long way from jobs. Where is the bill to address that kind of planning reform and to start doubling down on the targets that we should be reaching? Where are the planning mechanisms to make sure that we get new housing in the right locations—not on the urban fringe, but around train stations, transit corridors and activity centres? I would love to see a bill that mandated that so that we could see some of those things happening. Although the government might want to cut red tape to allow any kind of housing to happen more quickly, there is a real danger that all we will do is speed up business-as-usual housing, which in this state is frankly terrible. Based on our current planning instruments, business-as-usual housing gives us sprawl. It gives us not only housing in the wrong location, but also the biggest houses on the planet. These houses are not surrounded by trees. They are a long way from public transport, making them car dependent, and a long way from jobs. That is what our planning system is giving us. That is literally what we are rolling out again and again. What I see before me today will not address any of those fundamental planning issues. That is what I would like to see in a planning bill, but this bill is silent on those things.

When I was listening to ABC radio this morning, I heard the Mayor of Gosnells talk about how a whole bunch of new streets have been rolled out in Southern River in which there is literally no spot for a tree. The Western Australian Planning Commission is allowing road reserves that are so narrow that there is room for a road but nothing else. They are so narrow that there is no room for a verge tree. They are so narrow that there is room for a footpath on only one side of the road. It is literally designing out trees on public land. We know the views of this government on trees on private land; it is that people can do what they want, because it will not do anything about it. That means that big houses are designed and built on small blocks that do not have room for a tree. Even if a tree is on a block, it can be cut down whenever the owner wants because the government is not willing or does not have the courage to mandate trees on private land. As the Mayor of Gosnells rightfully pointed out, the Liveable Neighbourhoods policy is failing. Our fundamental planning instruments are failing, resulting in barren, treeless suburbs. Those suburbs have been approved and are being built right now. Local government has also rightfully said that this bill will take more planning controls away from it—it is being dealt out of the planning equation—but I will come back to that in a second.

We are getting terrible planning outcomes in this state. They are predominantly terrible. There are some good examples, but they are few and far between. The business-as-usual, poor planning outcomes are now entirely in the state government’s basket. These reforms mean that the state government will now be entirely responsible. The state government cannot blame local government anymore because it is taking that role off local government. Responsibility for the crap planning that we are getting will sit fairly and squarely with the government. The question is: when will the government do anything to improve that situation? In the name of catching up on housing supply, are we literally just going to roll out, at speed, unsustainable housing on treeless blocks in the wrong location, creating a legacy of doubling down on some of the worst planning on the planet? I guess that is the fundamental question.

A series of local government people, both past and present, have contacted me about this bill. I will not name those who are still members of local government, but I may be able to quote some others. This comes back to the point that I was just making. One local government councillor wrote to me and said that this bill appears to be taking even more power away from local governments and putting it in the hands of developers, and that 80 per cent of

new builds will not need development approval. I think that is about right. The government is continually taking planning power away from local government and putting it in the hands of either development assessment panels, which are dominated by appointed members, or the State Development Assessment Unit, which again has appointed members. Things are being taken out of the hands of local government, and certainly away from elected officials.

Even when local governments deal with these things, CEOs or planning directors sign off on the majority of applications. I think that is a mistake, because the best developments that we have seen in this state in recent years have come when elected members of local governments have got in the driver's seat and worked with others. I point to some projects in my neighbourhood from when I was mayor. I refer to WGV, a development to which the state government still takes people on tours, even though it is not doing those kinds of developments anymore. This is the great irony: we take people on tours of things like WGV in White Gum Valley or East Village in Fremantle and say how great and what exemplars they are, but then we are not delivering those kinds of projects anymore. To come back to my earlier non-government business motion, we have walked away from projects that are all electric and do not have gas and that showed leadership around diversity of density, sustainability and the like. Where are we doing those projects now? I think some really good stuff was done over the last decade, but it has all gone very quiet. We hear that DevelopmentWA is putting gas back into its projects. The only metric is whether the project will make money and not whether it will leave a legacy of better urban form or urban outcomes.

Another critic of what we see before us is planner and architect Ken Adam, who was happy to go public. He wrote an article for Fremantle Shipping News in which he stated —

Sadly, in my opinion, virtually every change made ... has involved a retrograde step. Each has made the system worse, not better.

I do not agree with Ken on everything, but I do agree that there is value in where he went with his argument when he said that we need to strengthen and not weaken local government planning powers generally. When local governments work well, they give us some of the best planning outcomes that have better connections with the community. I come back to the story of WGV. It is an interesting one, because it shows where we can end up when we empower local communities and local government. This is actually around partnership. The story of WGV is really interesting. It was the old Kim Beazley School site. That school site was simply going to be carved up into a standard R20 single-lots subdivision. The argument from LandCorp and the planners at the time was that that was what had happened in the surrounding suburbs, so they wanted to replicate that. Interestingly, the community of White Gum Valley stood up and said that they wanted something different. They wanted a housing development that gave housing diversity, so that the artists and creatives in their community could stay in that community.

They wanted housing that is diverse and sustainable and shows what the way forward for housing might look like, demonstrating energy efficiency and running off renewable energy. They wanted water-efficient housing that has greenery, and they were happy for density. They wanted higher density housing in their community if it does all those things.

I give credit to LandCorp, the agency at the time, and people like Warren Phillips, the LandCorp person in that area at the time, who worked with the City of Fremantle planners and the Fremantle community to come up with a far better, far denser, far more diverse outcome. They planned for more housing, but far better housing. They planned for apartments. Evermore WGV is a four-storey walk-up apartment building with diverse housing that had, at the time, one of the biggest solar and battery systems. It includes SHAC—Sustainable Housing for Artists and Creatives. It is really good community housing that, through Access Housing, enables artists and creative people in the Fremantle community to live and work in the Fremantle community. That great project is still going. The precinct includes the Gen Y Demonstration Housing Project—housing designed by gen Y for gen Y. It has really good diverse options, because the state government land agency—LandCorp at the time—led by some very good people was willing to plan with the local government and community and empower them to plan. As a result, as I said, we now have tour groups going through that development on a weekly basis, showing what an exemplar it is. It really is an exemplar and ticks a lot of boxes from not only an Australian standard, but also a global perspective. It has a community bore that takes groundwater from the superficial aquifer via a third pipe system. It sustainably uses water, recharges the aquifer and draws from that same aquifer. That is really smart stuff that we will not get with business-as-usual planning. That is my real fear with and disappointment in this bill; it will double down on business-as-usual planning, which, frankly, is terrible in this state. Until we acknowledge that we are doing pretty ordinary planning in this state that is not giving us the diversity of housing and the affordable and sustainable housing that we need, and until we acknowledge that we fundamentally have to do these things, I think it is a real issue.

I put those things out there to say that I really think this is a missed opportunity. There is not much to hate in this bill, although I think that some of the provisions such as the red-tape reduction rhetoric and the taking of powers from local governments are a further step in the wrong direction. People will jump up and say that local governments hold up development and density, and that they are too subject to the noisy voices in their community. As someone who spent 16 years in local government, that is not my experience. My experience is that if we work with our communities, they will back us in for higher density and more diverse housing of the right kind. My fear is that we are designing this out through this new legislation.

I am hopeful about some parts of this legislation. I am interested to see whether my reading of this is correct. For example, in this legislation there is a key addition of an explicit head of power for district structure plans that includes provisions to transition existing DSPs. I hope that off the back of this, we might finally see much more leadership and state government planning of transit-oriented developments. Frankly, we have not seen this so far. When was the last time we saw a transit-oriented development? It may be Wellard, if we can call it transit oriented. I think it was always going to be ambitious doing that down near Kwinana, but it was a good attempt, although it is certainly still a bit half-baked. I am not putting Cockburn Central in there because it is a transit-adjacent development and is pretty awfully planned. Really, Subi Centro is the last one. Certainly, density in stage 1 is very underbaked, but some of the build-to-rent developments and some of the later stages actually have some really good density and good urban form. It is a bit hidden away. That is probably the last one. It is my great frustration that we are not seeing more transit-oriented development.

I come back to local governments. The City of Fremantle is desperately trying to push the Western Australian Planning Commission and the Department of Planning, Lands and Heritage to plan around North Fremantle train station. I have written to both the department of planning and the WAPC about this months ago and have had no response. What are we doing? Really, anyone who has been past Leighton Beach and North Fremantle train station can see the opportunity there for a properly integrated transport-oriented development, which the community would accept and is keen to see progressed and which the local government is desperate to see progressed, but when it comes to the planning, the state government is literally missing in action. There is no response to the local government. I do not want to put words into the City of Fremantle's mouth, but I understand that it is doing the planning itself for state government-owned and privately owned land. It is planning for land that belongs to Main Roads or the Public Transport Authority and urban deferred private land and coastal setback. Why is the City of Fremantle having to do that planning? Where is the state government when it comes to planning obvious transport-oriented development in this space? Again, there is all this obsession with housing, but where is the planning? Where is the planning for housing in the right place? All we are doing is accelerating housing in the wrong place on the fringe, because we are not getting on and doing these projects. Those projects could be ready to go if the government pulled its finger out on this kind of key planning. It is not just North Fremantle station. I could go along the Fremantle train line. Again, there is huge opportunity around McCabe Street and Victoria Street. Again, all the local governments there want to see that happen. Western suburbs councils such as Mosman Park, Cottesloe and Fremantle all want to see this project happen. Again, there is nothing. There is no action. I do not know what is going on in the WAPC and the department of planning on these strategic projects, but the dragging of feet and the slowness of this is extraordinarily frustrating.

We could keep going up the train line. I must say that I was really pleased to see Sirona Urban's project in Cottesloe. It is quite a dense project next to Cottesloe station. Honestly, when I saw that come up, I thought, "Thank goodness; finally, a bit of density near a train station", because all the other density we are getting could not be more ad hoc. We have density out at Floreat and Warwick; even the Cottesloe stuff is a million miles away from the train station. We are getting the most ad hoc density in this state because we are not doing the planning, and we are not putting in place the right things to get density in the right locations. As a result, developers who are planning a development will go where it is easy, but then we end up with weird high-density outcomes in ad hoc places—and we wonder why the community gets its back up! It is just daft. We end up with vertical sprawl needing four or five layers of car parks because everyone there still wants two car parking spots because it is not near a train station, it is not diverse housing and it is not properly transit oriented.

I hope that through this district structure plan process and head of power, we will see at least some of this planning happen. There is so much opportunity for government to get into the driving seat and influence the urban form of this city, because if we do not, we will see our city continue to slide down the liveable city index. A decade ago, Perth was always right up there in the top five or 10 liveable cities in the Economist Intelligence Unit's liveability index. Anyone who has been keeping an eye on that for the last few years will know that each year we slip down. It is not because our beaches are any less great; they are still great. It is not because our weather is any less great. In fact, in many ways, our bar rules are better and there is more happening. It is because the liveability and fundamental fabric of our city is being eaten away by sprawl and poor planning. The liveable city that we inherited is making us lazy when it comes to planning. We have to get back into the driver's seat if we want to make sure our kids continue to have a liveable city. The way we are doing things right now is, frankly, not working.

I want to —

The ACTING PRESIDENT (Hon Dr Sally Talbot): Sorry, I thought you were drawing to a close, member. You still have the call.

Hon Dr BRAD PETTITT: I will draw to a close, but I want to mention one more thing, and that is this whole focus on red tape and green tape, as if this is the fundamental thing squeezing housing supply. We do not talk about another kind of tape, gold tape. For those who do not know what gold tape is, it is when the development industry literally holds on to land that it could put on the market right now but chooses not to because it wants to keep prices high. There has been very good work done on this.

I will quote from an article in *The Sydney Morning Herald* from a couple of years ago that came on the back of a detailed analysis in a research paper called *Staged releases: Peering behind the land supply curtain*. The article states —

The development industry has told us for many years that if the government would just pick up the pace of planning approvals, the supply they could bring to market would bring house prices down.

In submissions to government and evidence to inquiries, they've emphasised red tape, planning delays and the lack of suitably zoned land.

Sound familiar? The article continues —

They've rarely suggested that they are, in fact, constrained by commercial imperatives to obey the market's "speed limit" on new housing supply.

That's the key finding from a detailed analysis of what developers do ...

The article goes on to say that what is holding up land supply is not red tape, local governments or green tape but the gold tape of housing developers that want to keep their land supply high. I know that is an uncomfortable thing to say, because we do not like to criticise developers in this place, especially when we accept donations from them, but that is very much the reality. In fact, that is how developers stay profitable—that is, by slowly trickling out these things and keeping house prices high. Developers' average supply delivery is 3.8 per cent of approved lots each year, and this is despite the amount of available land being much higher. They purposely put their foot on the hose to keep prices high.

Let us be clear about what is stopping housing supply in the state. I do not want to harp on about gold tape too much. Frankly, from my perspective, the less housing supply on the fringe, the better. Let us get more housing in the urban core.

This goes to my next point, government-owned land. I have talked about this before and I will talk about it again. This state government is sitting on state government-owned land that is zoned and ready to go that could be used for housing right now, which local governments have passed planning schemes on, that could house thousands and thousands of people, but the government chooses not to progress it. It may be because DevelopmentWA wants to make profit on or maybe for another reason. I do not know; it is a great mystery to me. I have spoken about it before, and since I have spoken about it, do members know what has happened? Nothing. We are still at exactly the same point we were with the same bits of land, all those bits of land around Fremantle, still, months on, nothing. It is bamboozling. On the street my father-in-law lives in, Burt Street in Fremantle, all this land has been fenced off. There is a sign that says, "Development will start on this land on 30 June 2023". There is another sign that is faded and full of graffiti, but if we look carefully, we can read "80 per cent of units sold". That sign said "2023", which is more than a year ago, but there is still nothing. This is land that the state government demolished social housing on more than five years ago and it is still sitting empty. I could go through the whole list again—Holland Street, Davis Park, the Fremantle TAFE site. There has actually been little bit of progress on the TAFE site, and there has finally been an application made to the City of Fremantle. That is for one of those many sites. We can think about Swanbourne Street. How many sites do we have to wait for?

If this government is serious about red-tape reduction and getting on and doing things, can it please do what it says and get out of the way, get those lots developed and work with local governments to do that? As I said, there is nothing to oppose in the bill before us or nothing particularly to hate about it, but let us not pretend, which the government is trying to do, that it will be a solution to the housing crisis. It will not even get close. The solutions to the housing crisis need to be things that we can do immediately. Stop pretending that red tape and local governments are the problem; they are not. The state government itself is sitting on land and developers are using gold tape to keep land prices higher; and there are a whole bunch of other constraints. This is the last time we can blame local government in debate on a bill. It is an interesting point in time. The weight of planning, the lack of housing supply and crappy planning decisions now all sit with the state government because it has taken almost all planning powers off local government. Therefore, the spotlight should be fairly and squarely on the state government for not only how much housing is delivered, but the quality of what is delivered, where it is delivered and how that aligns with the government's own strategies. The planning strategy refers to 47 per cent of new houses being in the existing urban fabric, but that has never been reached. We currently sit at around 30 per cent and that does not look like increasing. Now, the ball is entirely in the state government's court. I make these comments in my frustration about where planning is at in this state and its ad hoc nature. It is not delivering the things that we should expect in a liveable city. I hope we can see this as a start for some change.

HON JACKIE JARVIS (South West — Minister for Agriculture and Food) [12.47 pm] — in reply: Thank you, Acting President. I was thinking that other people wanted to jump up. I was deep in thought processing the comments of Hon Dr Brad Pettitt. I thank members who have contributed to the second reading debate on the Planning and Development Amendment (Metropolitan Region Scheme) Bill 2024. I note that the Liberal Party and Nationals WA alliance will not oppose the bill. As noted by Hon Steve Martin, this is a very important bill. It is important because it supports the ongoing drive to boost housing supply across the state. Our government's commitment is to boost housing supply, which is in lockstep with the national cabinet's aim of accelerating housing delivery to build 1.2 million new homes over the next five years. WA has been leading the way nationally with planning reforms for

many years to create a contemporary, streamlined system that cuts unnecessary red tape and brings more consistency and transparency to the planning process. This bill is the latest initiative in the Cook Labor government's landmark suite of planning reforms that will streamline processes by removing unnecessary red tape in the planning system.

As has been noted by a number of speakers, this is the first time the text of this 60-plus-year-old metropolitan region scheme has undergone a significant makeover. The bill will update and modernise the text of the MRS with new provisions. The structure of the document is modelled on the Peel region scheme, which was written in 2003, and the greater Bunbury region scheme, which dates from about 2007.

It will bring consistency to the system. The bill supports a number of measures outlined in national cabinet's national planning reform blueprint, including updating state, regional and local strategic plans to reflect the state's share of the housing supply targets. The bill will streamline approval processes. It contains reforms to address barriers to the timely issuing of development approvals.

There are three key themes, as I outlined in my second reading speech. The first is the contemporary and fit-for-purpose use of text. As we know, the MRS text is over 60 years old. It needs a makeover to ensure it responds to the changing demands of Western Australians. The bill facilitates housing supply, despite what members may have heard from some speakers. It removes unnecessary red tape and burdensome administration processes from the system. As Hon Steve Martin acknowledged, numerous factors over recent years have contributed to issues with getting housing delivered, such as the COVID disruptions to supply chains and workforce issues over closed borders. I reiterate that this bill facilitates housing supply by streamlining existing outdated processes and cutting unnecessary red tape. We anticipate about 80 per cent or more development applications will no longer be required under the new MRS text. When a development application is still required, only one application form will need to be submitted, thus reducing unnecessary paperwork. By removing unnecessary red tape in the processes and streamlining approvals, the bill will reduce timeframes and duplications for projects such as housing. The bill also facilitates coordinated infrastructure planning, which will allow for new housing developments in a shorter timeframe than currently. Tools for infrastructure planning introduced by this bill include district structure plans and regional infrastructure plans. As I said, approximately 80 per cent of development applications will no longer be required.

The third pillar of this bill is a regional level focus. This third key theme ensures the state's peak planning body, the independent Western Australian Planning Commission, will have the appropriate tools at its disposal to coordinate planning at a regional level. The bill proposes the introduction of a head of power for making district planning structures, regional planning scheme policies, special control areas and regional infrastructure plans. In relation to the preparation of district structure plans, the practical application of the new MRS text is consistent with the current practice under section 14 of the Planning and Development Act 2005. The new MRS text will not alter the important role of landowners, their constituents or local governments in the preparation of district structure plans going forward. Currently, only the WAPC can legally prepare a district structure plan, but, as we know, it works in partnership with third parties. There is no change in this approach going forward.

Hon Steve Martin raised clause 6 and the term "cultural". I confirm that the use of the word "cultural" in the bill refers to built heritage or cultural expressions, including the arts—museums, art galleries and festivals. There are heritage-listed buildings as well as new buildings, and most buildings perform a civil function as well—for example, Parliament House. The current MRS has cultural and civic reserve to reflect these uses, such as the Art Gallery precinct, the WA Museum, the State Library and the Parliament House precinct, to name a few. This type of reserve has been retained in the bill as no mapping changes were to be undertaken as part of the review process. This reserve does not exist in other schemes as those types of buildings or uses are contained in the regional centre zone, such as the Bunbury entertainment centre or the Mandurah performing arts centre. The term "cultural" is modelled on similar provisions in clause 5 of the Peel region scheme. These references to culture do not mean Aboriginal culture, as Aboriginal cultural heritage is under a completely separate legislative system and separate legislation. Hon Steve Martin also referred to the housing supply unit. That is within the Department of Treasury. Just by way of information, I gave a comprehensive overview at an annual report hearing yesterday of the role of the housing supply unit. I encourage the member to read the answer when it becomes public.

Hon Steve Martin raised district structure plans and regional planning instruments. As explained in the explanatory memorandum and the second reading speech, this scheme is 61 years old and out of date. A key aim of this bill is to provide contemporary, fit-for-purpose text. The new MRS text introduces concepts such as special control areas and regional infrastructure plan areas because they reflect contemporary best practice for planning in the twenty-first century. Although there are no immediate plans to introduce special control areas and regional infrastructure plan areas, the new MRS text has been futureproofed by contemplating their adoption in the future. The introduction of special control areas and regional infrastructure plan areas in the future would have to go through ordinary scheme amendment processes, including public advertising and consultation.

I listened very carefully to Hon Neil Thomson, but I could not determine a question that the member asked for me to answer as part of my speech. I note that the flaws in the existing MRS are well known and have been known for some time. I want to acknowledge the great work that the Minister for Planning has done to bring these amendments forward.

Hon Dr Brad Pettitt, as always, spoke with passion. I know that urban planning is his passion. Again, I listened for specific questions related to this bill, but I did not really identify any that I could answer in the second reading reply. If the member has specific questions, I look forward to dealing with them in Committee of the Whole.

I would like to take a moment to talk about the constituent touched on by Hon Dr Brad Pettitt. I received advice that the information that the member presented may not fully account for the issue. I understand that the Department of Communities has been in contact with the constituent mentioned by the member. She was listed on a waitlist and went through a process to be added to a priority waitlist. She was advised that she may be eligible for a bond assistance loan. She was not told to look at the private market. The advice I received was that she was advised that if she finds housing in the private market, she may be eligible for a bond assistance loan, which was only part of the advice provided. I want to point this out because hardworking public servants, whether they are in a minister's office or in a department or on a department placement, do their best to help people. The adviser also stated that they would follow up with the team about what other supports could be back in place and that they would get back to Hon Dr Brad Pettitt's office within 48 hours. I am advised that they also spoke to the Office of Homelessness to have someone from the homeless engagement assessment response team outreach team assist her. I thought it was important to put that on the public record.

In conclusion, the Cook government is using every lever available to support the national planning reform blueprint, including through our nation-leading planning reforms. This bill continues this commitment. Our planning reforms are targeted at speeding up the delivery of housing supply by streamlining the planning processes, reducing unnecessary red tape and creating more consistent and efficient planning systems that are easy for everyone to use. We are committed to boosting housing supply. As I said, we are in lockstep with national cabinet's aim of accelerating housing delivery to build 1.2 million new homes over five years. With that, I commend the bill to the house.

Question put and passed.

Bill read a second time.

Sitting suspended from 12.58 to 2.00 pm

Committee

The Deputy Chair of Committees (Hon Sandra Carr) in the chair; Hon Jackie Jarvis (Minister for Agriculture and Food) in charge of the bill.

Clause 1: Short title —

Hon STEVE MARTIN: I thank the minister for her second reading reply, which mentioned a number of the issues raised by other members during the second reading debate. I might start with some of the comments made in the minister's reply. We have heard from a number of speakers on this bill so far about the difficulties with housing supply in Western Australia. The minister again mentioned the government's intention that this bill will boost housing supply. Can the minister be more specific? In what particular ways will this piece of legislation improve housing supply in WA?

Hon JACKIE JARVIS: The metropolitan region scheme is a key planning document that regulates land supply by designating land as being either urban or rural. Across the MRS, there is already approximately 18 500 hectares of undeveloped land zoned for urban development. Based on existing development trends in the MRS, this represents enough zoned land supply for in excess of 25 years. Despite sufficient land for the next 25 years, the bill will provide additional mechanisms to enhance delivery of housing. The bill will remove unnecessary red tape at the approval stage. The bill will facilitate the coordination of infrastructure planning, which will allow for new housing developments in a shorter timeframe and will provide tools for infrastructure planning. Tools that will be introduced by this bill include district structure plans and regional structure plans.

Hon STEVE MARTIN: We heard some of that language in the minister's second reading reply about the red tape et cetera. Can the minister be a little more specific, if possible? What is the constraint with the current MRS that prevents some of the things the minister has just described?

Hon JACKIE JARVIS: Currently, land use and development on zoned land requires approval under the MRS by default, in addition to the relevant planning scheme. The bill will seek to flip this approach, meaning that the default approach will be that all developments become exempt from MRS approval, and approval will be required under the MRS only if it is outlined explicitly in a resolution made by the Western Australian Planning Commission.

Hon STEVE MARTIN: Is that the extent of the cut in red tape?

Hon JACKIE JARVIS: On the development application side, the answer is yes. There are other strategic planning tools such as the head of power given to the WAPC.

Hon STEVE MARTIN: We will get to the head of power. From what the minister has just explained to me, the head of power, and perhaps other things, is the process instigated by the Shalom House case to cut red tape, which was the doubling-up of development applications. In her second reading reply, the minister mentioned processes as well as red tape. Can the minister outline what processes will be removed or streamlined by this bill?

Hon JACKIE JARVIS: No specific matter has brought on this bill. As we know, this act is over 60 years old. The point of this bill is to update and modernise the text of the metropolitan region scheme along with the new provisions and to support national cabinet's *National planning reform blueprint*. That is the genesis of the bill. The process that will be streamlined will remove that duplication and so remove some of that burden for local governments.

Hon STEVE MARTIN: I go back to the point I made in the second reading debate. It does seem to be a very grand claim that this will somehow pull that extra lever that will suddenly speed up housing supply just because we are getting rid of that second application for development applications. I might step back briefly to the point raised by Hon Neil Thomson during the second reading debate about the Shalom House decision. I take what the minister has told me, which is that this process has been in place for some time; it is a 61-year-old act, so the update was required. Was any work done on the lawfulness or otherwise of the thousands of approvals that were granted that had somehow been missed prior to the *West Australian Shalom Group Inc v City of Joondalup* decision in the State Administrative Tribunal? I assume this was not the first case, and not the only time a similar case had been brought to the Western Australian Planning Commission's attention.

Hon JACKIE JARVIS: The honourable member mentioned that we will remove some duplication. I reiterate that it will remove over 80 per cent of duplication of those approvals. The member asked about specific cases. I do not have details on the number of cases, but there have been numerous ones. The advisers at the table are able to tell me that there is the Lenz case in 2017. I do not have the data on the number of cases, but there have been a number of cases in which that conflict has been noted.

Hon STEVE MARTIN: Sorry; what was the reference in 2017?

Hon JACKIE JARVIS: It was a tribunal decision and it confirmed two approvals in 2017.

Hon STEVE MARTIN: I might need a bit of clarification about that. The Shalom House and City of Joondalup case was in 2023, so what occurred in 2017?

Hon JACKIE JARVIS: The requirement for duplicate approvals through the metropolitan region scheme and local planning schemes is a long-known issue; indeed, there was the *S&L Lenz Pty Ltd v Shire of Serpentine–Jarrahdale* case in the Supreme Court in 2017. Obviously, the drafting of bills takes time. The issue is not something that came about in the last year or two.

Hon STEVE MARTIN: I thank the minister for that piece of information. I go back to my previous question about the lawfulness or otherwise of the thousands and thousands of planning approvals that required two applications but did not get them.

Hon JACKIE JARVIS: Sorry; I have just been dealing with some legal terms!

I am told that there is no issue with existing approvals. A 12-month statute of limitations and the *de minimis* principle apply under law. A number of local governments still require the dual approval process. The government has brought this bill to the chamber to make it very clear that that will no longer be required.

Hon STEVE MARTIN: From one non-lawyer to another, did any of the people applying for the development applications or local governments involved post the 2017 Lenz decision or the 2024 Shalom House decision seek to appeal or seek legal redress because of what became known in those two cases?

Hon JACKIE JARVIS: The advice I have received is that we are not aware of that happening; that is what I have been told by the advisers at the table.

Hon STEVE MARTIN: One of the key aims of the bill is to remove approximately 80 per cent of development applications. In the Legislative Assembly, the Minister for Planning mentioned how he wanted to install a deck in his backyard and found it extraordinary that the City of Vincent required two separate applications. In the lead-up to this bill being introduced, I spoke with a number of planners and people in local government who said it might depend on the density of the local government in which a person resides, certainly in the broader suburban areas of Perth and particularly regional WA. Is it possible to know what percentage of people were submitting two applications when they were required to do so?

Hon JACKIE JARVIS: My first point is that the amendments in this bill will not apply to regional WA; it is a metropolitan scheme. I do not have a list of what local governments were or were not requiring. What I can say is that this bill will fix the problem. The government recognised that there was an issue, and the problem will be fixed with the passage of this bill.

Hon STEVE MARTIN: That is fine, minister, but one of the claims is that because of the huge impost of the red tape required by the two applications, the government is suddenly fixing the housing supply issue, or certainly making it easier to roll out the supply of homes in Perth. It is a little difficult to make that claim if the minister is not aware of the percentage of local governments that require two applications. That is interesting. I note that post the Shalom House decision, the Western Australian Planning Commission put out some information informing the sector that it was absolutely aware of the problem and that the government would be drafting changes. Between late 2023 and now, what percentage of local governments enforced the requirement for two applications?

Hon JACKIE JARVIS: I am advised that two forms have always been required, unless there was an exemption under a local scheme. I cannot provide the information about how many local governments were complying with that requirement.

Hon STEVE MARTIN: Despite the government's claims, it is now obvious that we do not know the extent of relief from red-tape burden that this bill will provide local governments and people who apply for DAs.

I turn to another point the minister made in her reply to the second reading debate. She said that this bill will align us with the federal government's target of 1.2 million homes and put us on track to meet that target. Where is the government at in that process? What is it on schedule to deliver?

Hon JACKIE JARVIS: In my second reading speech, I said that the bill will support a number of measures; I did not use the word "align". The bill focuses on the following four national planning reform blueprint objectives, which are those most applicable to WA: streamlining approval pathways and prioritising planning amendments to support diverse housing across a range of areas; promoting medium and high-density housing in well-located areas close to public transport connections, amenities and employment; introducing reforms to support the rapid delivery of social and affordable housing; and introducing reforms to address barriers to the timely issuing of development approvals. Indirectly, the bill will allow for the implementation of further measures, as introduced provisions for district structure plans and regional infrastructure plans will allow for an update of state, regional and local strategic plans to reflect housing supply targets and uptake planning, zoning, land release and other reforms to meet their sharing of housing supply targets.

Hon STEVE MARTIN: I asked whether we were on track to meet our target; do we know?

Hon JACKIE JARVIS: That is not relevant to this bill. I do not have that information to hand.

Hon STEVE MARTIN: I did not raise the 1.2 million target; it was raised by the minister in her second reading speech. It is unusual if she thinks it is not worth discussing.

Hon Jackie Jarvis: You raised a lot in your second reading contribution that was irrelevant to the bill before us, so a lot of leeway was granted by the President.

Hon STEVE MARTIN: Thank you. We are stripping away red tape from an unknown number of development applications in an unknown number of local governments to boost housing supply. That brings me to the density targets the minister just mentioned. I quote from the second reading speech of the Minister for Planning, and the Minister for Agriculture and Food referred to it in similar terms —

As I mentioned earlier, the bill will support a number of outcomes in the planning reform blueprint, including updating state, regional and local strategic plans to reflect their share of housing supply targets ...

Can the minister explain that in a bit more detail? What is the link between the metropolitan region scheme as it will be amended and housing supply targets?

Hon JACKIE JARVIS: To be clear, the bill will update and modernise the text of the MRS. There are no specific targets in this bill.

Hon STEVE MARTIN: How will it support those outcomes that include a share of housing supply targets?

Hon JACKIE JARVIS: I am repeating myself. We are updating a 61-year-old act. This will include updating state, regional and local strategic plans to reflect their share of housing supply targets, streamlining approval pathways and introducing reforms to address barriers to the timely issuing of development approvals.

Hon STEVE MARTIN: I know my colleague is keen to jump in here, but I will just have another go because I am not getting very far in this. I did not raise this matter. Again, this was in the second reading speech from the Minister for Planning; Housing, who is playing a key role in this process. Does the process of rolling out density targets have anything to do with the current MRS or the amended MRS that we see in front of us?

Hon JACKIE JARVIS: What the member is asking about is not covered in this bill. There are other documents that outline targets; it is not in this bill. I appreciate that the member does not appreciate the answer. As I said, in his second reading contribution, he certainly covered a wide range of matters and he acknowledged that the minister in the other place also went over a wide range of matters. I am here with advisers to support me on the bill before me. I am representing the Minister for Planning and I am happy to answer questions on the bill before us with the advisers I have with me.

Hon STEVE MARTIN: I appreciate that the minister is representing here this afternoon. I will have just one more go. To clarify, the second reading speech states that the bill will support a number of things, including housing supply targets. I am not talking extraneously about broader housing and planning topics; I am talking about what the Minister for Housing; Planning said this bill will support. I am keen to know how it will support housing supply targets, among a number of things.

Hon JACKIE JARVIS: As I said before, the critical word is "support". I am happy to repeat it. It will support housing development through updating state, regional and local strategic plans and streamlining approval pathways. The member may disagree on that, but the minister was correct.

Hon Dr BRAD PETTITT: I thank Hon Steve Martin for his questioning, because I am a bit confused as well. I will drill down just a little. There are two parts to this. First, how will the bill support regional and local strategic plans? What is the connection between those two? Second, how will those regional and local strategic plans ensure that local governments reflect their share of the housing supply targets?

Hon JACKIE JARVIS: The MRS is the framework. The bill before us today aims to update a 61-year-old act to modernise the framework, and local schemes will then align with this framework. Local schemes must align with the metropolitan region scheme. I am concerned that some of the questions are conflating this and making it more than it is. This bill seeks to update and modernise the text and is modelled on the Peel and greater Bunbury region schemes to bring greater consistency to the system.

Hon Dr BRAD PETTITT: Just to be clear, regional and local strategic plans would have been required before this bill to reflect their share of the housing supply targets; is that correct?

Hon JACKIE JARVIS: In a nutshell, yes, but we are removing that duplication.

Hon Dr BRAD PETTITT: As the minister can tell from my second reading contribution, I am interested in density infill and meeting housing supply targets not on the fringe. Am I correct in saying that fundamentally nothing new or more ambitious will happen to housing supply targets as a result of this bill?

Hon JACKIE JARVIS: The honourable member asked what is new in the scheme. It is the removal of duplication and the new head of power.

Hon Dr Brad Pettitt: That is not what I asked.

Hon JACKIE JARVIS: Apologies.

Hon Dr BRAD PETTITT: I will repeat what I asked. I am talking about housing supply targets. Is there anything new —

Hon Jackie Jarvis: As I have stated, there are no housing supply targets in this bill.

Hon Dr BRAD PETTITT: I am asking whether this bill will in any way change—maybe I am answering my question. Am I hearing by interjection that this bill will do nothing to change or make more ambitious housing supply targets? Is that correct?

Hon JACKIE JARVIS: This bill does not deal with housing supply targets.

Hon Dr BRAD PETTITT: I stand up again to read what the minister said —

... the bill will support a number of outcomes ...

Hon Jackie Jarvis: Support!

Hon Dr BRAD PETTITT: Yes, it continues —

... to reflect their share of housing supply targets ...

This is a reasonable point to make. The justification in the second reading speeches of both Minister Jarvis and the Minister for Planning started with increasing housing supply. That was the whole justification. I am merely asking whether it will increase housing supply targets. One of the key things that is talked about in this bill is that it will support local governments' regional strategic plans to reflect their housing supply targets. I am wondering how and in what way it will increase, make more ambitious or not change at all the housing supply targets. If it will not change the housing supply targets at all, that is fine; we should be clear about that. But, if it will, explain to me how it will increase housing supply. Will it merely enable housing on the fringe if there are no targets for inner city local governments to increase theirs? Given what Minister Jarvis and the Minister for Planning have said, I am trying to understand what the impact of this bill will be for local governments' share of housing supply targets.

Hon JACKIE JARVIS: The keyword in what the member is saying is "support". This bill will provide the tools. To be clear, the metropolitan region scheme —

Hon Dr Brad Pettitt: It already exists.

Hon JACKIE JARVIS: Yes, the metropolitan region scheme already exists.

Hon Dr Brad Pettitt: No, the support already exists; it is already in the plans. What is different?

Hon JACKIE JARVIS: What is different is that we are upgrading and modernising the texts with new provisions and the structure of the document. We are removing duplication so that more than 80 per cent of development applications will no longer be required. When a development application will be required, only one form will need to be submitted, removing unnecessary paperwork. We are aligning the MRS with contemporary planning documents. I am reading this from the explanatory memorandum. We are clarifying the role of the Western Australian Planning Commission in preparing, coordinating and considering regional level plans, and we are supporting the objectives of the *National planning reform blueprint*, including updating state, regional and local strategic plans.

Hon Dr BRAD PETTITT: But there are no changes to the housing supply targets; is that correct?

Hon JACKIE JARVIS: This bill does not deal with housing supply targets per se. This bill will do what it says in the explanatory memorandum.

The DEPUTY CHAIR (Hon Sandra Carr): Just before questioning continues, I note that the same question appears to have been asked a number of times with the same answer. I wonder whether members might like to start moving their questioning in a new direction.

Hon STEVE MARTIN: With respect, we did not start this discussion. This was the minister trumpeting what this bill would do.

Point of Order

Hon STEPHEN DAWSON: I think the deputy chair has given a ruling, so we do not need to labour this point. The deputy chair has suggested a course of action that the chamber should take.

Hon Donna Faragher interjected.

Hon STEPHEN DAWSON: I am talking; you can give yours next. The deputy chair has suggested a course of action. It seems that members of this place are not listening to it. However, we are keen to pass this legislation and not keen to go over old ground again, because, as the deputy chair pointed out, it does not need to be gone over.

The DEPUTY CHAIR: Although there is no point of order, I reiterate my previous comments that the line of questioning has been repeated a number of times now. I believe the minister has answered the question to the extent to which she is willing to respond. Let us please move forward.

Committee Resumed

Hon STEVE MARTIN: That was an early point of order after I had said two words. I will try to get past the first two words and then see how we go.

We now know that this bill is not about what the Minister for Planning; Housing said it was about, which is interesting. It is about a very limited administrative change to the MRS to bring it up to date because it is 61 years old. That is good to know. We can concentrate on the very limited things that this bill actually does, because, at first glance, if members listened intently to what the minister and representing minister said, they would have assumed that this bill would increase housing supply and all sorts of other things. It is quite apparent now after 20-odd minutes of questioning that that is not what it does. Let us look at what it actually does.

In the minister's reply, she found some information for me around the use of the word "cultural" and the aims of the scheme, which I raised, and I appreciate that. The minister mentioned section 5 of the Peel region scheme. The purpose of the scheme is to do a number of things. Section 5(a) of the scheme states —

provide for the reservation and protection of land for regional transport, conservation, recreation, cultural and other public uses ...

That is not in the greater Bunbury region scheme and it is now in the metropolitan region scheme. Could the minister explain why that has changed, please?

Hon Jackie Jarvis: What was the specific question, please,

Hon STEVE MARTIN: Why is it included in this scheme? It is not in Bunbury; it is in Peel. What is the government hoping to achieve by including it in this scheme?

Hon JACKIE JARVIS: When the member first stood up, he gave a preamble saying that this bill would not facilitate housing supply. I want to be clear that that is not what I said. I said that there were no housing supply targets within this bill; it is in the first part of the explanatory memorandum, but I will not labour the point. With regard to the member's question about the term "cultural", the inclusion in this bill was modelled on the Planning and Development (Local Planning Schemes) Regulations 2015. As we said, the word "cultural" in the clause refers to built heritage, and it is in the Peel scheme. The Bunbury scheme will be amended in due course to reflect that, but it is modelled on the 2015 local planning scheme regulations. As I explained, the use of the word "cultural" in this clause refers to built heritage or cultural expression, including arts such as museums, art galleries and festivals et cetera.

Hon STEVE MARTIN: Is it the term defined in the bill?

Hon JACKIE JARVIS: No.

Hon STEVE MARTIN: Is there any risk in lacking a definition? The minister has just given us what she assumes that refers to, but, in five, 10 or 15 years, is there a risk of that definition being expanded if it is not defined in the bill? A couple of significant parts of the amending bill refer to heritage, and I assume that is separate from the use of the word "cultural".

Hon JACKIE JARVIS: I can see what the member is getting at, but I can confirm that the terms "culture" and "cultural" are long-established terms set out in the Planning and Development Act itself. In schedule 6, items 2

and 4 are connected to the concepts of “civic” and “cultural”, which are taken to refer to fine arts, culture, built culture and heritage. In clause 4(1) of schedule 7, the concept of “cultural heritage significance” is connected to the demolition or alteration of buildings—that is, built heritage. Aboriginal cultural heritage is neither about civics nor buildings. As I said, it is a long-established term set out in the Planning and Development Act.

Hon STEVE MARTIN: I will just wrap this up. This seems a long time ago now, but did the Aboriginal Cultural Heritage Act, the one that was implemented and then repealed, have any reference to planning?

Hon JACKIE JARVIS: It is separate legislation. I do not have advisers on that bill here, but it is obviously a completely separate bit of legislation.

Hon STEVE MARTIN: I do not have a whole lot more to say on clause 1. However, it was outlined that this bill will update the scheme to one modelled on the greater Bunbury and Peel region schemes. I assume it is not a long list, but are there any significant differences between those two schemes and the one referred to in the bill before us today?

Hon JACKIE JARVIS: It is important to note that the Peel scheme was drafted in 2003 and the greater Bunbury scheme in 2001. The scheme we are updating was drafted in 1963. It will update and modernise the text. It is certainly modelled on those schemes. I do not have the information on hand about what the differences might be. I can tell the member that some provisions are unique to the location of the metropolitan region scheme, such as Bush Forever and those to do with the Swan and Canning Rivers Management Act. Overall, the provisions have been modernised and modelled on the greater Bunbury and Peel region schemes. I think that information was provided to say that we are not doing anything new or outrageous; this type of text has been in force in the Peel region scheme since 2003 and in the greater Bunbury region scheme since 2007.

Hon STEVE MARTIN: I assume that parts of this bill are specific to the Perth metropolitan area. However, have any general things been included that are not in the Peel and greater Bunbury region schemes and are more planning-based rather than location-based solutions?

Hon JACKIE JARVIS: Yes. As outlined previously, some provisions are new to this region scheme such as the district structure plans, the region planning policies and the regional infrastructure plan areas.

Hon Dr BRAD PETTITT: I apologise if this question was asked before I came in, but I do not think it was. I just wanted to check who was consulted on the bill and the kind of feedback that they gave, please.

Hon JACKIE JARVIS: The reforms were part of a broader action plan from 2019. Key stakeholder engagement was held, including via workshops. Targeted key stakeholder briefings were held with the Urban Development Institute of Australia; the Property Council of Australia; the Housing Industry Association; the Planning Institute of Australia; the Local Governments Planners’ Association; Local Government Professionals WA; DevelopmentWA; the Western Australian Local Government Association; state government agencies including the Department of Communities, the Department of Finance, the Department of Water and Environmental Regulation, the Department of Transport, the Department of Biodiversity, Conservation and Attractions; the Environmental Protection Authority; and the Swan River Trust.

With regard to feedback, considerable stakeholder engagement held over the past three years as part of the region scheme review project has indicated general support. The region schemes review project included the Planning and Development (Region Planning Scheme) Regulations 2023, which became operational in August 2023. Stakeholders raised issues with the current metropolitan scheme text, including that the current text of the 1963 act was not in line with contemporary planning practice or modern drafting standards, that there was a lack of consistency with the Peel and greater Bunbury region schemes and that there was a complicated approvals process. All key stakeholders have indicated general support for the changes.

Hon Dr BRAD PETTITT: I will just clarify that. I thank the minister for her comprehensive answer. Was there any disagreement with or opposition to any elements of the bill from any of those stakeholders?

Hon JACKIE JARVIS: I am advised that there has been strong support from industry bodies, local government and peak bodies.

Hon STEVE MARTIN: The minister mentioned that it had general support. Were there any issues raised by any of those stakeholders that have not been included in the bill?

Hon JACKIE JARVIS: I am advised that there were none during the consultation process.

Clause put and passed.

Clause 2: Commencement —

Hon STEVE MARTIN: The explanatory memorandum talks about the various procedures and processes that need to be in place before the bill can take effect. What timeframe are we looking at to get those procedures and processes in place?

Hon JACKIE JARVIS: All substantive operational parts will commence together on proclamation. I am advised that there will be a transition period, noting that time is needed to deliver training sessions to assist local governments, industry and proponents to understand the changes. We will work with local governments, industry and proponents through that transition phase to make sure that they understand the changes.

Hon STEVE MARTIN: From the local government side of this, will the Western Australian Planning Commission require any more resources?

Hon JACKIE JARVIS: I am advised it will not.

Clause put and passed.

Clauses 3 to 5 put and passed.

Clause 6: Forms 1 to 6 deleted —

Hon STEVE MARTIN: This will not take long. The explanatory memorandum states —

Forms will no longer be part of the MRS text, but as approved by the Commission from time to time.

I am not quite sure what that means.

Hon Jackie Jarvis: I am sorry, there was a flicking of paper so I could not hear the member.

Hon STEVE MARTIN: Clause 6 is about the deletion of forms. The explanatory memorandum states —

Forms will no longer be part of the MRS text, but as approved by the Commission from time to time.

What does that mean?

Hon JACKIE JARVIS: I thank the member for the question. Metropolitan region scheme forms will be removed from the text for the purpose of flexibility. MRS forms will be determined by the commission and made publicly available. This approach will mean that forms can be kept up to date without the need for a scheme amendment. Technology now enables forms to be electronic, but hard copy forms can still be used. The draft forms are available on the commission's website and will be finalised when the bill has been passed.

I am advised that previously, when the MRS was first introduced in 1963, the actual forms were part of the text of the legislation. That is what this refers to. We do not have a pro forma form as part of the bill; the forms can be updated as required.

Clause put and passed.

Clause 7: Scheme Map legend amended —

Hon STEVE MARTIN: Again, this will be very quick. The explanatory memorandum states —

There is also a minor fix to remove outdated headings.

If it is not a long list, can we hear what those headings are?

Hon JACKIE JARVIS: This proposed section will basically modernise the language. For example, the words "Parks and recreation" will be deleted and "Regional Open Space" will be inserted. The bill will delete "Restricted public access" and insert "Regional Open Space—Restricted public access". This will just modernise the text to align with similar documents.

Clause put and passed.

Clauses 8 to 21 put and passed.

Schedule 1: Metropolitan Region Scheme Parts 1 to 13 —

Hon STEVE MARTIN: At the bottom of page 10 of the bill, clause 4(2) of schedule 1, part 1 states —

This Scheme is focused on matters of State and regional importance and guides overall planning and development in the metropolitan region.

Can the minister broadly outline what those matters of state and regional importance might be?

Hon JACKIE JARVIS: There is no prescribed definition of what a development of state and regional importance is, largely because the concept is meant to have a degree of flexibility. However, the concept is reasonably well understood by planning practitioners. The phrase is used in other places throughout the Planning and Development Act, including in sections 34, 171M, 171R and 246.

In the context of this clause, state and regional importance applies to the nature of the scheme, being the focus on high-level strategic matters as opposed to the fine detail that characterises local planning. In general, state and regional importance can relate to social, economic and environmental importance in the development and could include the nature, scale and/or geographic area of influence; the potential contribution to delivery of physical community or other infrastructure and/or building sustainable communities; the potential contribution to the economic wellbeing of the state or region, such as facilitating local employment opportunities; the potential contribution to the strategic

direction or strategic outcomes identified in relevant state policies, plans or strategies, including industry development initiatives or regional or sub-regional strategies; or the potential to make an important contribution to the state or region for the promotion of the sustainable use and development of land. Examples of developments of state and regional significance in other region schemes are the lithium plant at Kemerton or the desalination plant at Binningup. This type of development will be determined by the commission.

Hon STEVE MARTIN: Is it not a defined term?

Hon JACKIE JARVIS: No. There is no prescribed definition of a development of state and regional importance because the concept is meant to have a degree of flexibility.

Hon Dr BRAD PETTITT: My first question is on clause 8 of schedule 1, “Heritage-protected places”, on page 14 of the bill. Does “place” also refer to an area? Is that adequately captured?

Hon JACKIE JARVIS: I might seek some clarity. The member asked whether “place” refers to an area. I am not sure what he is asking.

Hon Dr BRAD PETTITT: I will explain my question. Obviously, a heritage-protected place is an individual place, often a building sitting on a discrete lot. Under local planning schemes, there are also heritage areas, which may cover a whole area. Areas do not seem to be talked about in this legislation. I want to make sure that those heritage areas are captured under the definition of “heritage-protected place”.

Hon JACKIE JARVIS: The member is referring to clause 8 of schedule 1, “Heritage-protected places”. If the member looks down to clause 8(1)(f), he will see that it states —

that is within a heritage area designated under the *Planning and Development (Local Planning Schemes) Regulations* ...

The clause refers to both a heritage-protected place and a heritage area.

Hon STEVE MARTIN: I refer to clause 6(i) of schedule 1, part 1, which states —

protect strategic agricultural land considered to be of State or regional importance ...

Firstly, is that clause also in the greater Bunbury and Peel schemes; and, secondly, does that include the Swan Valley, or is that separate agricultural land in the MRS?

Hon JACKIE JARVIS: The greater Bunbury region scheme refers to protecting strategic agricultural land. The Peel region scheme refers to protecting strategic agricultural land of regional importance. To answer the member’s question about the Swan Valley, that is not covered by the MRS; it comes under a separate act.

Hon STEVE MARTIN: Will there be strategic agricultural land in the metropolitan region scheme zone?

Hon JACKIE JARVIS: This legislation outlines the aims; it does not define particular zones.

Hon STEVE MARTIN: Chair, can I seek a bit of clarification? Is part 2 of schedule 1 separate?

The CHAIR: The question is that schedule 1 be agreed to, so all of the schedule is up for consideration at this point.

Hon Dr BRAD PETTITT: I move on to page 18 and division 2, “District structure plans”, to get a bit of an understanding of when they are intended to be used. Obviously, lines 11 to 14 refer to “major strategic aspects of the coordination of future land uses and infrastructure in respect of an area of land in the metropolitan region”, which is good. As I said in my contribution to the second reading debate, I have been concerned about the lack of joined-up planning around transit-orientated developments. That is one example. Is this intended to be used in that kind of context or is that footprint too small and a different use is planned? I am trying to understand what these will look like and when they will be used.

Hon JACKIE JARVIS: I am advised that district structure plans provide for the strategic coordinated development of a locality when there might be multiple owners or regional implications that need to be addressed. I am advised that they already exist, and the example given to me is east Wanneroo. DSPs may include a strategic coordinated approach needed for regional road network infrastructure and employment, housing, recreation, education and community infrastructure. What was the term the member used in his specific question—transit?

Hon Dr Brad Pettitt: Transit-orientated developments. Would that be a context in which they could be used?

Hon JACKIE JARVIS: I am advised that, yes, a district structure plan could be used in that context. DSPs enable the refinement of coordination of things like water, sewerage, power and the road network and enable more detailed investigations suitable at a district level, such as district water management plans. They also provide the ability to undertake further detailed planning for land identified in higher order strategic land use and infrastructure plans, such as the *Perth and Peel@3.5 million* suite of subregional planning frameworks.

Hon Dr BRAD PETTITT: As a follow-up to that, the examples that the minister gave give the impression that they are primarily intended to be used for greenfield planning. East Wanneroo would obviously be an example of that. Is that their primary intent?

Hon JACKIE JARVIS: I am advised that district structure plans could be used for both greenfield and infill in areas where we wanted strategic coordinated development if there were multiple owners or regional implications. There are, however, existing tools for smaller, more defined plans, such as local structure plans and precinct structure plans.

Hon Dr BRAD PETTITT: Thank you; that is a helpful answer. That flows on to the next question. What difference will this offer in terms of heads of power and decision-making? What do district structure plans offer that is different from a local structure plan, which is one example that the minister gave? Maybe these no longer exist, but back when I was mayor, we talked about improvement plans. I am trying to work out how all this will fit together. The lens through which I am looking at this is how we can enable infill in strategic locations, which could include transit-orientated developments.

Hon JACKIE JARVIS: The key difference in this bill is that district structure plans will be able to be used over a large area and multiple local government authorities. Although there is opportunity to do that currently, this bill will bring in a specific provision.

Hon Dr BRAD PETTITT: Obviously, a structure plan could not work across multiple LGAs.

Hon Jackie Jarvis: It could, but I am advised that there is not a specific provision. The context is that we are modernising the text.

Hon STEVE MARTIN: Just staying on DSPs for a little longer, I believe that the department is currently working with the Environmental Protection Authority to prepare a memorandum of understanding and/or regulatory changes to formalise EPA involvement in the DSP assessment process. Can the minister tell us where that is at?

Hon JACKIE JARVIS: I am sorry, but the advisers I have with me are not aware of that. They have said that it is not covered by the bill and I cannot get an answer for the member. He might wish to place that question on notice at some point.

Hon STEVE MARTIN: I have just one or two more questions on DSPs. Under the bill, the Western Australian Planning Commission will be required to review the operation and effectiveness of the DSP every 10 years. Can the minister outline what that review process will look like? Will it be public or private?

Hon JACKIE JARVIS: I am told the process already exists for local schemes. It will be a review process and it already exists under the local schemes. I cannot provide any information other than that it will be a similar process that will involve consultation.

Hon STEVE MARTIN: Will the review process be similar to the one for local government local planning schemes?

Hon JACKIE JARVIS: As the honourable member said, a review will be undertaken every 10 years to ensure the plan is still relevant and up to date. It is consistent with the review provisions for region schemes and other state planning instruments under part 5 of the Planning and Development Act, which has been passed and is expected to come into operation in early 2025. Part of the commission's function is to keep its strategic land use plans and policies contemporary and up to date.

Hon Dr BRAD PETTITT: I move on to clause 15 of schedule 1, "Procedure for preparing and resolving to approve district structure plan". Am I correct in saying that another key difference is that a DSP will be initiated and led by the Western Australian Planning Commission?

Hon JACKIE JARVIS: I am advised that it will not have to be initiated by the commission and there will be no change to what is currently done under the Planning and Development Act. It will not need to be initiated or led by the commission.

Hon Dr BRAD PETTITT: Clause 15(1) says —

Before resolving to approve district structure plan the Commission must —

- (a) prepare the proposed plan ...

I am trying to work out what I have misunderstood about the provision.

Hon JACKIE JARVIS: Member, I agree that it sounds confusing. I am advised that it will be different for the legal preparation of a plan. Although only the commission will be able to legally prepare a district structure plan going forward, it is important not to be confused by the terminology when contrasting who can legally prepare a planning document and who can practically prepare one for endorsement by the commission. Under sections 14 and 15 of the planning act, the commission alone is legally responsible for preparing state and regional level planning documents such as district structure plans. It is the intention that the commission must determine whether a district plan is necessarily desirable for an area and then prepare the plan.

Nothing will prevent a landowner or local government from practically drafting a planning document and then asking the commission to sponsor it. The commission can also engage third parties, including proponents as consultants, to help prepare district structure plans. That is how the planning system has worked for many decades and how it will continue to work under this bill.

Hon Dr BRAD PETTITT: Just to be clear, do other planning instruments use the same wording? Clause 15(1) reads —

Before resolving to approve a district structure plan the Commission must —

- (a) prepare the proposed plan ...

The important word there is “must”. That wording is very unambiguous to me—they must prepare the proposed plan. Is that the same wording the minister referred to as having been used for many decades in parallel processes?

Hon JACKIE JARVIS: Yes. The application of the new MRS text in this instance will be consistent with the current practice under section 14 of the Planning and Development Act 2005. The new text will not alter the role of landowners, consultants or local governments in the preparation of structural plans going forward. Honourable member, I was briefed on this provision. It refers to the legal definition of “prepare”.

Hon Dr Brad Pettitt: The definition of what?

Hon JACKIE JARVIS: It is the definition of “prepare”—that is, who legally prepares and practically does the work for endorsement by the commission.

Hon STEVE MARTIN: I might use that at home—I “must” prepare the evening meal—and see how it flies!

Hon Jackie Jarvis: It took me a while to get my head around it—as a couple of bush lawyers!

Hon STEVE MARTIN: I will lean on the minister’s legal background.

On a slightly more serious note, I do not know the background of this, but if the commission were to receive a DSP from a proponent or local government that it does not agree with, could it use that terminology to say, “No. Sorry; we must prepare it”?

Hon JACKIE JARVIS: Obviously, the commission has an oversight role. It is in charge of strategic planning for the state. If it does not agree with a DSP, it would not sponsor or endorse it, for want of a better word, and move it along.

Hon STEVE MARTIN: This is my last question on DSPs. Under the provisions, I believe only the WAPC will be able to prepare an amendment to a DSP and that proponent-led amendments will not be allowed. Is that new?

Hon JACKIE JARVIS: It is the same as the practice that uses the terminology about preparation. The honourable member’s question refers to what we just dealt with. The question is about an amendment. In practice, other proponents—landowners—could do the planning for and wording of an amendment, prepare the plan and then let the WAPC endorse or sponsor it.

Hon STEVE MARTIN: Is that a change? Is the terminology in that provision new, as opposed to the practice?

Hon JACKIE JARVIS: I am advised that there will be no change to current practice.

Hon Dr BRAD PETTITT: Still on district structure plans, I am interested in the role of local governments. On page 19, clause 15(1)(b) says the commission must —

give the proposed plan to each local government in the district of which the plan will apply and consult with those local governments ...

What will happen when one or more local governments does not support the plan? The way the provision is written feels like a very top-down approach. The commission will give out the plan, consult and put it on its website for 42 days. Will there be a requirement for the local government’s view to be considered in any meaningful way?

Hon JACKIE JARVIS: Under clause 15 of the amended MRS text, the commission must consult, as the honourable member said, every affected local government and advertise its proposed plan on its website. Additionally, a new DSP should be accompanied by an engagement strategy to ensure there is suitable and adequate consultation when proposing and preparing a DSP. The commission may also carry out targeted consultation, which is likely to include affected landowners, state government agencies and utilities. Although local governments will provide a recommendation, ultimately the WAPC will determine a district structure plan.

Hon STEVE MARTIN: I went early with my last question on DSPs. I have one more quick one, which I think the minister touched on in response to a question from Hon Dr Brad Pettitt about when a DSP will be required. Will it be entirely at the discretion of the WAPC or will it be referred to in a higher-level strategic document?

Hon JACKIE JARVIS: Honourable member, I am advised that there is nothing stopping a landowner or a local government or a group of landowners or local governments from proposing a district structure plan. In practice, it would need to align with the overarching strategic plan, such as *Perth and Peel@3.5 million*.

Hon Dr BRAD PETTITT: I appreciate that it would need to align with *Perth and Peel@3.5 million*. Would a district structure plan need to align with the local planning strategy of the local government or local governments that would be impacted?

Hon JACKIE JARVIS: A district structure plan sits at the regional level; it sits above a local planning strategy. As I noted before, local governments will be asked to provide input and advice, but a district structure plan deals with regional-level issues, not necessarily those at the local planning strategy level.

Hon Dr BRAD PETTITT: I may have misspoken when I asked that question; I actually meant local planning schemes. Local governments come up with local planning schemes, which are ultimately signed off by the commission. What would happen if someone had a plan for North Fremantle that was not consistent with the local planning scheme, given that the scheme has already been agreed to by the commission?

Hon JACKIE JARVIS: I am advised that the Western Australian Planning Commission would consider the entire planning framework in its decision-making and would consider local planning schemes with the view that district structure plans refer to a larger area. It would be part of the consideration.

Hon Dr BRAD PETTITT: The minister can tell me whether I have misinterpreted what she said. Will a district structure plan ultimately trump a local planning scheme? I can see a shaking of heads, so I will sit down.

Hon JACKIE JARVIS: For the record, I was not shaking my head!

District structure plans do not have the force of law; they simply inform future rezoning.

Hon Dr BRAD PETTITT: I am not sure whether that answered my question. If in informing future rezoning it is passed by the commission, will the local government be required to rezone in a manner consistent with that plan?

Hon JACKIE JARVIS: District structure plans sit at the regional level. They are master planning documents. I am advised that local planning schemes are, in layman's terms, the law today. The DSP will inform future decisions; it is a master planning document. I cannot give the member a case-by-case —

Hon Dr Brad Pettitt: By way of interjection —

The CHAIR: Order, members! We cannot have interjections while nobody is on their feet—and they are disorderly at the best of times.

Hon Dr BRAD PETTITT: I am sorry for interjecting. I am trying to understand what will happen when the two plans are in conflict. If a district structure plan is advertised by the commission and passes, but is in conflict with the local planning scheme, which one would be in place?

Hon JACKIE JARVIS: Honourable member, I apologise; there has been some confusion. A local planning scheme is the law. A district structure plan will not override a local planning scheme. A district structure plan is a master planning document that looks into the future. It will not override a local planning scheme.

Hon Dr BRAD PETTITT: Now I am confused! Let us say the commission passes a DSP to up the density in area A to 10 storeys, but area A is currently zoned three storeys under the local planning scheme. If somebody wants to build a 10-storey building in area A, can they get that approved?

Hon JACKIE JARVIS: A DSP will not change density codes. A DSP could inform a future scheme amendment. As I said, it would not change what is law today; rather, it would inform future scheme amendments as a master plan. A DSP will not be able to change density codes.

Hon STEVE MARTIN: Would a development assessment panel —

The CHAIR: Order, members! The minister is having some difficulty hearing at the table.

Hon Jackie Jarvis: Some people have already checked out!

Hon STEVE MARTIN: I hope that goes into *Hansard*!

Would a development assessment panel pay any regard to a DSP in its deliberations?

Hon JACKIE JARVIS: The development assessment panel would give regard to the district structure plan, but it would not override a local planning scheme.

Hon STEVE MARTIN: In giving regard to policy planning instruments, is there a hierarchy, or do we look at the DSP and then look at the local planning scheme? Can the minister flesh that out for me?

Hon JACKIE JARVIS: The local planning scheme is the law of today. A DSP is a future master planning strategy.

Hon Dr BRAD PETTITT: This has been very helpful and enlightening. I follow on from Hon Steve Martin's question. Maybe the minister can tell me whether I have this wrong, but my understanding is that development assessment panels—DAPs—must comply with the local planning scheme. Tell me if that is not correct because that was the way when I was on council. But the SDAU—state development assessment unit—needs only to give regard to it. The follow-up question to Hon Steve Martin's question is: will the SDAU use these new DSPs as a justification for approving things that are not consistent with a local planning scheme?

Hon JACKIE JARVIS: I am advised that this bill will not change the way that the SDAU operates. It is completely different. It operates under the Planning and Development Act. This bill will do nothing to change how that operates at the moment.

Hon Dr BRAD PETTITT: Is the minister saying that the SDAU would have no regard for DSPs?

Hon JACKIE JARVIS: I am advised that it is a different process. The SDAU follows specific provisions in the Planning and Development Act that are not covered by this bill.

Hon Dr BRAD PETTITT: This is a really important question because I am afraid it has potentially become a key issue. I understand the different processes; I am not disagreeing with that. When the SDAU makes its decision and part of the planning framework is a district structure plan, which is still sitting there even though the local planning scheme might not have been changed, will it be able to have regard to that?

Hon JACKIE JARVIS: I am advised that all planning decision-makers will give regard to a district planning scheme and all other planning documents, but it is important to remember that the district structure plans do not have the level of detail included in local planning schemes, such as height and setbacks et cetera. Once they give regard, that district structure plan will be a master document and the local planning scheme will give the detail.

Hon Dr BRAD PETTITT: Thank you. I understand that. This had not occurred to me until I asked these questions, but I am concerned around how this is written. I will paint a scenario here. A landowner who is sitting on land that they consider to be under-zoned in their area decides to prepare a district structure plan with other landowners in the area to potentially increase heights and all of those kinds of things. That then goes to the Western Australian Planning Commission, which may in this case think that even though the local government does not agree with it, it is broadly supported. The local planning scheme will remain unchanged. The same developers then put forward through the SDAU some very ambitious plans for some high-rise buildings on the same land. The SDAU then says, “We are going to refer to the DSP to make our decision.” What bit of that process have I got wrong?

Hon JACKIE JARVIS: As presently advised, the DSP does not deal with things like heights and setbacks.

Hon Dr BRAD PETTITT: Okay. Is the minister saying that there will be no reference to height at all in any DSP?

Hon Jackie Jarvis: No.

Hon Dr BRAD PETTITT: What about land use? Will there be any reference to land use in the DSP?

Hon JACKIE JARVIS: Yes. That is the point. It is a strategic-level document. It gives broad land use organisation and regional-level planning. It will not change the density or height requirements for land within the area.

Hon Dr BRAD PETTITT: That is very helpful. Another scenario is a light industrial area that may or may not be supported but a developer might have a different use for it, such as retail or residential. Again, it goes through the same process that I have described before of using a DSP and then putting forward an ambitious plan, with multiple landowners, for the SDAU to approve. I am trying to make sure that we have our right checks and balances in place here. What will stop that scenario from happening?

Hon JACKIE JARVIS: I am told by the advisers that these region schemes are broad. The detail the member is talking about is contained in a local scheme. There is no light industrial zone under the MRS. It would require an amendment to the MRS. It is a separate process. These district schemes are over a wide area. A light industrial area is a relatively small area. That level of detail is included in the local scheme.

Hon Dr BRAD PETTITT: Just to back up a little, the minister said that heights cannot be dealt with in district structure plans. I am looking at pages 18 and 19 of the bill. Can the minister point me to where it says that they cannot be included?

Hon JACKIE JARVIS: Division 2, clause 14(1) states —

The Commission may prepare and resolve to approve a plan (a *district structure plan*) that deals broadly with major strategic aspects of the coordination of future land uses and infrastructure in respect of an area of land ...

There is no development-specific requirements in the district structure plan. It is a high-level master planning tool.

Hon Dr BRAD PETTITT: Thank you; that has been useful. Where I am coming from is just making sure that we do not have a process in which the right checks and balances are not in place. Again, I think planning should be done with, and should not exclude, local governments and local communities. I am a little nervous that this process may enable landowners to adjust future land uses for a site by going through the commission in a way that potentially circumvents local governments and then uses a planning process on the back of that to get developments on those sites. For the moment, I feel relatively satisfied that that would be an unusual process. Master plans have always existed and I am not sure what is new in this legislation that was not just a master plan under previous planning.

Hon JACKIE JARVIS: The honourable member asked what was different. District structure plans are an existing tool used for the strategic coordination of land use and infrastructure and have been used by the Western Australian Planning Commission for several decades. I gave the example that East Wanneroo, Alkimos and Eglinton have been prepared on behalf of private landowners previously. What is changing is that an explicit head of power will be provisioned in the MRS for district structure plans, along with clear procedural provisions. The procedural provisions have been modelled on the local structure plan process contained in the planning regulations. That will provide more clarity and certainty of processes for stakeholders. I hope that assists the member.

Hon STEVE MARTIN: I return to clause 9. It has been put to me by people in the sector that these region planning scheme policies will add another layer of control, which seems to be at odds with the outline of the bill about streamlining assessment and cutting red tape. Could the minister please address those concerns?

The CHAIR: Hon Steve Martin, interestingly, clause 9 of the bill and also clause 9 of schedule 1 both refer to region planning policies. Given the coincidence, I assume the member is referring to the schedule?

Hon Steve Martin: I am; it is page 15.

Hon JACKIE JARVIS: All this bill will do is give that head of power as a strategic tool to the WAPC. It is intended to be used only when it needs that head of power for things. For example, the greater Bunbury region scheme has a flood management policy for the Collie, Brunswick and Preston Rivers. It will give the WAPC that head of power as a strategic tool if needed for something such as setbacks for a wastewater treatment plant.

Hon STEVE MARTIN: Could those issues not be covered with existing state planning policies or operational policies?

Hon JACKIE JARVIS: I am advised it is so that it can have coverage across a broader area, not just specific local governments. For example, a flood plain might cover multiple local governments. It will just give that head of power to the WAPC for when it needs to make decisions that might go across local government areas, for example.

Hon STEVE MARTIN: Is there a reference in the other two schemes to these region planning schemes?

Hon JACKIE JARVIS: I am advised that the Western Australian Planning Commission already has the broad power and that is why it has been able to be implemented in the greater Bunbury region scheme and the Peel region scheme. This is about updating the text to modernise it and make sure that it is clear and specific that the WAPC has this head of power.

Hon STEVE MARTIN: To be clear, do region planning scheme policies do the tasks the minister has outlined in the greater Bunbury and Peel region schemes that he mentioned?

Hon JACKIE JARVIS: I am advised that the greater Bunbury region scheme and the Peel region scheme do not specifically use the term “region planning scheme policy”, if that assists. I am getting some further information. If the member’s question was, “Is it specifically mentioned as a region planning scheme policy?”, the answer is that it is not, but I will get some clarity on that. I am advised that the commission currently has broad plenary powers under sections 14 and 15 of the Planning and Development Act 2005 to make planning policies, including those applicable to or part of a region planning scheme. However, there is a lack of clarity about the application of these broader policies. For example, the commission also has the power to give advice to a range of bodies on a range of planning issues. The commission can deal with broad, statewide issues usually addressed through state planning policies. The inclusion of the specific provisions in the MRS around region planning scheme policies is to help clarify the subject matter of the policy specifically related to the MRS and not a local planning scheme or broad, statewide issue, which is better covered off by state planning policy. It will help clarify the commission’s role in creating region scheme policies and establish the procedure for making, amending and revoking region scheme policies, including consultation requirements. I am saying that the procedures and consultation requirements of the region scheme policies will be much clearer to everyone, rather than the commission just using its broad powers under the Planning and Development Act 2005.

Hon STEVE MARTIN: That is an explanation, I guess. I asked earlier in the committee process about whether there are any significant differences between the two schemes and what we are told this scheme was modelled on. This seems to be a fairly significant difference. Earlier, the minister mentioned how well the process is working around flood plain issues and wastewater management areas in the greater Bunbury and Peel areas. The obvious question, despite the minister’s answer, is: why is this required? I refer back to the concerns raised with me around duplication of process adding to the administrative burden rather than reducing it, but the minister can take that as a comment.

Hon Jackie Jarvis: I will take that as a comment.

Hon STEVE MARTIN: This committee process is a wonderful example of why people who get involved with planning processes end up with a very large headache.

I refer to something that is not a clause of the bill but something that has been pointed out to me that might be missing. There does not appear to be any provision included in the bill that will enable the WAPC to issue approval for a development that has already commenced or been carried out—that is, retrospective approval. Apparently, similar provisions are included at section 164 of the Planning and Development Act 2005 and regulation 65 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Hon JACKIE JARVIS: I am confused; are we dealing with schedule 1? I need to clarify which part of schedule 1 the member is asking a question about.

Hon STEVE MARTIN: That is a good point, I guess. It is something that should be in schedule 1, under part 8, “Development of land”. It is a stretch, I guess, because it is not in the bill, but apparently part 8 of schedule 1 would be a good place for it to be considered.

Hon JACKIE JARVIS: I am advised that it is in the Planning and Development Act, which is the primary legislation, and so it does not need to be repeated in this subsidiary legislation.

Hon STEVE MARTIN: That is the last question I have. I would like to thank the minister, as the representing minister, and the advisers for all their help. It was an interesting experience. Despite the extravagant claims about what this bill will do to speed up housing supply in Western Australia, I think it is certainly a much-needed amendment to very old legislation. It is a good thing that those changes are being made. I think some of the claims from the Minister for Planning —

Hon Jackie Jarvis: Member, is this in lieu of a third reading contribution?

Hon STEVE MARTIN: It was a very short last comment in committee, so we will not need a third reading debate, minister. I think that is about all I have to say. I thank the minister for her help.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

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

RETIREMENT VILLAGES AMENDMENT BILL 2024

Second Reading

Resumed from 23 October.

HON SUE ELLERY (South Metropolitan — Minister for Commerce) [4.00 pm] — in reply: I thank members for their contributions to the debate on the Retirement Villages Amendment Bill 2024. It is important to note that the bill's amendments were developed after an extended period of public and stakeholder consultation between 2019 and 2021 that included the release of four consultation papers, culminating in the 2022 publication of a decision regulatory impact statement. DRIS made 35 recommendations for reform of the act in four key areas: improved information disclosure in marketing and contracts, fairer access to exit entitlements, resident participation in village life and processes for change and development in a village. I was pleased to announce those changes back on 15 May 2023 at Jacaranda Gardens Village in Canning Vale.

I will turn to the specific issues that were addressed. Hon Neil Thomson made a point that, in his view, the process of the development and introduction of the bill has been rushed. I just want to go into some detail about the level of consultation that occurred. The reforms in this bill originated from the recommendations of the 2010 statutory review of the Retirement Villages Act. The final report was published in November 2010 and made 100 recommendations for reform.

The previous Liberal–National government made minor amendments to financial reporting and contract requirements, but most of the recommendations remained unaddressed until the current government restarted the consultation process. Between August 2019 and June 2021, four public consultation papers were released. There were 156 written submissions addressing a total of 512 issues. This was complemented by a series of surveys with some 283 responses, stakeholder meetings and working groups, presentations for stakeholders and engagement with government agencies in 2020 and 2021 to settle the recommendations of DRIS. DRIS was developed in consultation with Treasury's better regulation unit and signed off as meeting the objectives of the better regulation program.

Recognising there were different views on the changes proposed, between March and June 2023, the government facilitated a series of five meetings with each of the key industry and resident stakeholder groups, including the Property Council of Australia and the Western Australian Retirement Villages Residents Association, to inform the drafting processes. These meetings were facilitated by an external facilitator highly recommended and respected by all parties, Mr David Hilliard, who was a former Commissioner for Consumer Protection. His appointment as a facilitator was approved by residents and industry groups.

An exposure draft of the bill was released to key stakeholders for feedback in May 2024. Financial modelling on the impact of the changes on operators of exit entitlement requirements and aged-care payments was undertaken by the Western Australian Treasury Corporation. In August 2022 it published its report, which was made public at the same time the DRIS was released. Stakeholders were engaged in the formulation of that report as well.

Hon Neil Thomson queried why the reforms were needed in light of what he described as a relatively low level of complaints. He made the point that the government was intending to solve a problem that residents might encounter. Honourable member, there is no doubt that residents are encountering problems in this area. I will give a couple of examples, but there are many.

An elderly couple had to leave the village due to one of them having dementia. Their premium had not been repaid seven months later. The caller was caring for their spouse and was distraught. They desperately needed the exit

entitlement to fund aged care and were finding it difficult to even pay for medication. In the second example, a male resident was unhappy in a village with very few other male residents. His view was that it did not cater well to men's interests. For example, there was no workshop. An equivalent unit had been vacant for well over one year and he could not cope financially waiting years for his exit entitlement. He reported that he felt depressed and like he was a prisoner in the village. In the third example, former residents had to leave a village due to one of them suffering a stroke. Their daughter had to try to explain to them why they did not receive their exit entitlement on departure as they had expected and why it had not been paid since. Both died within 18 months. The vacated unit remains unoccupied three and a half years after they left the village and exit entitlements remain unpaid. The daughter's view is that there was no incentive for the operator to reoccupy the unit because the operator still had her parents' up-front payment.

It is not accurate to rely on a low level of formal complaints about that specific issue as some kind of representation of how real those complaints are. This largely reflects that most issues that arise are not currently a breach of legislation. For example, that includes the delayed payment of exit entitlements, unexpected refurbishment costs and village behaviour and maintenance. When contacting Consumer Protection for information, most residents are advised that the legislation does not cover the issue and so they choose to not take the issue any further.

Hon Neil Thomson asked whether other options had been considered, specifically in respect of the delayed payment of exit entitlements and whether the New South Wales model had been considered. For the benefit of all members, I think it is important that I provide some explanation on exactly what exit entitlements are. It is not a new concept. It refers to what is currently a refund of the premium. They are first and foremost an up-front payment made by the resident to enter a retirement village. Most residents enter the village on a lease-for-life arrangement so they never actually own the land or the unit, and the up-front contribution is held by the operator while the resident lives in the village. The payment of exit entitlements is a return of money that belongs to the resident, and it is unreasonable that the resident should be required to wait years for that payment.

It is intriguing and disappointing to me that the two second reading contributions of Hon Neil Thomson and Hon Louise Kingston yesterday are at best equivocal and at worst they indicate that they might oppose the proposal to return to residents their own funds, not immediately but within 12 months of the resident permanently vacating the premises.

The development process considered a range of options for addressing the issues, including models operating across other jurisdictions. Equivalent provisions to those in the bill are in effect in Queensland. The mandatory period for payment there is currently 18 months rather than 12 months, but a review of the operation of the provisions has recommended a reduction of the statutory payment from 18 to 12 months, which is what we are proposing here in WA.

NSW has a requirement for payment within six months for holders of a licence or an unregistered lease that is less than 50 years. In the case of a registered interest holder, different provisions apply. The regulatory regime however is quite different for registered interest holders; the departing resident has complete control of the sale process. In Victoria, amendments currently under consideration will require operators to make exit payments within 12 months of vacant possession for both lease-for-life and strata titled properties. A 12-month limit will apply in South Australia following the passage of a bill currently before its Parliament.

Hon Neil Thomson and Hon Louise Kingston raised concerns about the impact that the new time period for exit entitlement requirements will have on industry. The government is satisfied that the new provisions will effectively balance the interests of industry and residents. I reflect on the comments made by Hon Louise Kingston. On the one hand, she referred to information that I presume was provided by the Property Council, which projected a significant increase in demand for retirement village living.

On the other hand, we have been presented with almost alarmist claims about a potential downturn. The opposition cannot have it both ways. As is often the case with complex legislation, there are opposing views on how we should implement the exit entitlements. I remind members that this is residents' own money. Residents who wish to receive their exit entitlement as soon as possible generally opposed a transition period. Village owners expressed their preference for a longer lead-in time and preferred the current arrangement, in which there are no set time limits for returning a resident's own money.

The position in this bill is a reasonable and practical compromise. Transition arrangements will allow operators to prepare for the new obligations, including a 12-month delay in the commencement of the provisions. It is important to bear in mind that I announced these changes in May 2023. Once we pass this bill, there will be a further 12-month delay before these provisions are implemented. That is considerable time for people in the industry to think about how they might restructure their businesses. Purchasing a retirement village unit is a major financial outlay and residents often commit most of the proceeds of the sale of their home to the purchase. It is not acceptable that they should be required to wait up to three or four years for their own funds to be returned to them. Over half of residents leave a village to enter aged care. Others choose to move because they are not happy in the village or for personal reasons such as a wish to be nearer family. The alternate accommodation has to be paid for. They cannot stay in the unit or sublet it while it is sold, and the operator will control the marketing process and is usually required to approve the sale price.

As Hon Neil Thomson pointed out, in a buoyant market units are usually sold quickly. In most instances, it is reasonable to expect that the unit will be resold well within a year. He went on to say that in a situation in which a unit cannot be sold, the operator would have two options. They could either raise the fees for the residents or suffer financial hardship and potentially end up in administration or liquidation. This is simply not accurate. The bill provides a comprehensive set of provisions to ensure that if an operator cannot make the payment within 12 months due to circumstances outside the operator's control, exemptions and extensions are available. The government recognises that it is not in anyone's interests for an otherwise well-functioning village to fail financially because of unexpected liabilities.

During the consultation period, the Property Council of Australia requested that the state government consider establishing a transition fund to deal with short-term cash flow impacts. This approach has not been adopted in other jurisdictions that have introduced mandatory payment times for exit entitlements. I note that it was a matter raised by Hon Louise Kingston. It will not be supported by the government. As an alternative to this, as I said, commencement of the new exit entitlement laws will not commence until 12 months after the bill is assented to, allowing additional time for operators to ensure that funds are available. A range of extensions and exemptions will be available to deal with any financial hardship. These extensions and exemptions are considered to be a better way to address the potential payment difficulties that Hon Louise Kingston suggested the taxpayer-funded scheme might experience.

I respond to Hon Louise Kingston's question about whether this legislation will somehow be caught up in uniform legislation. That reflects a significant misunderstanding of what uniform legislation actually is. Although, of course, it is important to look at other jurisdictions, this bill is not a party to any agreement with other jurisdictions in the regulation of retirement villages. At the end of every second reading speech, it is made clear whether the bill is or is not a uniform legislation bill. If the honourable member is in doubt, she can just read the second reading speech.

Hon Louise Kingston also quoted some media articles written shortly after the commencement of time limits for the payment of exit entitlements in Queensland. Industry did express some concerns at that time, but the concerns proved to be unfounded in practice. In 2020, the Queensland government engaged an independent panel to review the timeframes. In a report titled *Independent review of timeframes for exit payments in Queensland retirement villages*, the panel stated that it had received information from operators that they were hurting due to the timeframe, including from peak group representatives of the Property Council of Australia and Leading Aged Services Australia. The panel requested data from these peak groups to support the statements of hardship, but no submissions nor information was subsequently received by the panel. The panel also heard from a limited number of operators, despite 324 villages in Queensland being directly contacted twice to be asked to provide information. In its report, the panel found that, overall, for retirement villages in Queensland, there is no evidence that the buyback scheme is the cause of operational challenges that impact scheme operators to the point that they close down. The report recommended introducing new exemption powers to target smaller more vulnerable villages, and this provision is included in the WA bill.

As I have already indicated, the WA Treasury Corporation did economic modelling to analyse the financial impact that the reforms will have on operators, and that was released at the time of the decision regulation impact statement.

Hon Neil Thomson questioned the lack of detail on aged-care payments in the bill. The detail of these provisions will be included in the regulations rather than the bill because funding arrangements for aged care are determined by commonwealth legislation, which is subject to change. Commonwealth funding arrangements for aged care are currently under review, and significant changes are likely over the next 12 to 18 months. Any inconsistency in terminology or eligibility criteria between these provisions and the commonwealth legislation would mean that the provisions would not operate correctly, and the problem could persist for some time if it required a change to the act.

Hon Neil Thomson asked why new financial reporting provisions were required. Part of the intention of these amendments is to rationalise requirements that are currently spread across the act, the regulations and the code of practice made under the Fair Trading Act. Making them clearer for all parties and providing an enforced mechanism for matters currently covered by the code is an important part of what we are doing. Financial accounting and reporting requirements come under that category, as do new regulations that will provide for dispute resolution processes, residents' meetings and committees. There will be some minor changes to improve and update the provisions but no major changes in the approach.

Hon Neil Thomson also asked what arrangements operators would need to deal with what he described as the retrospectivity of some of the amendments, notably the fact that the exit entitlement timelines will apply to current contracts. Excluding existing residents from the statutory time limit would mean that the provisions would not come into effect until residents who enter a village after the passage of the bill leave the village. Given the average length of occupation in a retirement village in WA is approximately 9.4 years, this would be a significant delay. Although the difficulty of changing existing contracts has been raised by industry, it is noted that equivalent provisions have been introduced and applied in existing contracts in New South Wales, Queensland, South Australia and the Australian Capital Territory. Although some of the provisions will apply to existing contracts, there will

be no requirement for operators to enter into new contracts with existing residents. The new provisions will provide minimum requirements that will apply regardless of the terms of an existing contract. Consumer Protection is currently consulting stakeholders, including operators, about regulations to support the bill. These will include transitional regulations that will ensure operators can adjust their contracts and business models with minimum disruption.

I want to talk a little more about consultation. Consumer Protection has commenced consultation on the content of the regulations, including the requirement for transitional regulations. So far, the consultation of the regulations has involved a series of four meetings with each of the key stakeholder groups to address the content of the regulations. Meetings are being informed by a brief consultation summary paper provided ahead of each meeting. Email bulletins are being prepared to be distributed to stakeholders more broadly to keep them informed and invite participation. Bulletins will be distributed to operators and over 400 retirement village residents who have subscribed so far. During the consultation process, a list of email addresses has been compiled for public and industry stakeholders who have expressed an interest in being informed of the progress and opportunities to participate in consultation, and information has been sent out as required. There are currently 1 229 registered stakeholders on that list.

Hon Louise Kingston flagged a number of issues that she wishes to raise during the Committee of the Whole process. These include definitions of “facilities” and “permanently vacated”, court costs, liability for recurrent charges, reinstatement of units and modifications, the marketing provisions and rules of conduct for administering bodies. Although the member did not provide any further detail on whether she has specific questions or concerns about the operation of these provisions, I note that some of these topics were canvassed in the other place. In particular, reinstatement of units was discussed at length. Under the new provisions, a property condition report will be required. This is a well-understood process that has been operating in residential tenancies for many years.

I want to reiterate again that there has been extensive consultation and consideration of these proposed reforms. There is a difference between a policy disagreement and a gap, which I think was the word used by Hon Neil Thomson, or a failure to consult. It is the state government’s role to understand all stakeholders’ views and balance the interests of all parties, and that is what we have done. I am satisfied that we have done this with care and consideration.

The government supports the development and operation of a broad range of housing models for retirees and recognises that most retirement village residents are happy with their choice to enter a village. Retirement villages are most likely to be successful when residents have confidence in the product they are purchasing and are empowered to make the best choices. It is in no-one’s interests, including those of operators, for residents to choose a village that does not suit their needs or to be trapped in a village where they are unhappy because they cannot fund alternative accommodation.

The bill before us will make a range of amendments to the act to implement the recommendations of the decision regulatory impact statement. The amendments are designed to provide additional protection for a vulnerable group of consumers, while recognising and supporting the contribution of the retirement villages industry to the provision of quality, age-appropriate accommodation for seniors. They focus on ensuring transparency and consistency in the way in which products are marketed, managed and priced so that consumers will be in the best position to understand and make informed choices about their housing options.

I again thank those residents, peak bodies and industry stakeholders who have engaged so constructively in these proposed reforms and commend the bill to the house.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chair of Committees (Hon Steve Martin) in the chair; Hon Sue Ellery (Minister for Commerce) in charge of the bill.

Clause 1: Short title —

The DEPUTY CHAIR (Hon Steve Martin): I bring to members’ attention issue 2 of supplementary notice paper 177.

Hon NEIL THOMSON: I must say that I think I was verballed on a number of occasions in what we heard from the minister about my position. I know the minister had urgent parliamentary business to attend to, so I am not sure whether she has read my speech in *Hansard*.

Hon Sue Ellery: I certainly have, honourable member—every word.

Hon NEIL THOMSON: I am pleased to hear that, because there was comment about the level of consultation. I acknowledged that there had been a degree of consultation. From recollection, I think I said that there had been a considerable amount of consultation, but it certainly was not my intention to say that consultation did not occur. As the minister rightly pointed out, there has been a lot of consultation. There has been consultation going back to 2019, as she outlined to the house, and she outlined a number of documents and so forth that have been put forward.

I want to talk a little about the issue of complaints, because the minister also referred to complaints. A couple of examples were given. I want to say for those watching that I am not familiar with the specific nature of those examples, but I have the greatest amount of empathy for those people who go through difficulty. It is important to make the point that the job of government and Parliament is to make sure that the interests of those people are protected. The minister made a comment about the complaints and regulation. I am sorry if I verbal the minister now, but I felt verballed. I guess we are both doing our job here. The impression I got from the minister's commentary is that the reason for the low number of complaints is that people feel they cannot complain about a lot of issues because things have not been addressed. I quoted the number of eight incomplete or unresolved complaints over four years. As I said in the commentary, over the four years from 2020 to 2023—this comes from the question on notice answered on 17 October that I referred to—there were just over 100 successfully resolved complaints.

Is the minister saying that the large number of people who are not getting paid and are being caused hardship is not reflected in these complaints? Maybe the minister could give us some idea of the scale of that and why it is not reflected in any complaints?

Hon SUE ELLERY: That is exactly what I am saying. I did not verbal the member. In his contribution to the second reading debate, he quoted an answer that I think I gave to Hon Steve Martin about the number of complaints. Those are formal complaints that are made and recorded and dealt with.

The point I made in my second reading reply is that in addition to those formal complaints—the member used the number of eight—there are conversations that happen between people in Consumer Protection and residents in retirement villages that cannot go any further because there is no further action that Consumer Protection can take on behalf of those residents as there is no law that sets, for example, a time limit within which exit payments can be made. There are many more examples. They are not recorded. I do not have a number to give the member, but the driver of this part of the bill before us was the number of issues that have been raised. Every day Consumer Protection takes many, many phone calls and talks to many, many people and does all sorts of outreach and education work with groups. It is through that that Consumer Protection is well aware that there are many, many residents in retirement villages who have not been able to access their money within a reasonable time period.

Committee interrupted, pursuant to standing orders.

[Continued on page 5631.]

QUESTIONS WITHOUT NOTICE

PAIR'D MARGARET RIVER REGION EVENT

1311. Hon PETER COLLIER to the minister representing the Minister for Tourism:

- (1) What is the total amount of funding that has been provided to the Live Nation–controlled Mellen Promotions for the Pair'd Margaret River Region event?
- (1) What are the criteria for success that were considered by the Labor government prior to allocating funding for the Pair'd Margaret River Region event?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. This answer was provided by the Minister for Tourism.

- (1)–(2) Pair'd Margaret River Region is our newest homegrown tourism event. Key criteria considered in the development of the event included generating strong tourism outcomes for the state and the south west region in the long term, including driving visitation to the state and the south west region; generating media impact showcasing Margaret River and surrounds as a premium world-class food and wine destination; and showcasing the state's unique attributes, creating vibrancy and economic outcomes for the south west community.

YOUTH DETENTION — UNIT 18 REPLACEMENT FACILITY

1312. Hon PETER COLLIER to the minister representing the Minister for Corrective Services:

I refer the minister to media statements released on 30 November 2023 and 26 September 2024 in relation to a replacement facility for unit 18.

- (1) Who conducted the \$1 million review into the detailed planning and business case for the therapeutic youth detention facility?
- (2) Why was \$11.5 million required to complete detailed planning and design of the project?
- (3) What will be the total cost of the new facility?
- (4) What is the anticipated completion date of the new facility?

Hon STEPHEN DAWSON replied:

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

The Department of Justice advises the following.

- (1) The business case development was led by the Department of Justice with support from the Department of Finance and consultants.
- (2) The \$11.5 million is for the finalisation of the project definition plan, as per the Treasury strategic asset management framework; commencement of enabling works; and finalisation of the design.
- (3) The total cost of the new facility is yet to be confirmed.
- (4) The completion date is yet to be confirmed.

DEFENCE FORCE VETERANS — MENTAL HEALTH SERVICES

1313. Hon COLIN de GRUSSA to the minister representing the Minister for Veterans Issues:

I refer to the report of a Navy veteran suffering PTSD being left for over 48 hours in the middle of an emergency waiting area at Peel Health Campus because no mental health beds were available.

- (1) Has the minister initiated an investigation of this matter?
- (2) What actions has the minister taken to ensure that current and past members of the Defence Force, especially those suffering PTSD, have access to suitable mental health services?

Hon STEPHEN DAWSON replied:

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

- (1) The provision of health services in Western Australia is a matter for the Minister for Health.
- (2) The Department of Veterans' Affairs and federal Minister for Veterans' Affairs and Defence Personnel have primary responsibility for veterans. The state government aims to complement services for veterans provided by the federal government. In 2021, the state government increased its funding contribution to the Anzac Day Trust grants program by \$1 million a year, to \$1.3 million a year. This uplift has ensured crucial funding for projects such as the veteran employment program run by Working Spirit and RSLWA, the Andrew Russell Veteran Living program operated by the Air Force Association of Western Australia, and the Veterans' Transition Centre in Jarrahdale. In addition, in 2023 a \$430 000 grant was awarded to RSLWA and Kaizen K9 to establish a psychiatric assistance dog provider in Western Australia. The pilot program is ongoing, with four dogs being paired with eligible veterans.

POLICE — DETECTIVES

1314. Hon TJORN SIBMA to the minister representing the Minister for Police:

I refer to standard operations procedures for detectives employed by the Western Australia Police Force.

- (1) Aside from involvement in joint task forces, is it a common occurrence for detectives assigned to one metropolitan police district to arrest suspects who reside in another police district without informing or involving their colleagues in that district?
- (2) If yes to (1), how common is it and what circumstances would justify this action?
- (3) If no to (1), how uncommon is it and what circumstances would justify this action?

Hon STEPHEN DAWSON replied:

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

- (1)–(3) The Western Australia Police Force advises that the answer is yes. However, there is communication with colleagues when any suspects being sought are also wanted by or are of interest to the particular district. The arrest of suspects across district boundaries is very common. Detectives will regularly travel across district boundaries based on intelligence or investigative opportunities to arrest suspects for offences committed within their home district. This positively influences the timely apprehension of those who represent a risk to the community.

TIER 3 RAIL LINES — BUSINESS CASES

1315. Hon Dr STEVE THOMAS to the minister representing the Minister for Transport:

I refer to my question without notice 122 of 16 October 2024 confirming the business cases for the proposed tier 3 rail lines Quairading to York, Kulin via Yilliminning to Narrogin, and Kondinin via Narembeen to West Merredin have been completed and are being considered by government and key stakeholders.

- (1) Will a decision for reactivation of the above tier 3 lines be announced before the next state election on 8 March 2025?

- (2) Who are the aforementioned “key stakeholders”?
- (3) When will the completed business cases be made public, and will they be made public?
- (4) What was the total cost of the development and completion of the tier 3 business cases?

Hon STEPHEN DAWSON replied:

I have an answer for the honourable member but he might not like it. I thank the honourable member for some notice of the question.

- (1)–(4) The government is in discussions with Arc Infrastructure and rail users.

SOUTH COAST MARINE PARK

1316. Hon NEIL THOMSON to the parliamentary secretary representing the Minister for Environment:

I refer to the south coast marine park, which had received record submissions at the closing date of 18 June, and note there is not a further news update on the Department of Biodiversity, Conservation and Attractions website.

- (1) When does the minister propose to provide the community further information on progress?
- (2) Are the regulations that will give effect to the marine park likely to be finalised before the end of this current term of government?

Hon DARREN WEST replied:

In a strange twist, this question appears in my file under the name of Hon Dr Steve Thomas. I can tell that they are two different people. I thank the honourable member for some notice of the question. I provide the following answer on behalf of the Minister for Environment.

- (1)–(2) Work towards the south coast marine park continues to progress. Further updates will be provided in due course.

GOVERNMENT HOUSE SECURITY OFFICE — ROOF SHINGLES

1317. Hon LOUISE KINGSTON to the Leader of the House representing the Premier:

I refer to my question without notice 1243 asked on 17 October 2024 regarding the replacement of the jarrah shingles on the security hut. I have been advised by industry experts that the recommended native timber species suitable for shingles for heritage buildings in WA is she-oak because unless correctly cut jarrah will cup and deteriorate unless oiled constantly and maintained. The only supplier of she-oak shingles has closed as a result of the government’s closure of the timber industry.

- (1) Can the Premier confirm that the same recycled jarrah sourced from the family-owned business in Gidgegannup is being used in the current replacement of the shingles?
- (2) Has the Premier been advised that unless the jarrah currently being installed is properly treated, the roof of the security hut will need replacing again next year?
- (3) What measures are being taken to assess the impact on heritage building maintenance throughout Western Australia following the closure of the business supplying she-oak shingles?
- (4) How will the government ensure the longevity and quality of materials used in public restoration projects of heritage buildings, especially in light of the challenges faced with the jarrah shingles currently used?

Hon SUE ELLERY replied:

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

- (1)–(2) Government House advises that the shingles installed on the Government House security hut 12 months ago were she-oak, supplied by a small family business in Gidgegannup. The replacement jarrah shingles have been sourced through the same business and will be supplied, installed and sealed at no cost to Government House under warranty.

The jarrah is upcycled and sourced from local demolition sites around Perth and surrounding areas before being dried and machined. Like any external timber, these shingles will be resealed as part of a regular maintenance program to ensure longevity.

- (3)–(4) Government assets are maintained in accordance with the strategic asset management framework.

DOMESTIC VIOLENCE ORDERS — BREACHES

1318. Hon SOPHIA MOERMOND to the minister representing the Minister for Police:

I refer to my question without notice 568 from 28 May 2024.

- (1) How many breaches of family violence restraining orders have there been in 2024 to date?
- (2) How many breaches of police orders have there been in 2024 to date?

Hon STEPHEN DAWSON replied:

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

The Western Australia Police Force advises the following.

- (1) As at 24 October 2024, 9 699 have been reported.
- (2) As at 24 October 2024, 3 640 have been reported.

FLAT ROCKS WIND FARM — STAGE 2

1319. Hon Dr BRAD PETTITT to the parliamentary secretary representing the Minister for Water:

I refer to Flat Rocks wind farm stage 2.

- (1) What is the status of Flat Rocks wind farm stage 2?
- (2) What is the expected cost of Flat Rocks wind farm stage 2?
- (3) What is the expected cost per megawatt?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. On behalf of the Parliamentary Secretary to the Minister for Water, I provide the following response from the Minister for Water.

- (1)–(3) The Water Corporation is progressing Flat Rocks wind farm stage 2 planning and development activities, which include establishing the levelised cost of energy and capital cost and undertaking community engagement alongside work to set out potential social and economic impacts.

YOUTH DETENTION — CELL CALLS — OPERATIONAL INSTRUMENTS

1320. Hon WILSON TUCKER to the minister representing the Minister for Corrective Services:

I refer to the Commissioner's Operating Policy and Procedures and operational instruments for youth detention centres and detainees, specifically Banksia Hill Detention Centre and unit 18.

- (1) What is the title of the operational instrument currently in effect at each of the centres that contains the instructions for responding to cell-call button activations?
- (2) Can the minister provide a copy of this document?
- (3) Is there a specified timeframe within which staff are to respond to a cell-call button activation; and, must all calls be physically answered?
- (4) If yes to (3), what are the requirements?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The Department of Justice advises the following.

- (1) It is the Commissioner's Operating Policy and Procedures 6.9, "Unit Management and Timetables".
- (2) No. This document is restricted to staff to maintain the safety, good order and security of the facility and is not available to the public.
- (3) Yes.
- (4) All cell calls are responded to in the first instance by a custodial officer. The cell-call system automatically diverts to the central control room if a cell call is not answered within a certain amount of time.

MEDICAL CANNABIS

1321. Hon Dr BRIAN WALKER to the parliamentary secretary representing the Minister for Industrial Relations:

I refer the minister to the largest study of its kind to date produced by the Philadelphia College of Osteopathic Medicine, which surveyed nearly 400 medicinal cannabis patients and concluded that respondents achieved a significantly better level of physical functioning after three months of treatment than those on other medications.

- (1) What is standing in the way of the state government legislating to ensure that companies continue to employ and, indeed, encourage the employment of those on medicinal cannabis?
- (2) Might the state, for example, follow the Californian model and legislate that urine and hair sample testing is no longer appropriate for medicinal cannabis patients within a work setting?
- (3) If no to (2), what impediments are there to such a legislative approach, or is it simply the case that the government lacks the will or focus to deliver them?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. On behalf of the Parliamentary Secretary to the Minister for Industrial Relations, I provide the following response from the Minister for Industrial Relations.

- (1)–(3) Under Western Australia’s work health and safety legislation, a person conducting a business or undertaking is responsible for determining their drug and alcohol policy based on the specific hazards associated with their workplace.

CORONAVIRUS — DATA UPDATES

1322. Hon BEN DAWKINS to the parliamentary secretary representing the Minister for Health:

I refer to the Covid-19 weekly statistics, also called the WA Covid-19 data update, published by the Department of Health for the calendar year 2022, which provided the weekly COVID-19 cases, hospitalisations and ICU snapshots.

- (1) Why have these weekly reports been removed from the Department of Health website?
- (2) Is the raw data on which these reports were based available; and, if so, where might they be accessed?
- (3) Noting that the WA Covid-19 data update at the time grouped together statistics for “not vaccinated” and “unknown vaccination status”, why was there no separate category for “unknown vaccination status”; and has the department since determined the statistics for “not vaccinated”?

Hon PIERRE YANG replied:

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

- (1)–(2) The WA Covid-19 data can now be found in the weekly Virus Watch report. This information includes retrospective reports, thus real-time data is not reliable.
- (3) WA Health’s reporting of vaccination status is based on the commonwealth’s Medicare data.

PICKERING BROOK — PROJECT TASKFORCE

1323. Hon MARTIN ALDRIDGE to the minister representing the Minister for Planning:

I refer to the proposed expansion of the Pickering Brook town site.

- (1) How many times has the project taskforce met since it was created?
- (2) Providing dates of meetings, has the taskforce met since the minister took on the planning portfolio?
- (3) Has the taskforce accepted the recommendations of the working group?
- (4) Has the Western Australian Planning Commission initiated consideration of the amendment to the metropolitan region scheme to expand the Pickering Brook town site?
- (5) If yes to (4), when did this commence?

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 Planning.

- (1)–(2) The taskforce has met four times—in September 2020, February 2022, November 2023 and April 2024.
- (3) Part 1 of the strategy relating to the Pickering Brook town site expansion was completed and released in 2020.
- (4)–(5) The metropolitan region scheme amendment is a separate process considered by the independent Western Australian Planning Commission.

FLUORIDE LEVELS

1324. Hon NICK GOIRAN to the parliamentary secretary representing the Minister for Health:

I refer to the concentration levels of fluoride added to the public water supply pursuant to the Fluoridation of Public Water Supplies Act 1966 and the Department of Health’s website, which advises that the current optimum levels of fluoride in drinking water is between 0.7 to 0.9 milligrams per litre.

- (1) Is the minister or the director general aware of the decision in the United States District Court on 24 September 2024 that found that water fluoridation at 0.7 milligrams per litre poses an unreasonable risk of injury to health?
- (2) Will the department review the advice it currently provides on its website?

- (3) If no to (2), will the minister table the most recent advice received supporting the continuation of the advice currently provided on the department's website?

Hon PIERRE YANG replied:

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

- (1) Yes.
- (2) The Department of Health continually reviews information provided to the public on its website.
- (3) The Department of Health continues to rely upon the advice provided by the National Health and Medical Research Council, Australia's peak health advisory body.

PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT — RELOCATION

1325. Hon STEVE MARTIN to the Minister for Agriculture and Food:

I refer to the Department of Primary Industries and Regional Development's relocation from South Perth.

- (1) What is the current status of the relocation plans?
- (2) How many staff are working at the Claremont Showground leased site?
- (3) How many workstations have been set up at the Claremont Showground site?
- (4) What is the monthly cost of leasing the Claremont Showground site/sites?
- (5) How many staff are working from home?
- (6) How many FTE staff have resigned from their positions at DPIRD within the last 12 months?
- (7) How many FTE staff are currently employed by DPIRD?

Hon JACKIE JARVIS replied:

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

- (1) Relocation plans are ongoing and planning is well advanced for securing longer term new locations for the operations of the Department of Primary Industries and Regional Development.
- (2) Presently, 139 staff are working from Claremont Showground. Of those, 10 are DPIRD employees and the remainder are temporary hire and working on the nationally funded polyphagous shot-hole borer response.
- (3) Twenty workstations have been set up for PSHB specimen inspection and processing.
- (4) Lease terms and costs are commercial-in-confidence.
- (5) As of the week ending 18 October 2024, 52 staff were working from home as a result of the restrictions to the South Perth site. This number fluctuates on a weekly basis depending on field work commitments. Many staff alternate between working from home and another location or DPIRD site.
- (6)–(7) A response to this question is not possible in the required timeframe. A response will be provided at the next sitting day of Parliament.

Honourable member, I note that I am not the lead minister for DPIRD, but I will endeavour to answer the question with the number of FTE across all the functions of DPIRD.

BUNBURY REGIONAL PRISON AND ROEBOURNE REGIONAL PRISON —
SELF-HARM AND SUICIDE ATTEMPTS

1326. Hon PETER COLLIER to the minister representing the Minister for Corrective Services:

- (1) How many prisoners attempted self-harm or suicide at Bunbury Regional Prison in 2022, 2023 and 2024 to date?
- (2) How many prisoners attempted self-harm or suicide at Roebourne Regional Prison in 2022, 2023 and 2024 to date?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. This information is current as of yesterday's date because it was asked yesterday.

The Department of Justice has provided a table for the answers to (1) and (2). It lists the daily prisoner population over those years and the attempts.

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

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

The Department of Justice advise:

- (1) Table 1. Bunbury Regional Prison Attempted Suicide and Self-Harm Instances between 1 January 2022 and 22 October 2024, by Type and Calendar Year.

	2022	2023	2024*
Bunbury Average Daily Prisoner Population	500	521	527
Attempted Suicide	0	1	1
Self-Harm – Serious	0	0	0
Self-Harm – Minor	8	12	12

* Incomplete Calendar Year.

- (2) Table 2. Roebourne Regional Prison Attempted Suicide and Self-Harm Instances between 1 January 2022 and 22 October 2024, by Type and Calendar Year.

	2022	2023	2024*
Roebourne Average Daily Population	194	210	204
Attempted Suicide	0	0	1
Self-Harm – Serious	0	0	1
Self-Harm – Minor	2	8	11

* Incomplete Calendar Year.

MEMBER FOR WARREN–BLACKWOOD

1327. Hon TJORN SIBMA to the Leader of the House representing the Premier:

I refer to the comments made by the member for Warren–Blackwood in an interview with Joe Spagnolo published in *The Sunday Times* on 20 October.

- (1) Did the member advise the Premier of her ministerial ambition prior to the interview?
- (2) Did Mr Spagnolo’s assertion that Hon Rita Saffioti has already made a claim on the sport and recreation portfolio and that other applicants need not be considered take the Premier by surprise?
- (3) Will Hon Rita Saffioti take that portfolio in the event the Labor government is re-elected?
- (4) Is the Premier aware that the member for Warren–Blackwood will accept the community services portfolio as a consolation prize for missing out on sport and recreation?
- (5) Will the Premier appoint the member to that portfolio in the event that his government is re-elected?

Hon SUE ELLERY replied:

I have been here nearly 24 years and just when I think I have not got things to learn about the opposition I realise: yes, I do! They are prepared to waste a question.

- (1)–(5) The Cook Labor government is focused on governing in the interests of all Western Australians, and highlighting the risks an inexperienced Liberal Party poses to WA’s future. Hypothetical future cabinet decisions are not being considered.

DOMESTIC GAS POLICY

1328. Hon Dr STEVE THOMAS to the minister representing the Minister for State and Industry Development, Jobs and Trade:

I refer to the Cook government’s changes to its onshore gas policy, allowing 20 per cent of the reserve to be delivered to the more lucrative international liquefied natural gas market until 2030.

- (1) How much gas, in petajoules, is expected to be diverted from the domestic to the international market under this policy each year until 2030?
- (2) What modelling has been done to determine how much gas will be diverted to the international marketplace; and will the minister please provide that modelling?
- (3) How will the government ensure that the relatively cheap price of gas for WA consumers and industry will not be adversely impacted by the policy through competition with the international price, and what safeguards will the government apply?
- (4) What commitment will the minister provide to WA consumers that this provision of 20 per cent of onshore gas availability to the international market will not be extended beyond 2030?

Hon STEPHEN DAWSON replied:

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

It is a long question, so it presents a long answer.

Hon Dr Steve Thomas: You can just table it if you want.

Hon STEPHEN DAWSON: I can do that. I seek leave to table the answer.

[See paper [3749](#).]

MALLEEFOWL — NATIONAL RECOVERY PLAN

1329. Hon NEIL THOMSON to the Leader of the House representing the Minister for Mines and Petroleum:

This is a question that the Premier was unable to answer yesterday.

Is the government aware of concerns that the recent changes to the *National recovery plan for the malleefowl* and the requirement not to undertake any ground disturbance during breeding season, September to March, could impact on mining operations across the goldfields?

Hon SUE ELLERY replied:

Honourable member, it does not appear that we have it, but if it comes in before the end of question time, it will be provided.

FORESTRY — HARDWOOD

1330. Hon LOUISE KINGSTON to the Minister for Forestry:

I refer to question without notice 1288 and the minister's response that there is a thriving hardwood industry in WA operated by the private sector.

- (1) Could the minister please provide information on the amount of sawlogs being provided by the private sector?
- (2) How is this being managed by the Forestry Products Commission?

Hon JACKIE JARVIS replied:

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

- (1)–(2) The Forest Products Commission has no role in private native forest sales and does not have figures on private industry production.

LITTLE QUOKKA'S BIG BIRTHDAY WEEKEND

1331. Hon SOPHIA MOERMOND to the minister representing the Minister for Tourism:

I refer to the media statement published on 11 September 2024 titled "Free travel for kids to Rottnest Island this weekend".

- (1) How many registrations were received to take advantage of this offer?
- (2) Did the minister deem the Little Quokka's Big Birthday Weekend event a success?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) The Little Quokka's Big Birthday Weekend was a great success. There were 422 children aged between four and 12 who travelled free to Rottnest Island, which is more than three times the average for a weekend in September.

GUILDFORD ROAD AND EAST PARADE — TREE REMOVAL

1332. Hon Dr BRAD PETTITT to the minister representing the Minister for Lands:

I refer to yesterday's question without notice 1262 and the statement that "several reports were commissioned, including an arborist's report".

- (1) In the interests of transparency and significant community concern about the decisions that led to this outcome, will the minister table copies of all reports that were commissioned for this site?
- (2) If no to (1), why not?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. This response is provided by the Minister for Lands.

- (1)–(2) I am advised the Department of Planning, Lands and Heritage is currently engaging with third party consultants regarding the release of the reports.

KIMBERLEY COMMUNITY ALCOHOL AND DRUG SERVICES

1333. Hon WILSON TUCKER to the minister representing the Minister for Racing and Gaming:

I refer to the concerns raised by local community leaders and health organisations about the lack of adequate alcohol and drug support services in the Kimberley to address harm prevention arising from alcohol bans.

- (1) What evidence did the government use to justify the restrictions without delivering additional support services such as detox and rehabilitation programs?
- (2) What steps are being taken to address the concerns raised about potential negative consequences like increased violence, family strain and overcrowding?
- (3) Will the government commit to increasing funding for AOD services in the Kimberley, including called-for therapeutic support for detox and rehabilitation to reduce harm and address community needs?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The Department of Local Government, Sport and Cultural Industries advises the following.

- (1)–(3) The decision to apply liquor restrictions in the Kimberley region was an independent decision by the Director of Liquor Licensing under the provisions of the Liquor Control Act 1988. The independent decision was informed by stakeholder consultation, written submissions and other evidence obtained from key Kimberley stakeholders. This included Aboriginal organisations, local governments, health and social service providers and other government agencies that play a role in minimising alcohol-related harm in the community.

MEDICAL CANNABIS — LEGALISATION

1334. Hon Dr BRIAN WALKER to the minister representing the representing the Treasurer:

I thank the Treasurer for her concise response to my question without notice 1292 of yesterday, highlighting as it did the fact that her department has, for 12 months or more, opted not to assess the validity or otherwise of the economic report that I tabled last year. Although I am grateful for the trust that shows in my own working, I feel forced to ask the following.

- (1) What research or advice has the government undertaken or received to lead it to the current policy position that the minister reiterated yesterday on cannabis legalisation?
- (2) If the answer to (1) is none, then are we to conclude that we are dealing with the governmental equivalent of a truculent child who will not eat his or her greens for no better reason than that they are convinced ahead of time that they will not like the taste?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. This answer has been provided by the Treasurer.

- (1)–(2) To be clear, the Treasurer's office had not received a copy of the honourable member's report before being provided a hyperlink reference in his question yesterday. If an honourable member wishes to bring something to the specific attention of a minister, they should consider sending it to them.

YANCHEP RAIL EXTENSION — UNEXPLODED ORDNANCE

1335. Hon BEN DAWKINS to the parliamentary secretary representing the Minister for Industrial Relations:

I refer to question without notice 1307 regarding work health and safety in the development of the Metronet line to the Yanchep rail station site, with specific reference to the answer provided to part (3) of that question.

- (1) What specific safe work procedures relating to the potential for unexploded ordnance—UXOs—were developed by or in conjunction with WorkSafe; and, are these procedures publicly available?
- (2) How has WorkSafe monitored the implementation of safe work procedures relating to the potential for UXOs on the Metronet construction site?
- (3) Is WorkSafe satisfied that all inductions of contractors working on the project include appropriate work safety and health considerations around the potential for UXO contamination?

Hon JACKIE JARVIS replied:

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

- (1)–(3) In accordance with the definition of the Work Health and Safety Act 2020, the person conducting a business or undertaking—PCBU—is responsible for the development of safe work procedures. WorkSafe has

confirmed that an unexploded ordnance site survey was undertaken by the PCBU before development activities occurred. No items of UXO or explosive ordnance were located during the conduct of the UXO assessment survey. As part of its assessment program, WorkSafe inspectors check compliance with requirements for site-specific risk management.

WOOROLOO BUSHFIRE

1336. Hon MARTIN ALDRIDGE to the Minister for Emergency Services:

I refer to the only independent inquiry commissioned by the state government in more than seven and a half years in relation to the Wooroloo bushfire.

- (1) Noting that the last update on the government response was some 10 months ago, and noting the commencement of the high threat period shortly, when will the next update be published?
- (2) According to the February 2024 update, only two of the 13 recommendations had been completed at that time; noting that it has been almost four years since the Wooroloo bushfire, how many recommendations have now been completed?
- (3) With reference to recommendation 1 to establish a dedicated Perth hills incident management facility, on what date was the options analysis received by the state government from the Department of Fire and Emergency Services?
- (4) When will the state government make a decision on a Perth hills-based incident management facility?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The Department of Fire and Emergency Services advises the following.

- (1)–(2) The update on the government response to the Wooroloo review will be released upon completion of all 13 recommendations. DFES anticipates that this work will be completed by the end of the year.
- (3)–(4) DFES continues to develop a range of incident control centre options, both fixed and mobile, that will enhance Western Australia's emergency response and management capabilities.

OMBUDSMAN — CORRUPTION AND CRIME COMMISSION INQUIRY — PARLIAMENTARY OVERSIGHT

1337. Hon NICK GOIRAN to the parliamentary secretary representing the Attorney General:

I refer to the recent finding of serious misconduct against the now former state Ombudsman Mr Chris Field and the Corruption and Crime Commission's recommendations that a joint standing committee be established and that the role of the Parliamentary Inspector of the Corruption and Crime Commission be expanded to provide oversight of the Ombudsman.

- (1) Has the Attorney General drawn to the attention of Commissioner McKechnie that a function of the Standing Committee on Public Administration is to consult regularly with the Ombudsman?
- (2) Has the Attorney General consulted with the parliamentary inspector for his views on the curious recommendation to expand his functions?
- (3) Does the Attorney General recall expanding the functions of the Ombudsman in his term as Attorney General?
- (4) Is the Attorney General considering reassigning some of those functions to the Auditor General, the Commissioner for Children and Young People or the Corruption and Crime Commission?
- (5) If no to any of the above, why not?

Hon JACKIE JARVIS replied:

I thank the honourable member for some notice of the question. I answer on behalf of the parliamentary secretary, and the response has been provided by the Attorney General.

- (1)–(5) I refer the member to the statement made in the Legislative Assembly by the Premier on Tuesday, 15 October 2024. The Premier has requested that the Department of the Premier and Cabinet review relevant policies and further strengthen the oversight and accountability of independent officers, including the Ombudsman. The work undertaken will also consider the recommendations put forward by the Corruption and Crime Commission.

HOUSING — SUPPLY

1338. Hon STEVE MARTIN to the minister representing the Minister for Housing:

I refer to government housing programs.

- (1) What are the current total stock figures for —
 - (a) social homes;

- (b) community homes;
 - (c) public homes; and
 - (d) Government Regional Officers' Housing homes?
- (2) How many crisis accommodation facilities are there in WA?
- (3) In reference to (2), how many beds does it represent?

Hon JACKIE JARVIS replied:

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

- (1) (a) Social housing refers to both community housing and public housing;
 - (b) a total of 7 430;
 - (c) 37 161; and
 - (d) 5 383.
- (2)–(3) The Department of Communities funds 99 supported accommodation services that cater for a range of complex cohorts. There are multiple types of accommodation typologies and models of service delivery, including respite, 24/7 supported accommodation and in-reach support, reflecting the complexity of the cohorts and the requirement for flexibility in delivery.

PRISONS — MUSTER PROJECTION

1339. Hon PETER COLLIER to the minister representing the Minister for Corrective Services:

- (1) When was the last muster projection completed for WA prisons?
- (2) What was the projected muster referred to in (1)?

Hon STEPHEN DAWSON replied:

I thank the Leader of the Opposition for some notice of the question. The Department of Justice advise the following.

- (1) The Treasury WA prisoner model—WAPM—forecast was completed in July 2024.
- (2) The projected prisoner population forecast according to Department of Treasury using WAPM as of 30 June 2025 is 6 974 males and 826 females—a total of 7 800.

MALLEEFOWL — NATIONAL RECOVERY PLAN

Question without Notice 1329 — Answer

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.02 pm]: I have an answer to a question asked by Hon Neil Thomson to me representing the Minister for Mines and Petroleum.

The state government is not aware of any concerns in relation to the national malleefowl recovery plan that could impact mining operations across the goldfields. The Department of Energy, Mines, Industry Regulation and Safety routinely managed impacts to malleefowl through assessment and regulatory processes.

OFFICE OF MULTICULTURAL INTERESTS — COMMUNITY GRANTS PROGRAM

Question without Notice 1298 — Answer

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.03 pm]: I provide an answer to Hon Tjorn Sibma's question without notice 1298 asked yesterday, which I table.

[See paper [3750](#).]

EMERGENCY SERVICES ACT — REVIEW

Question without Notice 1308 — Answer

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.03 pm]: I provide an answer to Hon Martin Aldridge's question without notice 1308 asked yesterday, which I seek leave to have incorporated into *Hansard*.

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

- (1)–(4) The Cook Labor Government remains committed to the Consolidated Emergency Services Act and releasing an Exposure Draft Bill once drafting is complete. The Department of Fire and Emergency Services has 5 FTE allocated to the project. Recruitment for all positions has concluded.

RETIREMENT VILLAGES AMENDMENT BILL 2024*Committee*

Resumed from an earlier stage of the sitting. The Deputy Chair of Committees (Hon Steve Martin) in the chair; Hon Sue Ellery, (Minister for Commerce) in charge of the bill.

Clause 1: Short title —

Committee was interrupted after the clause had been partly considered.

Hon NEIL THOMSON: When we were interrupted, we were talking about complaints. The minister mentioned that her department gets many phone calls every day. I want to go back to the answer that the minister gave Hon Steve Martin on the outcome. A category was determined not to be in the scope of the Consumer Protection division. The number of complaints that were determined for those years from 2020 to 2023 were five, eight, five and five. Is the minister saying that even with the complaints that are out of scope, more complaints will be addressed by this legislation? Can the minister give me an idea of the number of complaints that are likely to be addressed by this legislation?

Hon SUE ELLERY: I am not able to give the member a number. In addition to communication with Consumer Protection, the Western Australian Retirement Villages Residents Association is often the first point of contact for residents impacted by delays. That association has about 6 000 members and it provides advice to not just those members, but others as well. When they seek advice from WARVRA, they are told that Consumer Protection cannot generally assist with those problems because there is no breach of the legislation. They cannot provide me with specific numbers either. I am not able to take this any further in terms of giving the member an indication of numbers. The member can make his own judgement about WARVRA's position and what I have told him about Consumer Protection. I am satisfied that in all the conversations I have had with retirement village residents over the years, not just while I have held this portfolio but previously as well, this is a regular and common problem and the methods set out in the bill will go a significant way to addressing it.

Hon NEIL THOMSON: For those watching—I am thinking of the association—I thank the minister for providing the number of members of WARVRA. I note the total number of persons currently residing in retirement villages is 25 500. Noting that there were 283 responses, I am not saying that there is legitimacy for the measures put in this bill. With the complaints around the payment of exit entitlements when a strata unit is involved, we have to put that 12-month limit in place. Does the agency have any idea of the number of times this issue occurs and the extent to which it will be resolved with the passage of this legislation?

Hon SUE ELLERY: I think I am providing this answer now for the fourth time, chair. I have no further information on numbers or extent, other than to tell the member that the agency advising me in good faith, WARVRA in representing its members, and my own dealings with residents of retirement villages indicates that this problem is real. This is about the period within which they can reasonably expect to get their money returned to them. A good compromise position has been reached and I would encourage the honourable member to support it.

Hon NEIL THOMSON: It is interesting that the responsible minister is not able to give me any real detail about this. Fortunately, the Western Australian Treasury Corporation did an analysis of the issue of exit entitlements. There is some modelling, and I hope I am reading this correctly. I refer to page 24 of the report, where it outlines the exit entitlement periods and the cash flow impacts. I am sure the minister is very familiar with this report, which goes to the heart of the issue that we are asking about. As I said, the Liberal Party is not here to oppose this bill. In fact, we are taking a position of not opposing it.

Hon Sue Ellery: Will you support it?

Hon NEIL THOMSON: We are not opposing it.

Hon Sue Ellery: Will you support it?

Hon NEIL THOMSON: I am here to ask the minister questions.

Hon Sue Ellery: I am just trying to understand your position.

The DEPUTY CHAIR (Hon Steve Martin): Members, please refer your remarks through the chair.

Hon NEIL THOMSON: Thank you, deputy chair. I can understand the stress that the minister is under in relation to this issue.

I refer to table 18 in the *Analysis of potential financial impacts on retirement village operators of proposed Western Australian retirement villages legislation reform*, which provides a breakdown of the cash flow impacts for micro, small, medium and large operators in Western Australia. The table refers to the MEEP period, which I assume is the maximum exit entitlement period. The impact of a MEEP period of 12 months would be \$140 million, from what I can gather—these tables are not the easiest to read. The table contains a range of numbers. I am sure there is an annotation about the tables somewhere in the detail. Rather than me trying to tell the minister what is in the government's report, how much did Treasury Corporation estimate would be the total impact on the industry if a 12-month exit entitlement period were put in place?

Hon SUE ELLERY: Consultation on the exit entitlement reforms included the Consumer Protection division engaging the Western Australian Treasury Corporation to report on the impact on operators of mandatory exit entitlement payments—that is what MEEP stands for. The report found that contractual arrangements are already in place in 35 per cent of villages to pay exit entitlements within 12 months. Although operators are not currently required to make payments within 12 months, MEEP requirements represent an issue about the timing of cash flow rather than cost. As these requirements will change the time in which payment must be made, there will be no additional cost over the longer term. Exit entitlements are not, of themselves, new. The new bit that will be introduced by the bill before us will be the time within which they will need to be repaid. The total cash flow impact on operators of the introduction of a requirement for exit entitlements to be paid within 12 months was estimated at \$140.2 million, as the honourable member pointed out. It was estimated that in order to fund the MEEP requirement, an operator will, on average, require a cash fund of \$6 700 per unit from the day on which the obligations commence.

Modelling of one way in which the cash flow impact of the requirement could be addressed by increasing exit entitlements for new contracts and allocating the additional amount to a MEEP reserve fund concluded that it would take an average of 2.8 years for an operator using this method to accumulate sufficient cash reserves. The modelling of increasing exit entitlements is only one option. Other alternative methods of funding include borrowing or accessing funds that would otherwise be used for investment, development or redistribution to shareholders. No additional impact was anticipated on not-for-profit providers. In fact, the initial cash requirement by operator type was estimated at \$3 700 per unit for not-for-profit as opposed to \$10 600 in the case of for-profits.

No significant difference in the impact was anticipated for regional operators as opposed to metropolitan operators, although it was noted that averages may disguise regional variations in remote areas as opposed to coastal locations that are popular retirement centres. There are statistically significant differences between the predicted impacts on small as opposed to large operators. The initial cash requirement was estimated at \$18 200 per unit for small operators in comparison with \$4 500 per unit for large operators.

Hon NEIL THOMSON: In part of that, I was concerned that we were going to go down some sort of economic illiteracy path, but I think there was a bit more detail in the response that provided a useful background. There is \$140 million in table 18. There was a figure earlier in that cash flow impact report and the introduction of MEEP legislation that comes up with a \$575 million number, which is much higher —

Hon Sue Ellery: Where are you looking at the \$575 million, member?

Hon NEIL THOMSON: It is on page 6 of that same report. It is the estimated retirement village units in Western Australia times the average RV vacancy rate times the average net exit entitlement. I do not want to burden the minister because I understand that there has been a bit of that going on today. From what I am hearing, I would say that some operators already have those exit entitlement arrangements in place that will effectively be regulated through this process. The minister talked about there being no impact on the not-for-profit sector, and I hope that is the case.

Notwithstanding all of that and whatever the figure is for the additional amount—I suspect it might be the \$140 million—someone will have to pay for this. How will the operators raise that additional funding? I suppose this is where economic literacy comes in. Money paid early is money that has to be serviced. The minister cannot just say that it has no cost. If they do not have to pay it early, there will be an issue. Someone has to pay for it. I assume, ultimately, that additional costs will be paid for by the residents of existing retirement villages. Is that correct?

Hon SUE ELLERY: It will depend entirely on the business model that they choose to adopt. I noted that some 35 per cent of retirement village operators already apply this in their contracts. The sky did not fall down on them. The world did not end for them. It will depend entirely on what method they choose to manage their cash flow. That could be in a range of ways.

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

CHINA — TRADE

Statement

HON DARREN WEST (Agricultural — Parliamentary Secretary) [5.19 pm]: I know that it is Thursday afternoon, and we all want to get back to our homes and families, but I have some news that is so good, I just had to share it with members of the Legislative Council today and make a couple of points. We recently had the Prime Minister in Geraldton to announce the lifting of the ban of rock lobster from Western Australia—the finest rock lobster in the world—into China. He was accompanied by the candidate for Durack, the fabulous Karen Wheatland, who is a Geraldton local from a fishing family in the Geraldton area. I know that the crayfishing community will be overjoyed by this great achievement by the Albanese government, the Prime Minister and the Minister for Trade and Tourism, Hon Don Farrell. I thank them so much for their work in this area, because it is such an important industry for the agricultural region and particularly for the Geraldton community.

Members may not realise this, but the rock lobster industry into China was worth and will again become worth around \$700 million a year. This industry was closed by the ham-fisted diplomatic attempts of the Morrison government, which completely trashed our trading relationship with China, our largest trading partner. This \$700 million trade

was lost. I know that, as a state government, we have not always seen eye to eye with the crayfishing industry, but we are certainly in lockstep with the industry in the devastation that this lapse in trade has caused, and the joy and acknowledgement of the hard work of the federal government to get this trade reopened again. That is a \$700 million boost to the Western Australian economy, particularly in the Agricultural Region. This is on top of the reopening of the beef market to China, which was trashed by the Morrison coalition government, which is worth \$2.3 billion to the Australian economy, and the wine market to China, which was trashed by the Morrison coalition, which is also worth about \$2.4 billion. Both of those markets have been reopened by the Albanese government. The export of barley to China is also heavily supported by the Agricultural Region, which I represent. That market is also worth about \$2.3 billion. I will help the opposition out, because we know they are not very good with numbers, but the good work of the federal Albanese Labor government has resulted in roughly \$7.5 billion—that is billion with a “B”—worth of agricultural trade resumed to our good friends and trading partners in China. That was trashed by the Morrison government. There is also a hay export trade to China of \$78 million that was trashed by the Morrison government.

I bring up the hay trade because a lot of that also comes from the Agricultural Region, but even the smallest of those trades is still of greater value to the Australian economy than the live sheep export trade. Has anybody heard anything from the rural media or the Keep the Sheep campaigners, those great advocates of agriculture, about the rock lobster, barley, wine, beef or hay trade to China? Of course, there is not a word, because those trades were closed down by coalition governments. There was not a word. I reiterate that this is not a campaign about sheep; this is a campaign about politics. That is all it is. Even though I have spoonfed the facts to members of the opposition and the crossbench and to the rural media, we are still in this disinformation campaign that has been peddled by the Keep the Sheep campaigners. It is absolute nonsense. We are in a good place. I point out the benefit to agriculture with the opening of these important markets, and I point out that the federal government has committed to now a total of \$137 million to help transition a \$69 million trade. I just point that out. There was no transition for any of these other industries closed by the coalition government. I have spoonfed the rural media and the opposition the facts and then I have been called someone who does not support the sheep industry, even though I am the only person in this Parliament affected by this decision. That is nonsense. Just because someone believes that a trade can be transitioned to process here locally in Western Australia by Western Australian workers does not make them not supportive of the sheep industry. That is absolute garbage. I acknowledge all our local processors who are working hard to make sure this transition can work.

This is a good day. This has been a good week for agriculture in Western Australia. A \$700 million trade resumed with our trading partners and good friends in China. That is \$7.5 billion of trade through agriculture that the Labor federal government has got back underway. It can never be said that a Labor MP is an enemy of agriculture. In fact, the opposite is true. Just look at our record in re-establishing these markets. Just look at our record in supporting industries that are transforming, like forestry, and just look at our record in supporting local regional communities. We were formed in the regions, we are of the regions and we are proud to be regional.

VACCINES — PREMIER'S COMMENTS

Statement

HON BEN DAWKINS (South West) [5.25 pm]: I want to talk tonight about some seriously stupid things that the Premier, Hon Roger Cook, has been saying lately—totally idiotic. Hon Roger Cook has become desperate and irrational, as he seeks to avoid scrutiny of his role as Minister for Health during the COVID years. I turn to the specific thing that Hon Roger Cook has done recently. Effectively, there was a very unhinged response drawn out of the Premier in relation to this international scientific, medical and legal debate about the possibility of DNA contamination in the mRNA vaccines. This is something emerging worldwide and is a legitimate scientific debate. Roger Cook's dad is, or was, a doctor—I am not sure whether he is still with us—and my dad is a doctor. Hon Roger Cook should know enough to get the hell out of the way and let the scientific debate play out. It is totally inappropriate for the Premier to shut down a legitimate scientific, legal and medical debate.

Instead of allowing open public scientific discourse, as is appropriate in a free society, Hon Roger Cook has dismissed the concerns of Port Hedland residents and others as a silly ideological debate. That in itself should render the Premier unfit to be re-elected, or even to run for re-election as Premier. It really an incredibly stupid thing to say about the concerns of citizens. People who used to be members of the Liberal Party are saying exactly the same thing. There is nothing wrong with raising concerns about these vaccines and the potential for DNA contamination in them. We might ask why the Premier would be so idiotic and dismissive of concerned electors and community members. It is because he is defensive, evasive and desperately trying to avoid scrutiny of his role as health minister during the COVID years. There are many things that Hon Roger Cook needs to be accountable for and refuses to be. We have discussed at length the harmful vaccine mandates and the effect they had on good, honest, experienced and valuable workers such as the 13 police officers who were sacked only, what was it, two months ago.

The council in Port Hedland asked the government for open scientific discourse. For those who are grumbling and battling to understand, we are essentially talking about open scientific discourse, and that is what one of the Port Hedland councillors specifically asked for. He is a mechanic and he accepts that he does not necessarily know the science, but he knows enough to know that this needs to be investigated. He invited the Cook government to

investigate these concerns and dismiss them if necessary. These are not people who have already formed a fixed view on the science. The science is evolving. Only Hon Roger Cook is ignorant enough to dismiss it and say that there is nothing to see here. He is doing that because he is trying to avoid accountability.

As a COVID-era Minister for Health, Hon Roger Cook essentially has a conflict of interest. He is one of the only ones left, yet he has the audacity to think that he can run for Premier at the next election without being accountable and without being transparent about the actions that he took as health minister during the COVID pandemic. Only one other person is attempting to do that, and that is Steven Miles in Queensland, and he is going to lose as well.

I ask Hon Roger Cook to launch an independent inquiry into the potential for DNA contamination in the mRNA vaccines. He should stand aside. If he cannot launch an independent inquiry, as the mechanic in Port Hedland asked for, and go to the next election on the basis of being open and transparent and open to scrutiny during the COVID years, Hon Roger Cook should resign. I would argue that in the present circumstances, Hon Roger Cook is unfit to run for Premier because he is avoiding this scrutiny. Hon Roger Cook will not even accept the accepted harms of vaccines. There is nothing controversial about this at all. The federal government compensation scheme for vaccine injuries has paid out \$33 million. Last week, I asked Hon Roger Cook to acknowledge that, but he would not. Hon Roger Cook is so scared and evasive that it is becoming ridiculous.

I think that Hon Roger Cook is capable of empathy and compassion. I know that he is a decent man, but, at the moment, because of his self-interest and self-preservation, he is actively avoiding that scrutiny. It is totally unacceptable to shut people down and say that their concerns are just a silly ideological debate. Outrageously, he has also asked one of these councillors, or concerned citizens you might say, to resign. It is totally unacceptable.

Several members interjected.

Hon BEN DAWKINS: If the peanut gallery wants to listen, we are talking about the science —

Withdrawal of Remark

Hon JACKIE JARVIS: There have been a number of times that I could have called a point of order, but I am loath to call a point of order on this particular member because I think he enjoys the attention. However, the term “peanut gallery” is a recognised racist term. I find it offensive and I would ask —

Hon Ben Dawkins: I don’t think so—racist?

The PRESIDENT: Order!

Hon JACKIE JARVIS: The term “peanut gallery” has racist connotations. It is widely accepted, and I would ask that the honourable member withdraw that comment.

The PRESIDENT: Honourable member, the minister has raised a point of order. I understand the phrase “peanut gallery” is actually recognised as a significantly racist term, but, as much as anything, it comes down to context. I will request that you withdraw that term because that is our practice. Whether or not I consider it unparliamentary, whenever a member requests that a word or term be withdrawn because it has caused offence, it is our practice to invite the member to withdraw it. I therefore invite you to withdraw those words.

Hon BEN DAWKINS: Absolutely. I withdraw that term. I had no idea there was any such connotation and I apologise for any offence I may have caused to the Minister for Agriculture and Food and others.

Statement Resumed

Hon BEN DAWKINS: The science, if the government members would like to listen or look it up themselves, is from a Canadian called “Dr Speaker” and also Dr John Campbell, who has summarised a lot of what “Dr Speaker” has come up with. Thirty-two vials of mRNA vaccine from Australia have been found by “Dr Speaker” to have DNA contamination. Based on that, the DNA enters the liquid nanoparticles. That means that the DNA enters the cell. The other enhancer, the SV40, means that the DNA enters the nucleus. By all means, look it up. There is the potential on this basis—I said potential—for these vaccines contaminated with DNA to be cancer causing. It is totally irresponsible for Hon Roger Cook to not investigate this, as I have called for him to do today. I can include the Minister for Health in that as well.

Hon Roger Cook needs to stop shutting down concerned people, launch an investigation into this issue, and if he does not, as I said, he needs to resign. In his present defensive and authoritarian state, he is not fit for re-election. The Premier is intent on self-preservation. He is not displaying the accountability and transparency that the people of WA deserve.

ENERGY-EFFICIENT HOMES

Statement

HON DR BRAD PETTITT (South Metropolitan) [5.37 pm]: At the end of non-government business today, it was such a good debate that I did not get a chance to give a response. I wanted to thank some local leaders in the

electrification space. I will quickly stand to do that now. I spoke today about the benefits of the electrification of households. Amazing local volunteers and groups have led the way on that. I highlight groups including Electrify the Valley, Electrify 6158, Electrify Bayswater, Electrify Curtin—the electorate, not the university—Electrify Fremantle and Electrify Melville. All those groups are providing really good leadership at the local level to drive change in those communities. I thank all of them for the amazing work they are doing to get the word out and show people that decarbonising our houses and making them cheaper to run and safer to be in can work and is not hard.

I will quickly respond to a couple of things raised during the debate earlier today. I will start with Hon Darren West. I will not go through everyone's contribution in detail. The point about Esperance was interesting. Hon Darren West made the point that people in Esperance could save around 38 per cent off their power bills, which is extraordinary. I thought that was a beautiful way of making the point that I was trying to make. I think it is great that the people of Esperance are saving 38 per cent off their power bills. Would it not be amazing if the rest of Western Australia could too? I think that was a matter of us coming together and agreeing. Hon Lorna Harper said that I should do more in this space. I think that was the phrase she used.

I make the point that it is easy to take a cheap shot at the end of a debate, but for the record, I have invited the minister to every one of the meetings I have had in this space, and to the minister's credit, he has come to them. The minister came to the first meeting of Climate Positive Perth, which was great. At several meetings after that, when he could not come, he sent his advisers. I want to be clear that I am walking the talk; I am working with local groups and standing up here as well. I will do everything I can in this space. I raise these issues today because I hope that more of us can do that.

Hon Stephen Pratt finished on a really good point. He said that we have had a lot of successes in this space and highlighted the fact that—I think these were his words—one in three of us have solar panels on our roof. That is a good point, but I would say to him that it is actually much better than that. According to the Climate Council, 44 per cent of Western Australians have solar panels on their roof, which is pretty good. The point is that we got there because of state government support. WA did a really interesting thing, and the Labor Party led the way, inadvertently. The Carpenter government put forward a feed-in tariff that was quite high—60¢ in the dollar, from memory.

Hon Peter Collier: No, that was me.

Hon Dr BRAD PETTITT: The member can correct me if he likes, but I understand that the promise was made by the Carpenter government, and then the Barnett government, including Minister Collier, matched it.

Hon Peter Collier: The Carpenter government didn't promise that.

Hon Dr BRAD PETTITT: We will go back and double-check that. It was matched, quite rightly, or initiated, by the Barnett government. The point is not who did it first; the point is that government put in a feed-in tariff that meant solar energy could happen. It actually made it work, and that was the fundamental point. We were not the only state that did it, but we have one of the highest percentages of solar energy take-up in the world—44 per cent. I think we are only just behind Queensland and South Australia, which is fantastic. That is a good news story, but we have to back the lessons we learnt from that around how it actually works.

I will not take any more time, other than to read a quote from two very good friends of mine, Roy Lewisson and Professor Peter Newman. They recently wrote an article about this, and I will quote a small bit of it as a nice place to finish. They said, according to my notes —

If renewable energy is the first taxi off the rank in the path to decarbonization, the second has to be electrification of households and transport.

Electrifying a household can be somewhat straight forward. Ensure your hot water supply is from a heat pump; your space heating and cooling is via an internal heat pump (aka reverse cycle air conditioner); and your cooking appliances are an electric oven and an induction cooktop. "Total electrification is inevitable!"

Thank you.

VACCINES — PREMIER'S COMMENTS

Statement

HON DR SALLY TALBOT (South West) [5.42 pm]: I am genuinely disappointed that Hon Ben Dawkins was not able to stay in this chamber after —

Several members interjected.

Hon Dr SALLY TALBOT: I know he has had to go on urgent parliamentary business.

The PRESIDENT: Order! It is considered that to reflect upon a member's presence or otherwise is in itself unparliamentary. Hon Dr Sally Talbot.

Hon Dr SALLY TALBOT: Thank you, President. I am not reflecting on the honourable member; I know he has had to leave the chamber on urgent parliamentary business. I am reflecting on my own disappointment that he was

not able to reorganise his schedule so that he could hear whether anybody wanted to respond to the disgraceful, fearmongering comments that he has just presented in this Parliament. It is actually unbelievable that a member of this Parliament thinks that they can use this place as a platform for spreading that kind of misinformation and completely unfounded allegations about a program that has saved millions of lives worldwide. The member is perfectly entitled to get up and have a go at the Premier. Anybody is entitled to do that. The Premier is a very experienced parliamentarian who is more than capable of defending himself. I will not stand here and defend the Premier, Roger Cook, because he does not need me to defend him; he can do it himself.

I want to remind honourable members that that man got up every single day for months and months during the COVID emergency and talked about what was happening that day. That would take it out of any normal human being. I do not know where Hon Roger Cook and Hon Mark McGowan as the Premier found the energy to do that but they did it and they did it because they have such a strong sense of public duty and an absolute obligation to fulfil their duties to the community.

I am astonished that Hon Ben Dawkins thinks that this place is a platform for him to come to and make those kinds of comments, many of which bordered on being unparliamentary and certainly, in my book, cross the offence line when he talked about the Premier like that. I know that we have conventions in this place but those conventions are being breached almost on a daily basis by that man and it needs to be called out when it happens. It is absolutely wrong that someone uses the power and privilege that they have been given to come into this place and use their platform in that way.

I did not want to spend much time on this because this is not the place to do it—I know it is a Thursday—but I want to correct the record. It has to be done because this is dangerous stuff. These are people who think that evidence comes from social media, from talkback callers or from what people say to them in the queue at the baker's. They think that is what constitutes scientific evidence. I have a diagram on the wall of my office here and at home that is called the pyramid of evidence. It says that if our evidence is coming from the widest part of the triangle, it is not evidence. If it is just what our neighbour told us, what we heard on talkback radio or what we read on TikTok in the morning, that is not evidence. It is not a comment on whether it is right or wrong, but we cannot cite it as evidence. That is what Hon Ben Dawkins is doing day after day. He comes into this place and deluges us with this drivel.

I want to put the record right tonight simply by referring to a statement put out by the Therapeutic Goods Administration on 18 October 2024, which was only a few days ago. It states —

The ... (TGA) is aware of misinformation in recent media and online reports that claim the COVID-19 mRNA vaccines are contaminated with excessive levels of DNA. This is not the case.

These reports are based on studies conducted by a small number of laboratories that have attempted to investigate the amount of DNA in COVID-19 vaccines.

While the TGA welcomes and constantly reviews the latest scientific evidence about the safety of vaccines and other biotechnology products, these recent studies fail to apply the required scientific rigor expected in pharmaceutical testing. As such, the results are not robust or reliable, and are creating confusion and concern regarding the safety of vaccines.

Many of our concerns are listed [below](#).

I do not have time to read the list of concerns. The statement continues —

The TGA reassures the public that all COVID-19 vaccines approved in Australia have been rigorously assessed and meet our high standards for safety, quality, and efficacy.

Vaccination against COVID-19 is one of the most effective ways to reduce the risk of death and severe illness from infection. The protective benefits of vaccination far outweigh the potential risks. This [statement from medicine regulators around the world](#) provides more information on the good safety profile of COVID-19 vaccines.

There is a link in the statement. It continues —

For more information on how we approve and regulate COVID-19 vaccines, see [COVID-19](#).

This statement represents the TGA's views on the scientific evidence as at 18 October 2024.

This is very dangerous stuff—for this member of Parliament to come in here and use his position, which people will perceive as being a voice of authority, and spread these kinds of dangerous lies and misinformation. This is not just upsetting for people; it is putting people's lives at risk and it has to stop.

House adjourned at 5.49 pm
