



# Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT  
FIRST SESSION  
2024

LEGISLATIVE COUNCIL

Wednesday, 8 May 2024



# Legislative Council

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

## COUNTRY WOMEN'S ASSOCIATION OF WESTERN AUSTRALIA — 100<sup>TH</sup> ANNIVERSARY

*Statement by Minister for Women's Interests*

**HON SUE ELLERY (South Metropolitan — Minister for Women's Interests)** [1.02 pm]: I rise today to advise the house of the Country Women's Association of Western Australia's 100<sup>th</sup> anniversary celebrations held last night at Parliament House. State president, Anne Gething; CEO, Trish Langdon; and CWA branch members from across the state came together with many of my parliamentary colleagues from across the political spectrum, including many from here, to acknowledge and celebrate 100 years of the CWA in Western Australia. It is what the CWA is all about—coming together and uniting women—so it was fitting that we came together in the spirit of bipartisanship to honor the many remarkable women of the CWA, and their contributions to Western Australia.

The CWA has been an essential part of regional and rural communities in Western Australia. Earlier this year—on International Women's Day—I had the pleasure of attending the CWA's launch of its book, *Women of spirit: A centenary of CWA stories*. The book is a collection of amazing stories from 100 CWA members who have made an extraordinary contribution to their community. In the words of Trish Langdon, many of the women featured in the book arrived in country towns as new brides with absolutely no network and the weekly CWA meetings were a lifeline to community and a starting point for their achievements. This is exactly the reason that the CWA has continued to thrive for 100 years. The CWA builds community and supports women in rural areas to achieve amazing things, and I have no doubt that it will continue to do so for another 100 years.

## WESTERN AUSTRALIAN JOBS ACT — REVIEW

*Statement by Minister Assisting the Minister for State and Industry Development, Jobs and Trade*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister Assisting the Minister for State and Industry Development, Jobs and Trade)** [1.03 pm]: I am delighted to stand before members today to discuss the Cook government's response to the recently completed independent review of the Western Australian Jobs Act 2017—the WA jobs act. Introduced in 2017, the WA jobs act aims to bolster local industry participation and ensure that state government procurement policies effectively support local businesses and employment. In 2018, we also initiated the Western Australian industry participation strategy—WAIPS—designed to increase the involvement of local small and medium-sized enterprises in government procurement. The independent review has positively assessed the impact of both the WA jobs act and WAIPS, describing the results as “significant outcomes”.

Since October 2018, these initiatives have achieved remarkable success. They have awarded 2 296 contracts valued at \$47.9 billion, with 88 percent of that value—approximately \$42.2 billion—remaining within Western Australia. They have supported 83 471 local jobs, with 21 442 of those in regional areas. They have also fostered the development of 6 440 apprentices and trainees, with 1 860 of those positions based in regional communities. On the back of these incredible numbers, the Cook government will retain the WA jobs act and WAIPS.

However, given the current dynamic and challenging economic climate, we recognise the need to adapt and evolve. Consequently, the forthcoming 2024 WAIPS will focus on encouraging local innovation, increasing the procurement of health and medical supplies from Western Australian businesses and harnessing local talent and innovation in digital technologies to tackle climate change challenges locally. This will lead to more specialised and market-specific procurement policies and processes. The Cook government is committed to continuing the strong legacy of the WA jobs act and WAIPS, fostering a robust local economy filled with opportunities for workers, apprentices, and small to medium-sized enterprises. As the Minister Assisting the Minister for State and Industry Development, Jobs and Trade, I am very excited to be delivering on these transformative and job-creating initiatives.

## PAPER TABLED

A paper was tabled and ordered to lie upon the table of the house.

## HOUSING — GOVERNMENT PERFORMANCE

*Motion*

**HON DR BRAD PETTITT (South Metropolitan)** [1.07 pm]: I move —

That this house —

- (a) acknowledges it is impossible to build our way out of a housing and renting crisis;
- (b) rejects repeated claims by the Minister for Housing that this government is pulling every lever at its disposal to mitigate the situation for the 700 000 Western Australians who rent; and

- (c) calls on the government to urgently implement more short and medium-term policy measures to tangibly improve the lives of renters now.

It is impossible for Western Australia to build its way out of the housing crisis that we have before us now. I know that Mr Carey wishes that he could. I think we have all seen the minister standing in front of a triplex every second day when he opens them. He can keep doing that from now until the next election and the election after that, but that alone will not solve one of the worst housing crises in living memory here in Western Australia.

At the heart of this motion is that the solution to this housing crisis needs to match the scale of the problem. To put it another way, if we are serious about solving this housing crisis, we need to do the maths. Let me start by outlining the scale of the problem. I assume members of the house know that rental vacancies are at a record low in the state. Over the last three months, there has been, on average, fewer than 2 000 dwellings available at any given time. The rental vacancy rate is hovering at around 0.3 or 0.4 per cent. That is lowest point percentage record. It remains very tight, driven by a decrease, according to Domain, in rental stock. Some suburbs in some towns have no available long-term rentals at all. The 2024 rental affordability snapshot paints a very dire picture. Fewer than one per cent of the very limited 2 000 rentals that are available are affordable for a person on a full-time minimum wage and even fewer are available for people on the age pension or disability support pension.

The problem is getting worse. According to new data released just this week, Perth had the strongest rental growth of all capitals, up 13.6 per cent in the last 12 months to \$669 per week. That is just since the start of January. Rents have gone up 8.3 per cent. The Real Estate Institute of Western Australia suggested that it expects rents to go up another 20 per cent this year, making Perth the third most expensive rental market in the entire country behind Sydney and Canberra and overtaking Victoria.

Normally in a crisis, renters would turn to social housing or the public housing waitlist for relief, but we know that is not the case because those waitlists continue to grow. There are now more than 20 000 applications, which translates to more than 35 000 people. Even the priority waitlist is now at over 10 000 people for the first time ever. This means that people who are desperate and who have the highest level of need are being forced to wait years to get their own house and the security that comes with it.

We have to ask: how did we get to this point? To be clear, it is obvious that we do need to build more houses. This motion does not say that we do not. It says that relying on building more houses alone is not going to solve this crisis in the short to medium term. We need to actually get on with building, and the quicker we do, the better. Sadly, this government has not done that over its two terms. In fact, it would be fair to say that if we average out the last two terms of this government, we are only about 144 homes ahead of where we were in 2017. I think I need the maths—if we continue at that rate, we will finally close the social housing waitlist in about 792 years' time. Thankfully, we have seen some improvement over this last term after, frankly, dropping the ball and going back by about 1 100 dwellings in the first term. We have seen this pick up over this last term, but it is still nowhere near enough.

We hear the minister say every day the government is pulling every lever and it is getting out and doing social housing as quickly as it can, but in the 2021–22 financial year, there were only about 600 dwellings built. In the 2022–23 financial year, only about 750 dwellings were built. This year, only about 850 will be built. The government has never actually even reached that target of 1 000 that we hear the minister talking about, year on year. It has said that it will build 4 000 homes over four years. Hopefully, in the 2024–25 financial year, we might finally crack 1 000 dwellings for the first time in the whole of this government's time. Even at this rate, the average that the government has done in this term, when it finally put its foot on the accelerator, is about 700 a year. The government will not close the public housing waitlist until the mid-2050s.

The government is not delivering houses at the rate that we need. Even if the government built more than 1 000 homes a year, as promised, the waitlist will not close until the mid-2040s. The government needs to speed up closing this gap. Far more houses need to be built than the 1 000 promised. The government needs to start from the starting point that housing is a human right. Having shelter is a human right. The government should be setting targets that deliver what is needed and not what sounds good in a soundbite. Frankly, that is many thousands of new social and public homes every year, plus a range of other solutions.

We also see that the private sector is unable to pick up that slack. Completions in Western Australia have remained stubbornly low, at about 16 000 a year. Everyone in the sector says the government needs to be well north of 20 000 a year for it to actually get on top of the housing crisis. As a result of this slow investment in social and public housing, and the private sector being unable to pick up the slack, both national and state peak bodies have predicted that the housing shortage will continue to grow in this state.

By 2026–27, Western Australia will be around 25 000 houses short. Part of that is around the gap in skilled labour. Ninety-four thousand people came to WA last year, but only 2 500 of those who came were skilled tradies. We need a lot more people who can come and build, and we do need to build. At the moment, the government cannot simply build its way out of this housing crisis. We desperately need some radical and creative solutions that actually address housing as a human right and get homes back over people's heads now and in the years ahead whilst a long, slow buildback occurs.

Let us talk about solutions. Now that we understand the problem, do we have lots of solutions? You know what? We can do this. It is actually just a question of policies and having the courage to get the policies that deliver housing for everybody. The first of the solutions I have talked about before. It is about getting the over 10 000 short-stay and holiday rentals in WA, of which 5 000 are in Perth, back into the long-term market. Remember that there are only 2 000 long-term houses. What an absurd situation—that we live in a state with only 2 000 houses on the market for someone who wants a home, but over 10 000 for people who want a holiday! Can members not see the problem with that?

I appreciate that the government put out a little carrot in relation to this. I asked the question without notice about this yesterday. One hundred and fifty-four dwellings are now back in the long-term market. Again, this is literally a number so small that it is laughable. To be brutal about it, it looks more like virtue signalling than a policy that actually works. If we are serious about this, let us put out a policy that actually works.

**Hon Stephen Dawson:** Why don't you say that to the 154 families who have now got a house?

**Hon Dr BRAD PETTITT:** Let me respond to that. The comment was about the 154 families with houses now. What about the other thousands of families who do not because the government will not —

**Hon Stephen Dawson** interjected.

**Hon Dr BRAD PETTITT:** No, let me respond to you.

**The PRESIDENT:** Order! Member, when I call order that includes you, even though you are making a contribution.

**Hon Dr BRAD PETTITT:** Thank you, President.

I will respond to that. Yes, 154 houses is great. But the fact is that you celebrate those 154 houses but do not acknowledge the huge gap. This is the point of this motion. The government's policies make a very small difference, and it fails to recognise that it is leaving a gap. The government might celebrate 154 families, but what about the other 20 000 plus who do not have a home? What about those other 10 000? The government's policies are so meek, so lacking in courage and so lacking in evidence that they cannot close the gap. That is the key point that needs to be hammered home tonight: what needs to happen is not being delivered. Housing is a human right. It is not about profit for people who want to make profit on short-term accommodation. It is actually around delivering homes over people's heads for families. I cannot be clearer about that.

Let us go to another issue that is very live. How do we fill vacant houses? Again, 118 000 Western Australian homes were unoccupied on census night in 2021. That is one in every 10 houses. I appreciate that there was an announcement yesterday that there will be \$5 000 incentives to get another thousand vacant properties occupied. That is good. I think there are questions about how much money—bandaids, quite frankly, dressed up as money—will be thrown at landlords whilst actually refusing to ever bring out a stick. There is a good question to be asked there. A thousand houses is fine, assuming the government delivers that 1 000 out of 118 000—this is another one percenter.

There is a simple way to do this. I encourage the members on the other side of the house who interjected earlier to look at our Victorian counterparts. Victoria recently introduced a vacant residential property tax. Do members know what that tax does? It is pretty simple. It provides that if you leave your house unoccupied for one year, you will be charged one per cent on the value of the property; two years, two per cent; three years and beyond, three per cent. The Victorian government introduced this last year, with the support of the Greens—something that, I must say, the ALP Assistant Treasurer said will make more properties available to live in. How does he know this? It is because it is happening all around the world and it is working. This is the key point. Let me give an example. Vancouver introduced a similar tax in 2017, which has now increased to three per cent. Vacant homes there fell by 26 per cent—not one per cent, which is what the government's subsidy will do, but 26 per cent. The tax works and delivers in a way that matches the scale of the problem. That is what courageous evidence-based policy that puts housing as a human right front and foremost does. I come back to the idea of virtue signalling; when we throw around small amounts of money to look like we are doing something, it impacts positively on a small number of families while leaving the majority out in the cold.

It is also about what we build. Western Australia continues to build some of the biggest houses in the world, with the fewest people in them. The average number of people in a house has dropped from 4.6 people 100 years ago to 2.5 people. However, we still build predominantly four-bedroom houses, even though 55 per cent of the population are either single or just a couple. We keep building those houses because that is what we have always done and that is what the housing sector wants to repeat. However, it is not what people want. I am happy to table this document that highlights strongly that people searching to buy or rent a house actually want smaller houses. Seventy-seven per cent of people who searched for a house wanted just two or three bedrooms, but fewer than 50 per cent of the houses available met that criterion. Well over 50 per cent were four-plus bedrooms and only 21 per cent of people wanted that kind of house. We need to get smart. Where is government in encouraging smaller houses that meet the needs of our population? Where are we in doing that while we continue to build the biggest houses in the world?

Rental assistance is another key thing we can do right now. Sadly, it is evaporating as the National Rental Affordability Scheme winds up. I believe a small program in Western Australia, the WA rent relief program, has

a total expenditure so far of just over \$1 million. We need a proper program that can take over from NRAS to make housing more affordable for people during this crisis. Renters in 85 per cent of suburbs are suffering extreme rental stress, which means that 30 to 50 per cent of their income is spent on housing. There is a role for a rich government to provide widespread rental relief to the huge numbers of people suffering. Perhaps the government could go further; maybe it could cap rents or even freeze them during this crisis. The Real Estate Institute of Western Australia predicted a 20 per cent rise in rent increases this year. How many more people will be forced out onto the street or into their car because they cannot afford to pay for housing?

In the south west and other places local governments have called for changes to the Caravan Parks and Camping Grounds Act 1995. This is another important part of the solution. At the moment, someone can stay in a caravan for only up to three months with the local government's permission. Beyond that, the minister's permission is required. Talk about red tape! Stays for up to 12 months require the minister's sign-off. A simple change could be made to the act to enable local governments to let people stay in tiny houses and caravans for up to 12 months, maybe with several ongoing approvals, to get us through this crisis. That simple, quick approach would help in both the south west and the metropolitan area. People are being forced out of caravans and tiny homes because the local government cannot continue to approve their stay. There are smart, easy things that we can do.

I added up all Labor's initiatives to make available new houses. If I were really generous and said that 100 per cent of the initiatives would be fulfilled, it would be about 2 270 homes this year. It would then drop back down to 1 000 new homes because these schemes will run for only a year. That is only a fraction of what we need. Today I have tried to outline that there are solutions. Solutions exist that we are choosing not to take up. There are solutions that other states and countries are adopting and that we could also do right now.

As I prepared for this motion I could not help but reflect on a motion I moved in 2021, which I note everyone in the Labor Party voted against. That motion simply stated that we were in a housing crisis. Do members know what? The Labor Party voted against that. I wonder whether the Labor Party would now vote against accepting that we are in a housing crisis, because in 2021 it would not accept that; I expect that it would now. The housing crisis in front of us now is deeply undeniable. Frankly, it is one that we should have seen coming and we should have been investing in well before I moved that motion in 2021. Imagine if we had responded earlier and had started putting some of these solutions in place. Imagine if we had used some of the regulations to ensure that short-term accommodation did not force people out of long-term housing and that more vacant houses were available, and that we built the kinds of houses that we need.

We need to go beyond the fallacy that by simply building 1 000 public houses a year and stimulating the housing market more generally we can build our way out of this crisis; we cannot. We certainly cannot do that this decade. Every bit of evidence says that we are not going to. If we are serious, we need to look at other solutions. On every measure, WA is going backwards and is experiencing the worst housing crisis in our generation. I hope this motion means that we can wake up to the severity of this crisis and go beyond doing things that are performative to doing things that really work. Bolder action is absolutely worth it. One fewer mum and her kid sleeping in a car, one fewer woman unable to escape domestic violence—every person deserves a house. It is a human right. It is the very least we can do.

**HON DR BRIAN WALKER (East Metropolitan)** [1.27 pm]: In listening to this motion today, I can very well appreciate the truth of what is being said. We are indubitably in a crisis. It is clear; it is present. The way I see things is that currently we are looking at a problem and the superficial fixes for that, whereas the underlying causes are often not addressed because they may be too difficult to address. The trouble is that if the underlying causes are not addressed, the problem persists. There may be a slight shift, but the problem basically persists; it will continue. As illustrated by my colleague Hon Dr Brad Pettitt, we have a major problem in all aspects of society with status quo thinking. With status quo thinking we do more of what we have done in the past and hope we get a different outcome. That is human nature; we tend to do this. We tend not to think in new ways because it may be dangerous and it may fail. We do not want to fail. That is a problem for every single one of us. In all aspects of our society we need to adopt the principle that thinking new thoughts, thinking outside the box, is the only way out of repeating the errors of the past.

One of the underlying causes is that we have a supply shortage; we do not have enough houses. The figure for available rentals is 0.4 per cent, which is ridiculously small. We also have a population growth that requires houses to buy or, indeed, places to rent. On top of that are the economic factors, such as wage stagnation. Public service workers are asking for an income that will allow them to pay their rent rather than having to work two jobs to be able to afford to live. Then, of course, we have the investment trends. We have no control over that really, do we? As a government, we cannot control how investments are carried out, but we spoke just a few weeks ago about the attractive investment of real estate and how difficult it is to control and manage who buys a house and what they do with that house, especially if they can get a higher return for the house by using it as short-term Airbnb accommodation. Then we come to government policies, which I will speak about in a short moment. How can a government actually manage this? The last one, of course, is beyond us at the state level—the interest rates and financing. Those are things in our society that are contributing to the difficulty in providing houses.

I will give a short contribution, as I will not criticise anyone. We are really looking at a situation that needs to be dealt with, not a situation for which we can apportion blame. We need to find a solution. This is an idea: we need to have a solution-oriented discussion about how to alleviate problems in our society. Speaking here as a member of Parliament, we ought to look at what government can do. The first thing that comes up with that is the recognition that we need careful planning, and my experience of government planning is a case study in how to go slowly. With that being held in the forefront of our minds, the next question is going to be funding. All the ideas I give will require funding. With the budget coming up in a very short time, that begs the question: how do we apportion the available resources to manage the housing crisis? On top of that, we have coordination. Again, if we look at what government is doing, I find it very remarkable that any two parts of government can speak to each other; coordination between the different government departments is a dubious beast at best, and completely misconceived at worst.

These things need to be addressed at a governmental level. But let us now go into some of the things that we could be doing. I have to sew this together because it has come at me rather suddenly, although I have been thinking about this personally for some time as I am in the process of looking for housing for myself and my family. There are choices here of importance for my own personal wellbeing.

One of the things that we could do is increase housing supply. I am saying stupid things. Of course we need to increase housing supply. How do we go about doing that? We heard just now about how local governments are unable to grant more than three months for housing in, say, a caravan, and that we need ministerial approval for up to 12 months. Why up to 12 months? If there is a paddock free with a caravan on it, why do we have to limit the ability to stay in a caravan on a paddock? This is bureaucratic red tape, and it does not belong in this discussion.

It goes even further. I would put out the call that we embrace tiny houses. I do not know what anyone else here is doing, but I am so engaged with working in Parliament and medical practise that, for me, a bedroom does not have to be much bigger than a bed itself for the little time I spend there. As for an expansive living area, personally speaking, I do not need that. If I have a door to the backyard with a bit of cover, I am perfectly happy. Other people may want an expansive mansion with five bedrooms and a swimming pool. I do not know. But that is for them, perhaps. I do not know how they live there. Tiny housing is something that I and many others would welcome as a reasonable and cost-effective approach to managing the housing crisis.

**Hon Ben Dawkins:** And a backyard to grow cannabis.

**Hon Dr BRIAN WALKER:** I would not use a backyard for cannabis; I would actually use a grow tent. There we are.

Another idea here is incentives for developers. These could include things like offering tax incentives, subsidies or reduced fees. Developers need some incentive, especially in this climate, to build. I spoke recently with the Home Builders Action Group, which outlined the severe problems it has had in the last couple of years since the COVID pandemic. This is the background of some questions I have been asking during questions without notice. It has very clearly put the cogent case that its current financial difficulties and ability to survive have been adversely affected by the grants that were given to boost builders in a well-intended approach to solve the issue of people coming back during COVID not having a place to live. That has had follow-on effects. The ability to charge for the increased costs was not passed on to the builder; therefore, bankruptcies ensued. That is something that we really ought to address at a governmental level by offering reasonable and suitable resources to allow these builders to find some way of tiding themselves over the crisis. Imagine, if you will, the example of someone who is on hard times and needs a loan from a bank to get over that while they find new employment and a new place to live. They can then begin to contribute back having the finances to repay the debt owed to the government. That would be an excellent idea.

Another area we could work on is to increase the supply in public housing projects. I was very distressed indeed to hear that Tasmania, with a smaller population, spent more on public housing than spent in WA. We hear from the government about how well it has been providing public housing, but comparing the figures indicates a mismatch there. Yes, it is made to sound good for the benefit of people who think the government is not doing enough, but the fact of the matter is that Western Australia is spending less than Tasmania on public housing projects. That is simply not acceptable, especially with a reasonable budget surplus that might be used to better advantage elsewhere.

Another area we could be working on is improving affordability. Financial assistance programs, expanding grants and subsidies and low-interest loan programs for first-time homebuyers could make housing more accessible, especially for first home buyers. We hear that young people today are unable to afford even the deposit for a house. The cost of housing in Perth is projected to increase by 20 per cent—or was it 30 per cent?—in these coming couple of years, which must put the fear of God into anyone contemplating buying a home but has not yet got funds together for a deposit.

As we have done recently, we could look at rent control and stabilisation and perhaps do more to implement and enhance rent control policies. I think reasonable steps have been taken, but perhaps more could be done. We ought to explore this. Bear in mind, colleagues, that what I am looking at here is not criticising, but offering suggestions and solutions that might assist us in the move to help the housing situation. It could involve tax policies, such

as adjusting property taxes. I have failed to see the purpose behind capital gains tax or taxing of stamp duty on a house. I see why the government may need the money, but members know that the money spent on stamp duty when buying a house is a huge imposition in these times of financial constraint.

Regulatory reform is another area that we can look at, such as building regulations. We could simplify the building code. That does not mean that we make things less safe or have lower standards; it simply means cutting unnecessary red tape. I challenge anyone to tell me with a believable straight face that government does not multiply red tape. In the past, we have talked about the foreign investment rules and tightening regulations on foreign investment in residential real estate; this can impact upon our economy. Bearing in mind that I am very well used to the concept of foreign relations and living in other countries, I do support the idea of keeping Australia safe and protecting it from external interference from foreign investment. We might welcome the incoming investment, but it has a knock-on when it affects the ability of residents here to live in peace and comfort.

We then have the question of economic and labour policies that could support key industries. There is a sense that the building trades are being left behind and unable to make their future. Tradies are now finding themselves unable to survive here and are moving off to the mines where they can earn better money, leaving housing development very difficult to staff, thereby increasing costs.

We could talk about education and training. How could we achieve through better education a population that is better able to cope with these issues and financially manage their own situations to provide affordability to benefit from the richness that is part of our life? Australia is a very rich country. We feel blessed to live here.

A question arises here about urban planning and infrastructure. I will not go into the need for increased tree canopy, as it is blindingly obvious that we could make our cities much more liveable if we simply allowed temperatures to come down by increasing trees and vegetation.

Even Shanghai, for example, has a policy for 30 per cent greening of the city. That is not something we have here. On the new developments here, trees are chopped down and houses spring up in a barren desert of mortar, concrete and brick, with hardly a living thing in sight, which makes it very difficult to live in comfort.

I turn to infrastructure. We have the trains. I know the government has been focusing on Metronet, and it is a good thing too, but can we look at public transport between the various rail lines? How do we manage our road access to places to make them more liveable, and more attractive to find and, indeed, to develop?

The last thing, which governments like to have, is monitoring and data collection. The last piece of legislation we passed was apparently all to do with collecting data on houses such that we can then decide about small rentals, holiday homes and bed and breakfasts to understand what is available so we can then find a better way of using available resources. Government actions can potentially be very significant, and I encourage all members here, both those in government and those yet to come into government, to look at this with an open mind to find solutions. I suggest that the best approach is finding solutions in a bipartisan manner—not to gain points for one side or the other but to work for the common good of the people. I beg that this attitude be taken into Parliament today and tomorrow.

**HON STEVE MARTIN (Agricultural)** [1.41 pm]: I rise to make a contribution to the motion moved by Hon Dr Brad Pettitt. I start with part (a) of the motion, which acknowledges that it is impossible to build our way out of a housing and renting crisis; I make the point that there is no other way to get out of a housing crisis. We desperately need to build more homes. I am agnostic about whether they are small homes, large homes or greenfield titles in the south east and north eastern suburbs, or medium density or high density; we simply need more homes. That is obvious. I am aware of the intent of the motion that Hon Dr Brad Pettitt has moved, particularly with part (a). He comes at the subject from a very different viewpoint. He says we need to do things other than building more homes. I think part (a) is clumsily worded. I put on the record that the Liberal Party, the opposition alliance, is absolutely committed to the fact that we desperately need more homes in Western Australia, and I will go into detail about why. We will not be able to build our way out of a housing crisis in the short to medium term because of all the other constraints, but that does not mean, President, that we should not desperately try—the government, the private sector et cetera.

A different slant to this motion is that our expectation is that it will not be the government that builds its way out of the housing crisis; it will be the private sector. The private sector always provides the bulk of homes in Western Australia, and Australia, and that is also something we very vehemently support. Private homeownership is something that Western Australians and Australians should aspire to, and they should have a pathway to homeownership.

Having said that, I turn to part (b) of the motion. We will not stand with the government to give it a pat on the back on housing, so we will support the motion, having put in place all the reservations I have about part (a). We simply cannot give the government a pat on the back for its delivery of housing, particular the bit it is responsible for—that is, social housing.

I turn to the phrases “pulling every lever” and “laser focused”. Members and I have heard the Minister for Housing say them. He is probably sick of saying them. One of the problems is that the government has only started pulling the lever, because for the first four or five years of the McGowan–Cook government the lever was in one of those



“break glass in case of emergency” boxes. Only recently has the government sought to break that glass, get hold of that lever and recognise that there is in fact a crisis. Hon Dr Brad Pettitt mentioned that in 2021 he moved a motion saying that we had a housing crisis and the Labor Party voted against. The lever was stuck behind plate glass and the laser was completely out of focus for the first four or five years of the current Labor government.

I want to take a little bit of time to talk on something else. Members of Parliament would hear the same stories I do. I am getting calls from constituents, so do other members, about how tough it is in the housing market at the moment in Perth and in regional Western Australia. As a regional member, I want to put in a word for the regions. If it is tough in the city, it is really, really hard in regional Western Australia. Recent data shows that Western Australia is the fastest growing jurisdiction in the country—that will not come as a surprise to anyone—and our rental growth is also the fastest in the country. That is a perfect storm of data for people in the rental market. There are not any homes for sale, and it takes a long time to build a home—longer than it used to. That has come back a little bit post-COVID, but it still takes a very, very long time to get a home built in this state. In fact, I had a call recently from a young woman I know who is desperately keen to get out of the rental cycle and get into homeownership. She attended a home open in the northern suburbs recently. There were 200 people at the home open and she put in a very substantial offer over the advertised price and did not get a call back. That shows that it is very, very tough in the housing market at the moment.

I go back to the lack of lever pulling and focus in the first four or five years of the McGowan government. It is worth repeating these quite startling numbers that came to light from a Productivity Commission report released earlier this year. They are almost difficult to believe. I turn to expenditure by state governments on social housing in 2018–19. Western Australia spent \$18.2 million and South Australia \$180 million. Western Australian Premiers—ours and the government’s—have snickered about Tasmania’s basket-case economy for a long time. In 2018–19, Tasmania spent \$64.9 million. That was not a one-off bad result on our behalf. In 2017–18, WA spent \$38.9 million; South Australia, \$195 million; and Tasmania, \$37.1 million. In 2019–20, Western Australia spent \$32.1 million; South Australia, \$135 million; and the Tasmanians jumped off the floor again and spent \$68.8 million. There was more than twice the amount of investment in Tasmania in 2019–20 compared with Western Australia. Is it any wonder that we now find ourselves in this state with a social housing waitlist of 36 000 people and the government’s own priority waitlist of over 10 000 people? That is the result of government sitting on its hands for four or five years and doing nothing, and why we find ourselves in the circumstances we are in.

This brings us to recent efforts. Minister Carey, for all his sins, is doing a better job than his predecessor, but we get media releases like the one really received this week, which states —

- Cook Labor Government helping those most in need with almost 5,000 additional social homes now funded, including more than 2,100 already delivered

I was at the media conference trying to explain those numbers to a confused journalist who said, “But you’re saying only 114 have been delivered; the government says 1 500, 1 600, 2 100 were delivered.” I told her that these were not my figures but those provided by the government, by the housing minister, in response to a question I asked in this place. On 30 June 2017, the number of total social housing stock in this state was 44 087. On 31 March 2024—these are not my numbers but the government’s and the minister’s numbers—the number was 44 201. For those who are good at maths that is 114 more social homes over almost seven years under the McGowan–Cook government. Normally, at this stage I would get some interjections that the Barnett government was worse. It absolutely was not worse. The previous Liberal government oversaw a net increase of 4 957 homes. This government had increased the number by 114 by the end of March. It might sneak up to 200 by the end of the year, but we will see.

Getting back to the media release, it states that almost 5 000 additional social homes have now been funded. Again, they are easy words to put in a media release. I gave that some thought. It was my wife’s birthday on Monday, President.

**Members:** Happy birthday!

**Hon STEVE MARTIN:** Thank you. It is not an occasion on which I have covered myself with glory over the years, I have to say.

**Hon Stephen Dawson:** It was Hon Martin Aldridge’s birthday as well.

**Hon STEVE MARTIN:** It was. My wife’s birthday is not an occasion for which I have a great track record. I have done some dumb things. I have bought some bad presents. I have possibly even forgotten her birthday once or twice; I apologise for that. However, not once have I said, “Dear, I have completely funded your birthday present, but I haven’t got it. It’s completely funded. The diamond ring’s funded; you’re just not getting it yet!” Even I, with a very poor record of present presentation, would not try using the words “Almost 5 000 additional social homes now funded.” The people of Western Australia know that that is nonsense. The 36 000 people on the social housing waitlist and the 10 000 people on the priority list know what that is; it is just nonsense. The young woman living in a tent who was recently featured on the front page of *The West Australian* would certainly know what that is. She knows what the 114 new homes actually look like.

Another more recent development from the Cook government, or the McGowan government, actually, was the lazy land housing diversity pipeline. One thing the government needs to do to bring housing to the market is to bring land to a developable stage. The Minister for Housing and his team brainstormed and decided that they needed to get some lazy land onto the market. They identified 12 parcels of land, probably two years ago now. I think only one of those 12 parcels of land has moved anywhere towards development; the rest are still sitting there. It is very lazy land!

The housing supply unit was announced with much fanfare by the Treasurer last October at a Property Council of Australia breakfast. A crack team of bureaucrats in the Treasury department were going to solve the problems. I am sure that was interesting news to the housing minister; he thought it was his job to solve the problems, but apparently it was not. The Treasurer, Hon Rita Saffioti, thought, "I've got to take control here. I've got to set up my crack team in the Treasury department and I'll sort it out." Is there any news from the housing supply unit? It is now the second week of May and there have been crickets—nothing. Perhaps the unit is working very hard behind the scenes. I know that it took the unit at least four or five months to hire everyone and find an office. That is ironic considering its name—the housing supply unit could not house itself! There has been nothing on the housing supply unit at this late stage; we are running out of time.

The builders support facility was announced 125 days ago. Are there any funds in builders' bank accounts yet? No; absolutely not. We know how tough it has been in the building sector, particularly for small and medium-sized firms caught out by rising supply chain costs. The government announced a well-intentioned loan apparatus for small builders. This was for builders who were solvent, by the way. That was odd, but I guess it could not give it to people who were not solvent, because if they were not solvent, they would be out of business. No funds have been transferred. The capacity in our residential building sector is still falling, which is very alarming given what else is happening in Western Australia.

The Urban Connect Home Loan program was a ripper. It was designed to somehow build medium-density apartments around Metronet stations. I think the government has stopped talking about Urban Connect. Again, in the media release about the 5 000 additional social homes, the Treasurer could not help spruiking her pet project, Metronet, by saying that the government was about to infill around the Metronet stations. We will see how that goes. Anyone who talks to any developers in Perth will know that it is tough everywhere, but where the Metronet stations are is particularly tough. It will take years before we see any rollout around those Metronet stations, particularly from the private sector.

**Hon Kate Doust:** But it never would have happened under your government because you don't like building trains and you certainly wouldn't have had the creativity to have gone down that path.

**Hon STEVE MARTIN:** We could put those 114 new homes around all the Metronet stations and we might get one per station! The government talks about what it could do.

**Hon Kate Doust** interjected.

**Hon STEVE MARTIN:** The Treasurer, the Premier or the housing minister —

Several members interjected.

**The PRESIDENT:** Order! If members cannot have respect for the member on his feet, please have respect for Hansard in recording your interjections.

**Hon STEVE MARTIN:** Thank you, President. One reason our housing crisis is getting worse and not better is something that the housing minister wanted to alert Western Australians to the other day when he was down in Hamilton Hill cutting a ribbon at the seven units that the government purchased to put into the social housing market. He said to the media, who then passed it on to everyone, that Western Australians have not yet clocked that there are 220 people coming to the state each day. Yes, they had, minister. They are well aware that our population is growing faster than it ever has when they turn up to the very long queues at home opens for properties that are for sale or rent. One thing the Premier, the Treasurer or the housing minister could do is to get on the phone to their federal colleagues and say, "We have a problem." We absolutely need people in Western Australia, and no-one needs them more than the building trade; it desperately needs skilled staff and staff of all sorts. Of the 220 people who are coming to Western Australia each day, it would be really interesting to know how many have a visa to work in the construction sector. I am guessing that it is a very low number. Do members know why? It is because Canberra has said that we do not need that particular lever pulled. Construction is apparently okay, so that visa scheme does not need to be stimulated. People are coming in vast numbers to Western Australia. For the record, I am a supporter of having more Western Australians, particularly where I live in the wheatbelt, but we need skilled people on that visa list and that is just not happening. Perhaps they could give the Western Australian embassy the task of popping upstairs to say g'day to Albo and to say that although we appreciate the extra Western Australians, the federal government has got the mix wrong. We have not seen that happen.

**Hon Neil Thomson:** There's probably no-one there.

**Hon STEVE MARTIN:** Just quickly, regional housing is a particular interest of mine and other regional members in this place.

That was a good point, Hon Neil Thomson; there is probably no-one there. The person who answers the phone has probably ducked out for lunch.

On regional housing, I was recently at the Wheatbelt Futures Forum—Hon Darren West was in attendance as well—and housing was top of the list for discussion, as members can imagine. We have a particular set of circumstances in parts of regional Western Australia. I am not talking about Dunsborough, Margaret River or probably even Geraldton; the example given to us was Carnarvon. The quote to build a house in Carnarvon was \$800 000 or \$900 000, but the second the home owner got the keys, the place would be worth between \$350 000 and \$400 000. I do not like using the term “market failure”, but if we want an example of market failure, that is one. If anyone has taken a drive through the great southern, the wheatbelt or further north to the non-coastal regional towns and looked at the housing stock, they will know that is true. I cannot think of a street in Perth—not one—that looks anything like some of the streets that I drive along in small regional towns. I happen to think those towns are wonderful places to live, but people are not investing in housing there because the second they get the keys to that house, they might lose \$200 000, \$300 000 or \$400 000. That situation desperately needs some attention. The government made a \$40 million contribution to headworks in regional Western Australia. I think that is underselling it by a huge factor. Headworks charges for things like Western Power and the Water Corporation are expensive everywhere, but they are more expensive in the regions. Just to get land on the market and get a new house built is very expensive, and regional Western Australia is coping that.

That brings me to Government Regional Officers’ Housing. Again, I have raised this a number of times, and I am going to keep raising it. The Shires of Wyalkatchem and Trayning, which are very small local government authorities with small populations and small rate bases, are being asked by departments and this state government to build housing for state employees. Some of the local governments that are desperate to bring the people they need to their towns will probably do that. They will probably spend ratepayers’ money or get a loan from Treasury and put it on the books and get a house for a police officer, a nurse or a teacher so that they can house them in their town. That is a drain on the balance sheet, if not the cash flow, of those local governments. There are some very nervous CEOs in particular who are doing the bidding of councillors who are anxious to bring people to town.

In conclusion, over the seven and a bit years of the McGowan and Cook governments, there has been a net gain of 114 houses in the social housing space. That is the actual number. Premier Cook can talk about the 5 000 funded homes, but they have not been delivered. We are in a housing crisis in Western Australia. We all know that. Our children are moving back in with us if they get the opportunity. The rental market is really tough. It is going to take some time.

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [2.01 pm]: I rise to give the government’s response to the motion and indicate that we certainly will not be supporting it. I want to make a couple of comments at the outset. Building a home is stressful in the best of times, and post-COVID is not the best of times. It is a very difficult time for the residential construction market. I also want to say that we have a record low vacancy rate in rental properties, so it is a difficult time for many in the rental market.

Having said that, I will not be lectured by the Greens on a lack of courage, because they will never have to exercise that courage to implement policies because they will never sit on the government benches. They will never have to make the hard decisions that take courage, so do not lecture me or anyone on this side about needing courage! I am also in agreement with Hon Steve Martin that we do, in fact, need to build our way out of this, so it is incongruent to me that the Liberal Party would support a motion that says that that is not the case. Nevertheless, that is what it is doing. I hoped that this might be the point of difference and that the Liberal Party spokesperson on housing might actually offer a solution or indicate what the party might do if it is elected to the government benches in 10 months’ time. In nine months’ time, we will go into caretaker mode, and have we seen one policy on housing from the Liberal Party? People might like to think that the housing situation that we are facing is a McGowan–Cook government creation, but it is recognised around Australia and the world. For example, despite the measures that Hon Dr Brad Pettitt mentioned Victoria has put in place, it still has a housing crisis. It also has \$156 billion worth of debt, and rising, but it still has a housing crisis.

I note that Hon Dr Brian Walker said that we need to try different things and not keep doing the same thing. I also note the logic of Hon Dr Brad Pettitt—that is, we cannot just build our way out of it; we need to do a variety of things. I will list at the outset the variety of things that we are doing, because he is right; it is not just about building. We do have to build our way out of this, but a range of other things need to be put in place, and that is what we are doing. It includes planning laws; duty reform; the housing diversity pipeline; the infrastructure development fund; increasing eligibility limits for access to Keystart; the short-term rental accommodation policy; the rental reforms that we have put in place; expanding the social and affordable housing investment fund; \$92.2 million for homelessness services support; improvements in skilled labour; lifting the number of construction apprentices going through TAFE—let us, as a sidebar, talk about why none of those people did their apprenticeship under the previous government; they could not afford to because TAFE fees were outrageously expensive—the rent relief program in Western Australia, which is larger than that in Victoria; security-of-payment laws to ensure that contractors and subcontractors down the line get paid; tiny houses; and granny flat planning law reform. We are doing all those things, and there is more. That is just the list that I scribbled down while I was listening to us being

criticised for not doing enough different things. We are doing all those and more. And, folks, this problem is not limited to Western Australia. Members opposite can criticise the government all they like, but then they are criticising every government around the world, whatever their political persuasion, because we are all facing the post-COVID circumstances that none of us could have predicted. We were told at the time that the construction industry, particularly the residential construction industry, and our economies were going to collapse.

I want to pick Hon Dr Brad Pettitt up on a couple of issues. We are committed to a housing delivery target of 4 000. We have delivered 2 100, and 1 000 are under contract or construction. Hon Steve Martin has the notion that we are sitting on our hands. I have just read a list of the things that we are doing that immediately came to the top of my mind. I think Hon Dr Brad Pettitt raised the matter of completions, but it may have been Hon Steve Martin. Housing Industry Association data shows that in the second half of 2023, completions exceeded commencements for the first time since June 2020. More houses are now being completed than started, which will help to ease construction delays. I know that members do not like to let facts get in the way of a good political debate, but that is a fact. That is consistent with Australian Bureau of Statistics data that shows that around 20 650 houses were under construction in mid-2023, which is down by three per cent from the peak in December 2022. ABS data also shows that the number of dwellings completed rose sharply from 7 600 in the second quarter of 2023 to 10 000 in the third quarter of 2023.

**Hon Ben Dawkins** interjected.

**Hon SUE ELLERY:** The honourable member will get his opportunity.

If I have time, I want to go into the detail of some of the things I have listed that the government is doing. We know that, in a challenging environment, most builders want to continue providing a quality product and consumers want their products finished, and housing vacated by people moving into their new homes releases pressure on the rental and home ownership markets. Government has been listening to industry, consumers and other stakeholders on a range of ideas about what we can do to assist to increase the amount of housing. Ensuring that the building industry remains stable is a key priority, as is keeping a close watch on, and working with, the relevant construction industry representatives. One idea is doubling the cap on individual payouts through the home indemnity insurance scheme. The previous government was asked to consider increasing the cap. Did it do it? No, it did not. It was this government, under Premier Cook when he was the relevant minister, that did that. Other ideas include smoothing the pipeline of government projects to free up skilled labour for the private sector, investing in a range of measures to attract skilled workers to WA and building our skilled local workforce.

What was on display here again today is that the opposition has no plan. Ten months before it puts itself up at the polling booths as the alternative government, it has no plan for housing. It has no policies. It has had no policies for the past six years. Given the opportunity today to signal what members opposite would do if they were in the position that we are in, they have said nothing. To use the word that Hon Steve Martin used—crickets. Although he used it in a slightly different context.

I want to talk a bit about what Hon Dr Brad Pettitt has been saying publicly in this place and in the videos he has posted on his social media about social housing in particular, getting his facts wrong, despite being briefed, and making false claims. I will talk about that. He has made statements that are not correct about the Department of Communities undertaking frivolous demolitions and leaving homes sitting vacant for no reason. I am advised that the honourable member has received briefings. The Minister for Housing has called him personally and his office has written back to him explaining the detail of the matters that the member has raised in his little video shown on his social media. If we take the example of White Gum Valley, the member received a comprehensive letter addressing his concerns and explaining the department's activity. The minister's priority is to retain people within their tenancies for as long as possible, but we also need to renew and regenerate stock to extend our portfolio's life. That is important, because what happened under the previous government? Hon Steve Martin would have us believe that it was ahead of the game and it was a fantastic landlord. Instead, it let the stock dwindle and diminish so that the state it was left in was not fit for people to live in. This government came into power with the task of having to clean up and replace public housing that was no longer fit to be lived in. There are plenty of examples of that.

On the matter of Stirling Towers, Hon Dr Brad Pettitt made comments online that the complex could somehow be fixed if it was given a bit of a refurb and had its balconies fixed. This site is around 50 years old. It is structurally unsound, riddled with asbestos, has unsafe balconies and was left sitting derelict. Our government is investing in significant renewal projects across the state, like on Smith Street in Mt Lawley, but also at North Beach, Brownlie Towers and Subi East. These are important investments in making sure that public housing stock is fit to live in. We have moved away from the previous model of high-density localised social housing and are now seeking to integrate social housing across our communities. While Hon Dr Brad Pettitt might like to take the proverbial out of the minister for standing in front of a triplex, it is actually much better for the community and individuals to live as part of a broader community than to be in high-density localised social housing settings.

There is a significant renewal program in our regional areas, for example, in Withers, Bunbury, where we are spending \$5 million in revitalisation; in Spalding, Geraldton, with another \$9 million as well as the development

of a pilot program supporting rough sleepers with wraparound supports; in Spencer Park, Albany, where we are investing \$4 million. These projects are critical to improving suburbs in our regions and breathing life into regional centres. We have the pilot of the housing diversity pipeline to encourage new developments on government land. The WA rent relief program, if I can talk about that as well, includes financial assistance to households at risk of eviction, providing relief to those most in need. As at yesterday's date, \$2.5 million has been provided to over 600 households who have been assisted to avoid eviction, by way of assistance from the state government.

Hon Dr Brad Pettitt's contribution got a little bit twisted and confused in parts. On the one hand we were criticised for doing projects that make a difference to a small number of people, like the 150 who have taken advantage of the short-term rental accommodation program or indeed the 600-plus who have taken advantage of the rent relief program, but on the other hand, at the end of his contribution he made the point, "If we can help just one family". We are helping hundreds and thousands of families. The member has to figure out what he is trying to argue. Does he want us to help one family or not? Does he want us to help hundreds and thousands of families? Because that is what we are doing.

It is also the case that we have to look at the broader less obvious pressure points in the residential market, and planning reform is absolutely critical to that. We have passed through Parliament major changes to the planning system to cut red tape and streamline processes for complex development proposals. In addition, the \$80 million infrastructure development fund is removing barriers to housing development, assisting local government and developers to offset the costs of providing sewerage, water and electricity services to new housing developments; and the social housing program, in which we have invested to date a record \$2.6 billion over the last four years to improve the quality and accessibility of homelessness services in WA, has delivered 4 000 social homes. We have delivered over 2 100 homes since that investment, and more than 1 000 are under contract or construction. In the current market, that is laudable. We will continue to deliver social housing into the future.

In the face of a heated construction market, we have established a number of alternative and flexible housing reform programs that have bolstered the supply of social housing across WA, including a statewide small and medium builders panel, which includes builders from across the state that are preapproved for government works to further support social housing delivery using alternative construction methods including timber, steel frame, modular and prefabricated construction. We are boosting the state's highly successful spot purchasing program, providing more than \$150 million in grants to the community housing sector to deliver new builds and to refurbish existing homes to keep existing stock in the system and fit for purpose. We are driving nation-leading planning reforms that cut red tape to boost the housing supply throughout WA, boosting and establishing the core for submissions processes, including a \$50 million call for submissions from community housing providers to refurbish or deliver new housing options managed by the sector for vulnerable people. A diverse array of delivery methods is critical to ensuring that we can deliver a variety of housing across all regions in WA and that has driven our government's increase in social housing. I appreciate the call from Hon Dr Brian Walker to look at ways of doing things differently; that is exactly what we are doing. If the member paid attention to public policy, he would note that himself.

In the last financial year, we housed 2 643 applicants into public housing. That is a 35 per cent increase from 2021–22, showcasing our ongoing commitment to new construction spot purchase and maintenance and refurbishment to ageing housing stock with minimal stock attrition.

The renewal projects themselves are amazing. I mentioned Brownlie Towers and other members may talk about that as well. I think it is worth to note that during the last Liberal–National government, there were seven housing ministers in 10 years, with Troy Buswell taking on the role twice. All of them are on the record about the need for the planned redevelopment of Bentley and Brownlie Towers, but they did nothing. Hon Kate Doust knows far more about those sites than I do in and may well speak to that.

I will touch briefly on land supply. We are releasing affordable development-ready land for housing across regional WA. Last month, the Minister for Housing made an announcement as part of our 2024–25 state budget, investing an additional \$34.8 million in development-ready land to fast track the process to help meet growing demand in the north west, Pilbara and goldfields regions and provide more development-ready lots including for social and affordable housing. We have already announced in the lead-up to tomorrow's budget a whole range of additional investment, with \$400 million to expand the social and affordable housing investment fund, bringing the total number of new social homes funded to almost 5 000. The expansion of that fund will also help support a pipeline of affordable multi-residential housing across priority starts. There is actually more, but I do not have enough time to go through all of it. By any measure, this government is doing everything it can to ease the pressure on the housing market. For that reason, I cannot support the motion.

*Amendment to Motion*

**Hon SUE ELLERY:** I move without notice —

To delete paragraphs (a), (b) and (c) and insert —

- (a) acknowledges that housing supply and diversity is critical to address pressure in the housing market; and

- (b) acknowledges that the state government continues to pursue reforms to boost housing and rental supply and support vulnerable Western Australians in the rental market, including by record investment in social and affordable housing, cost-of-living measures, and the WA rent relief program, as well as a range of additional policy measures.

**The ACTING PRESIDENT:** The Leader of the House has moved an amendment. I might seek some advice.

**Hon Peter Collier:** I have a point of order.

**The ACTING PRESIDENT:** Just before the Leader of the Opposition does, I am seeking advice that might be related to the point of order, but I am happy to take the point of order.

*Point of Order*

**Hon PETER COLLIER:** I think this amendment completely changes the intention of the original motion, which is contrary to standing orders, and I seek your advice on that. It is nothing remotely like the original motion.

**The ACTING PRESIDENT (Hon Steve Martin):** Thank you, Leader of the Opposition. I will have a quick read of that advice and be right back. I am aware of standing order 87, which I am sure all members are, that the amendment is to be relevant and not a direct negative. We have been here before and this is the advice that I have received, which I will read out. A direct negative amendment is an amendment that, if agreed to, has the same effect as voting against the original question. The consistently applied practice of the Council is that an amendment that presents an alternative and relevant proposition to the motion and does not have the same effect as voting against the motion is in order. The amendment proposed by the Leader of the House is to delete paragraphs (a) to (c) and insert an alternative proposition that is relevant to the subject matter of the motion. The amendment is therefore in order.

*Debate Resumed*

**HON DR BRAD PETTITT (South Metropolitan) [2.21 pm]:** I am speaking on the amendment. Despite the ruling on the standing order, it is pretty clear that this amendment would entirely erase the original motion. The government has its own opportunity to move a motion in private members' business. If it wants to do that, go for it, but the motion before the house today is entirely different. It is about this government understanding that it needs to do far more. It needs to build more and do a range of other things. Merely having another congratulatory motion around the boost in housing rental supply that the government is pursuing entirely misses the point of the original motion. Frankly, the government's amendment misses the whole point of this debate. That is not something that I can support, and I do not think anyone should support it, ultimately.

We need to talk about solutions that are different from those that the government is already pursuing. The government is merely congratulating itself again on its record investment in social and affordable housing while we are going backwards in this space. It is congratulating itself on its cost-of-living measures whilst more and more renters in 85 per cent of our suburbs are facing extreme rental stress. It is congratulating itself on spending only a fraction of what it committed to spend on its WA rent relief program. This amended motion is simply another motion to say that the government is doing enough and does not want to talk about it anymore. That is in place of a motion that was intended to acknowledge that we are not doing enough, that we are in a rental and housing crisis, and that much more needs to be done to ramp up housing supply. It also acknowledges that we need to go beyond housing supply and building our way out of this crisis to pursuing a range of other measures that I talked about. All that is entirely erased by this amendment.

I go back to my statement that this is not an amendment to my motion; it is an entirely different motion, frankly. If the government sought to simply amend it, it would have some credibility, but the government's proposal seeks to replace the original motion with an entirely different motion that does not belong here. If the government wants to debate this, it should move a motion in its own time during private members' business. I cannot support this amended motion.

**HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [2.25 pm]:** The opposition will most definitely oppose this amendment. I am disappointed with the government but not surprised. Its constant and relentless pursuit of complete dominance of this chamber is destroying the fabric of what we stand for. The Greens have one motion on the notice paper for the entire year while the Labor Party has eight. It has another six opportunities to move this motion. It can do that in its own time, but do not waste this chamber's time with the government's chest beating and backslapping on housing when the motion moved by the Greens member, Hon Dr Brad Pettitt, is entirely justified. If the government disagrees with the motion, the government can vote against it. It should put up its own motion. The government wants complete dominance in not only the numbers in the chamber, but also of the debate. The original motion is not too much to ask. On only one occasion in the entire year will the honourable member have the opportunity to move a motion, but the government is removing that from him. How can the government do that? How many times do I have to stand and say this stuff? I am so glad that I am on the way out, but at the same time I am not. After the next election, it will be a completely different landscape and Hon Dr Brad Pettitt will enjoy that. He will find the attitude of members opposite to be a completely different experience from the debacle that we have experienced in the last three years.

I have never seen anything like this. I do not agree with paragraph (a) of the original motion, to be honest, and Hon Steve Martin has articulated our reasons for that. However, I definitely agree with paragraphs (b) and (c) and I want the opportunity to vote on that, not on this rubbish. I sat for 18 months on the wonderful Standing Committee on Estimates and Financial Operations that investigated homelessness. We did that in a very cooperative and collaborative fashion. There were areas of disagreement, but it was cooperative and collaborative. We did what a committee should do, which was to provide advice to the government. It was not designed to bring down the government; it was done to provide advice. All Hon Dr Brad Pettitt has done is identify some issues to show that not everything is peachy out there. People who want to buy a house or get a rental at the moment cannot. We heard the Leader of the House carry on for 15 or 20 minutes about the former Liberal government again and we also heard about all the backslapping. Right at the end, she decided that the government would not even allow the house to have a say on Hon Dr Brad Pettitt's motion. The government will not even allow that to happen. The government is so dominant that it will remove that authority from us. That is what it will do. It will, yet again, give the opposition the single-finger salute and say, "It's our way or the highway." That is what the government is doing. It has destroyed this place over the last three years—it really has. This place is meant to be different from the other place where they yell and scream at each other and carry on all the time, but here we are meant to be a little more dignified and respectful of the conventions of the Parliament. However, the government has destroyed them week in and week out. Why on earth would it do that? Why on earth would it change the complete fabric of a member's motion who gets one opportunity in 12 months to move a motion? Why? If members opposite feel so aggrieved and so mortified by it, I tell them what. They can give us the ultimate single-finger salute and that is to say no. When the Presiding Officer says, "Those in favour, say aye", all they have to do is say no. They do not have to take away his authority. Even if I had completely disagreed with the entire motion in this instance I would still stand up and say this. I would still stand up. It is not about the motion; this is about changing the fabric of the motion. I cannot believe members opposite are doing this. I really cannot. I think they need to go and do some soul-searching and think about what the Legislative Council is all about because they are destroying it. We will not support this amendment.

**HON BEN DAWKINS (South West)** [2.30 pm]: I will not support this amendment. I agree with Hon Peter Collier that it is a misuse of the majority that the government has in here to shut down Hon Dr Brad Pettitt's debate. The motion was well worded as it was. I had suggested an amendment with the clerks that may have made it more palatable, which I showed to the government, but obviously it was hell-bent on going ahead and harpooning the whole thing. I think it is an unfair way to treat Hon Dr Brad Pettitt's motion. In its existing and in its slightly amended form—I would still ask the government to consider the motion I put forward; I will not talk about the specifics of that amendment here—it allowed for things to be suggested.

I think it was deliberately worded so that we did not go on with what I referred to in the past as finger-pointing. Yes, we are building more houses. It specifically referred to the fact that in the crisis that we have, building houses is not going to address the urgency. I thought that was pretty obvious and it was well and truly supportable in its current form or with small amendments. Suffice it to say, if I were to get a chance to amend it, I would refer to something that Hon Steve Martin referred to in the paper on 7 May. Hon Dr Brad Pettitt also referred to it. It was about mathematics. Both honourable members in their own ways referred to what I referred to recently, which is that immigration is out of control and that mathematically, we cannot build enough houses to keep up with Prime Minister Anthony Albanese's rampant immigration—certainly not in the short term. Hence, there needs to be solutions outside of the box, which is what Hon Dr Brad Pettitt was referring to by saying that we could not do it in the short term. That is what my amendment was going to be. We cannot build our way out of a housing crisis in the short term.

It makes perfect sense that what Hon Dr Brad Pettitt wanted to do, which has now been harpooned, was to direct the government's mind to what Hon Dr Brian Walker referred to as shorter term and immediate solutions for the crisis. There should not be a re-run of chest-beating and backslapping, as Hon Peter Collier said, about what are insignificant measures that have been taken when we look at the size of the problem. Again, it is an immigration problem. We need to reduce immigration. I was called racist by Hon Pierre Yang twice for even mentioning that immigration was a factor in our current housing crisis. I would say that, which Hon Peter Collier referred to, is another example of misbehaviour and misconduct by this government in shutting me down and calling me a racist for mentioning exactly what Hon Dr Steve Thomas has referred to, and that is that immigration is out of control and it is a significant factor in the shortage of housing.

Several members interjected.

**The ACTING PRESIDENT (Hon Steve Martin)**: Order! I am almost certain Hansard cannot hear a word of what Hon Ben Dawkins is attempting to say. Order!

**Hon BEN DAWKINS**: I will finish on that point, Hon Steve Martin.

*Point of Order*

**Hon STEPHEN DAWSON**: My point of order is that honourable member is quite within his right to speak against this amendment if he so chooses; however, he has gone on a different tangent that does not relate to the motion before us. Perhaps you might bring him back to the amendment at hand.

**The ACTING PRESIDENT (Hon Steve Martin):** Hon Ben Dawkins, I would suggest that you refrain your comments to the amendment that we are discussing.

*Debate Resumed*

**Hon BEN DAWKINS:** I was referring to the fact that Hon Peter Collier was disappointed with the way that this amendment had been worded to destroy the original intent of the motion and the way that this government continues to play those sorts of nasty games. I would say that by comparison that is what also happened with my recent attempt to introduce immigration as part of this problem. It was a nasty game of name-calling and I was called a racist twice. I agree with Hon Peter Collier that this government will play any game it needs to.

**HON SOPHIA MOERMOND (South West) [2.36 pm]:** I understand that we are discussing the amendments. I would like to thank Hon Dr Brad Pettitt for bringing forward this important motion. We are all acutely aware in this place that housing is a problem. Regarding the government's second amendment, I think that we need to be particularly creative about a range of additional policy measures. Of course I am going to talk about hemp, not because I think it is funny, but because I think it can be a part of the solution to help us deal with the housing supply issue. It will also address farming and the environment at the same time. When we look at a range of additional policy measures and creativity around that, people are currently —

*Point of Order*

**Hon KATE DOUST:** I raise a point of order and I think it was raised by the minister earlier. We are only speaking about the amendment—whether people support or oppose the amendment. It is not about debating or discussing the detail of either the motion moved by Hon Dr Brad Pettitt or the amendment moved by the Leader of the House. I think the member needs to articulate the reasons why they either oppose or support the motion and limit it to that very narrow field. If they want to talk about the detail of the amendment—after I imagine a vote might be conducted—then they are free to go through all of those issues and talk about those broader issues to their heart's content within the time frame. However, at this point I think they are wandering off and not focusing on the very narrow debate required for this particular matter in front of us.

**The ACTING PRESIDENT (Hon Steve Martin):** Honourable member, there is no point of order, but I remind you that you have limited time to discuss the amendment and focus your remarks on the pros and cons of the amendment. Thank you.

*Debate Resumed*

**Hon SOPHIA MOERMOND:** Thank you, Acting President. I will focus on the amendment acknowledging that the state government continues to pursue reform to boost housing and rental supply and that I can see that that is happening. I support that part of the motion. I believe it is unfair that this motion has been taken away from Hon Dr Brad Pettitt.

**HON WILSON TUCKER (Mining and Pastoral) [2.38 pm]:** I will not support the amendment. I think it is insulting to Hon Dr Brad Pettitt and certainly insulting to the crossbench. What is true and has already been stated is that we only get one motion a year as a member of the crossbench. The whole point of this motion today is to have a debate and then have a vote. The voting aspect has been taken away.

Several members interjected.

**Hon WILSON TUCKER:** The vote will not be on the original wording of the motion, which is the point of our being here. As it has already been said, the government has plenty of opportunities for Dorothy Dixers and backslapping. It has completely hijacked this motion. The government says this will amend the motion. I think that to delete it and recreate it in words that are palatable for the government is a more accurate statement. I will not support this amendment.

**HON DR BRIAN WALKER (East Metropolitan) [2.40 pm]:** Standing order 87, “Amendment to be Relevant and Not a Direct Negative” states —

An amendment shall —

- (a) be relevant to the question before the Council; and
- (b) not be a direct negative.

**The ACTING PRESIDENT (Hon Steve Martin):** Excuse me, honourable member, I might just interrupt you there if you do not mind. It is counterintuitive when we read standing order 87, but the ruling and the precedence of this place are very clear. This has not arisen just today; we have been doing this for decades in fact. Despite what standing order 87 says, it is counterintuitive. The amendment is appropriate.

**Hon Dr BRIAN WALKER:** Thank you, Acting President. The point I would make is that it is not a direct negative but very much an indirect negative. We now have a motion that completely opposes the original motion. Because a member has only one chance for a motion in the entire year, to take that motion and reverse it into its opposite meaning—although it is indirect—the effect is still the same and I think that is a disgraceful state of affairs. Members



know me as being a reasonable person. Members know that I will generally be supportive of good communication. I put it to the chamber and to the conscience of everyone in this chamber that the amendment to the motion before us now is a slap in the face of democracy. It is not to be tolerated. It is a disgrace on this place and a disgrace on every single member who supports the action that brought this forward.

Several members interjected.

**The ACTING PRESIDENT:** Order! Members! Hon Dr Brian Walker has the call.

**Hon Dr BRIAN WALKER:** I appreciate that this is very hard to understand in this partisan state of affairs.

Several members interjected.

**The ACTING PRESIDENT:** Members! Members! Hon Dr Brian Walker has the call.

**Hon Dr BRIAN WALKER:** However, this motion, as it stands —

Several members interjected.

**The ACTING PRESIDENT:** Members!

**Hon Dr BRIAN WALKER:** It is very easy to sense that the essence of democracy in this chamber is perhaps more fragile than I thought and must give pause for concern. I would counsel all here to search their conscience. Although this amendment may be correct to the letter of standing orders, it certainly was not a correct amendment when it comes to fairness and justice in a democracy. I oppose it.

*Division*

Amendment put and a division taken, the Acting President (Hon Steve Martin) casting his vote with the noes, with the following result —

Ayes (18)

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

Noes (12)

Hon Peter Collier	Hon Nick Goiran	Hon Tjorn Sibma	Hon Wilson Tucker
Hon Ben Dawkins	Hon Steve Martin	Hon Dr Steve Thomas	Hon Dr Brian Walker
Hon Donna Faragher	Hon Dr Brad Pettitt	Hon Neil Thomson	Hon Colin de Grussa ( <i>Teller</i> )

Pairs

Hon Rosie Sahanna	Hon Martin Aldridge
Hon Dr Sally Talbot	Hon Louise Kingston

Amendment thus passed.

*Motion, as Amended*

**HON KATE DOUST (South Metropolitan)** [2.46 pm]: I am pleased to be able to support the amendment moved by the Leader of the House that we have just agreed to. It has been an interesting debate. I am pleased to see the opposition here. I was worried that it would be like yesterday when nobody was present when I had the opportunity to be on my feet.

*Withdrawal of Remark*

**Hon PETER COLLIER:** A member should not reflect on a member's absence from the chamber; that is a standing order.

**The ACTING PRESIDENT (Hon Steve Martin):** Hon Kate Doust, you might have an opportunity to reflect on those remarks.

**Hon KATE DOUST:** I will indeed, thank you. What I will say is that —

**Hon Peter Collier:** Um.

**The ACTING PRESIDENT:** We are getting there, I think. Hon Kate Doust.

**Hon KATE DOUST:** I have the call, so I will continue my remarks. This is not a new issue.

**The ACTING PRESIDENT:** Excuse me, Hon Kate Doust. The point of order was that you reflected on someone's absence from the chamber and I offered you the chance to reflect on those remarks.

**Hon KATE DOUST:** I am happy to reflect on that and to withdraw my comment. I appreciate that I should have known better, Leader of the Opposition.

*Debate Resumed*

**Hon KATE DOUST:** These issues before us are not new. During an earlier stage of my time in this chamber when we were on the opposition benches—I think the Leader of the House alluded to it—there were seven ministers responsible for housing. I particularly remember Hon Troy Buswell who went out of his way to delete public housing locations throughout the state and not replace them. Over that period nothing was done to enhance and support those in support of social housing. Members opposite cannot come in here and blame the current government, which, during its seven years in office, has consistently tried to address the issues facing people in both the private sector and the public sector. I encourage the opposition to look at last year's budget, which we are still in the zone for until tomorrow. We still have a \$450 million top-up for social housing investment, \$49 million to partner with community housing providers, \$47.6 million to expand WA's residential construction workforce, and \$48 million to facilitate a medium to high density urban infill development in Bentley. I will talk about Bentley in more detail because I have been encouraged by the Leader of the House to do so.

Coming back to the problems we have now, obviously the problem is not new but it has been exacerbated by COVID. Fortunately, when the state locked down its borders, it was able to continue to thrive and survive, but we saw a steady and growing influx of people wanting to come home or people wanting to stay in the state so they did not have to fly-in fly-out of the state because they could not. Obviously, that put huge pressure on both rental and purchased private properties. I know that because two of my children bought properties in that period, and I know how hard it was to find properties and how the prices went up. They probably paid more than what they needed to, but ultimately they found properties. We will not find a simple solution to these problems. We will not simply be able to pull the Airbnb places back in and put them out for rent, change regulations or do X, Y and Z. The government has tried to put in place a whole variety of mechanisms. It is a little bit like making a cake: you have to have a whole range of ingredients to make sure it cooks well and it is palatable to taste. It is the same sort of thing by which we are ensuring —

**Hon Dr Brad Pettitt:** You just make a cupcake, though; this is the problem.

**Hon KATE DOUST:** Hon Dr Brad Pettitt had his opportunity and he will get five minutes at the end of the debate.

The government is trying to ensure that it has everything lined up to continue delivering housing for Western Australians. I know that related to the budget we will see tomorrow there have already been a whole range of announcements about how the government will deal with housing, and I will go through them in some detail. The Leader of the House has already articulated some of the changes that have come in. One of them I was very keen on was around the security of payments. During the previous Liberal government, there was an ongoing issue of subcontractors going bust, and people building houses lost out. Only in its dying days did the government of the day finally reflect upon this and try to address what it would do to tackle a problem that had been in the public arena for two years and provide some mechanisms to protect the home owner, the home builder and the subcontractor, but it did not go far enough. This government has put in some far better legislation. There is obviously more work to be done, but I know the government will deliver on providing those solutions in the long term.

There are a whole range of areas. Let us come back to those ingredients. We have to make sure we have a fully trained workforce. Numbers have been down. Let us pick up on that little issue of immigration. How do we have a fully trained workforce if we do not have enough locals? We have to bring people in. They are either brought in from the eastern states—and let us face it, they are all struggling to find their own staff and tradespeople to build—or they are brought in from overseas. Immigration should not be discounted; it can be very important, particularly when people are needed to work. Time and again people have been brought in to do a particular job. It is very simplistic to say that that cannot be done. We need to make sure we have the workforce we need and make sure they are skilled up, and the government has been looking to do that.

Talking about the areas the government has been focused on, I want to go through a raft of changes that this government—under the previous Premier as well—has put in place to try to ensure that we have that skilled local workforce, not just for now but in the long-term future. We will not solve this problem in the short term; it will take long-term planning and long-term investment. It will require looking at how we diversify so there are a range of options for home owners and people in the public sector.

I turn to some things the government has done to ensure it can construct houses, units, apartments or tiny homes—whatever people need. It has invested its \$2.3 million to encourage more apprentices into good jobs in the building and construction industry and to help them complete their apprenticeships and qualifications. The government is doing that by providing milestone payments of \$1 000 to eligible apprentices who complete those milestones. It is a very significant change. Concerning TAFE and apprentices, today the federal government announced that it would provide \$90 million to ensure people can access construction industry courses at TAFE for free. That is a great change. There are great partnerships and synergies happening. Through the Construction Training Fund, the government has funded a \$21.2 million apprenticeship support package that hinges on another program that was put in place in 2023–24. There is a \$16 million boost to the government's apprentice tool allowance, which will assist them with a \$1 000 rebate. Let us face it, it is not just about going to TAFE; a lot of these people have to buy their own equipment, and it is outrageously expensive. In order to enable apprentices to continue, the government has provided that support so they can buy their tools. There has been \$26 million allocated in the forthcoming

budget to provide additional support to employers in the building and construction industry. Eligible apprentices will receive a base grant of \$15 000, up from \$12 000 previously. There is a bonus rate to encourage employers to have female or mature-aged apprentices or trainees, and that will be doubled from a 20 per cent to a 40 per cent bonus. Let us face it, that is a great thing. Why can we not have women working in construction? In fact, we might find they do an excellent job. Another \$5 million has been allocated to the CTF's capital grants program for private registered training organisations to upgrade facilities and equipment to expand their construction training capacity. There is another investment of \$470 000 to assist regional building and construction apprentices with travel and accommodation allowances. There was a recent \$21.5 million expansion of the group training organisation wage subsidy program. They are just a couple of examples of what this government has been doing to support employers, apprentices and trained, skilled workers who are essential for the housing and construction area so we can put in place additional houses, be it private, rental or public or social housing. That is one element.

Of course, we have to have the money to do it, and the government has found that, not just this year in tomorrow's budget, but last year and the year before going back through the term of this government. I cannot recall during the previous government's time, under Barnett, the amounts of dollars to match this. It did not happen. There was no creativity in that government—no drive to support growth in the housing and construction industry, and certainly not in the social housing area.

Land is also needed. The minister referred to a range of older-style properties that have since been changed or demolished to create new construction opportunities, and one of those is Brownlie Towers, an area I have had a lot of involvement with since I first came into Parliament. During the Gallop government there was decision made to upgrade the 300-odd units. I think it cost over \$20 million. The tenants were very engaged and it was hoped that it would be a long-term project. That project was completed around the time of the change of government. The Liberal government at the time did nothing more and basically let it go. The buildings deteriorated, and the very hard decision was made in the early stages of this government, once we came back in in 2017, that Brownlie Towers were not appropriate for a modern housing arrangement for people in public housing, so they were demolished. Hon Dr Brad Pettitt is right, there is a big parcel of land, but there is a program of work that will enable —

**Hon Dr Brad Pettitt:** Ten years—demolished!

**Hon KATE DOUST:** Yes, it sat there for eight years during the Liberal government and nothing happened. Hon Dr Brad Pettitt should not worry about that, this government will put in place a plan by which there will be housing, and it will be a mixed housing project. I look forward to it rolling out, and I understand that it is not far off from happening. The idea of having hundreds of new homes with community facilities already there, and access to schools, public transport, retail and Carousel, South Perth or Karawara, and being close to the universities, is certainly very attractive to a whole range of people who would hope to move there. The site is 10 minutes out of town, so once it kicks off it will be a really exciting project in the south metropolitan area, and certainly one I have been looking forward to. It is a project that has, sadly, been delayed not just because of the tardiness or neglect of the previous government but some other issues. I know it will make a significant change to the area. I look forward to the completion of that project, which will take time, because, again, we come back to the problems we currently have. We need the workforce, we need the money and we need availability of materials. That is a problem.

I am currently involved in a community project for which the cost has blown out, because materials are difficult to get for any builder, be they in the public or private sector. That adds to costs. That would be a burden on a lot of people seeking to enter the market. There is an issue around builder availability. Quite often, there are also timeliness issues in terms of getting approvals for these sorts of projects. It is not simple. The government has been trying to tackle this issue ever since it came to office.

I think Minister Carey has done an outstanding job as the current Minister for Housing. When you go to him, he says, "Bring me your project and I'll have a good look at it", and he really does give it a red-hot go. I am involved in a couple of projects with community groups in the south metropolitan area. One that I have referenced before is a project that is being worked through predominantly with the private sector to provide housing for women over 55. I must say that the minister has been extremely receptive to and supportive of that project. We are also working with him on a community housing project. Again, it is a very different project, but he is the sort of minister who is open to options, open to doing business differently and open to different designs. I know that he actually spends a lot of time online looking at buildings that are already in place that could potentially be spot purchased and, if needed, redeveloped. In his tenure as minister, I have found that he has started to diversify the type of project and model of housing that we have in front of us. I think it is a bit rich to criticise him when he is actually delivering.

Reference was made to the properties—the tiny homes—in Hamilton Hill and Spearwood, which may be an option used more widely. I know that one of the larger housing organisations has called on the government to look at that on a much broader scale. That might work for some people, but not everyone wants to live in a tiny home. A lot of us have to deal with people coming into our offices who are looking for bigger homes because they have bigger families. The government is also looking at how to accommodate those people. There has to be a mix. However, these things cannot be developed unless all the factors are in place—money, land, skilled labour and the capacity to deliver the product. That cannot be done overnight.

It is always a challenge to raise these issues, particularly for the Greens. I know that Hon Dr Brad Pettitt is passionate about it, but he has to fight against his own party, which has consistently opposed these types of projects and the amounts of money that particularly the feds have tried to put into them to provide support to low-income families and workers to have that entry point to get their own home. The Greens at one point denied the feds the ability to roll out those dollars to the states. The federal government then had to make a decision about how to do it differently. We are now the beneficiary of that money coming our way, so the state minister has been able to add that funding and start rolling out a better housing product or a bigger range of housing products.

I think the amendment is appropriate. This government certainly has been focused on increasing housing supply. It has been focused on doing business differently to accommodate the different needs of our community as it changes. It is certainly targeting not just the metropolitan area but regional areas as well. I know that the minister previously outlined some regional projects that the government has committed to. The government has looked at how to change the way we do business in the rental market. There was a whole raft of changes. We had another debate recently, led, I think, by Hon Wilson Tucker. The government has put in place the rent relief program and rolled out the build-to-rent project. We have legislation on our notice paper for that. Hopefully, we might get to the Land Tax Assessment Amendment (Build-to-Rent) Bill 2023 tomorrow.

**Hon Neil Thomson** interjected.

**Hon KATE DOUST:** What did you just say to me? Did you just say, “Stop bulldusting”?

**Hon Neil Thomson:** No, I was saying you were filibustering.

**Hon KATE DOUST:** Filibustering? I thought he said “bulldusting”. I was going to say that that was inappropriate!

The government has looked to modernise our tenancy laws and strengthen protections for our renters by outlawing rent bidding, reducing the frequency of rent increases and allowing tenants to make minor modifications. In terms of providing opportunities for home owners to reduce their difficulties with the cost of living, the government put in place \$1 400 in household electricity credits for every household in Western Australia. I must say that that is one thing that has been well received right across the state by everyone who has been a recipient. These are things that previous conservative governments have not done. What we are finding is that members on the other side, be they from the opposition or the crossbench, are not coming up with any genuine solutions that are practicable or attainable, and no policies. We are 10 months out from an election. The Liberal Party, which is the contender to the throne in terms of government, certainly does not have a single policy. I do not know where it is going to go or what it is going to do for people in this state and what its plan is. The only policy that I can recall from the last election was its extremely hilarious attempt at an energy policy. I do not recall it ever having a housing policy. I know that it is going to be a new piece of creativity for it to come up with that. Maybe that is something Hon Steve Martin will take on board and keep himself busy with over the next few months. I hope it is not such a haphazard disaster for the Liberal Party as the energy policy plan was last year.

Rather than criticising this government, I think we need to commend the government, because it is doing everything it possibly can to grow the number of houses in this state, be they public or private. It is doing everything within the constraints that arose out of the COVID pandemic.

**The ACTING PRESIDENT (Hon Stephen Pratt):** I will interrupt you there to give the right of reply to the mover, Hon Dr Brad Pettitt.

**HON DR BRAD PETTITT (South Metropolitan) [3.06 pm]** — in reply: Thank you for my right of reply, Acting President. It would have been good to reply to the original motion, noting that the amended motion is not one that I am able to support. I thank members for their responses to this important issue. What a lot of these motions have in common is that they acknowledge that we are in the middle of a housing crisis. I hope that what we have teased out today acknowledges that we need bolder and more courageous action to deal with immediate solutions. I thank those who responded, including Hon Dr Brian Walker for the solutions-focused contribution that he made. I certainly think that that is what we need to be talking about. In response to Hon Steve Martin, I agree that my original motion could have been tweaked, because building is important. However, the point I was trying to make was that whilst it is absolutely necessary, it is not going to be sufficient, especially in the short term. That is partly because of the huge nature of the problem, which Hon Steve Martin did a very good job of mapping out in detail.

I have to respond to Hon Sue Ellery’s comments, perhaps starting with her claim that the Greens do not need to be courageous because we are never in government. I just say to Hon Sue Ellery that she should look to the Australian Capital Territory, where the Greens are in government with the Labor Party. Really interesting things are happening with that joint government. It is the only jurisdiction in which rental vacancies went up and not down over the last year.

**Hon Stephen Dawson:** Can I just point out that you are also in opposition in the ACT. The Greens are in government and in opposition. That is obviously the best of both worlds.

**Hon Dr BRAD PETTITT:** The Greens are in joint government in the ACT; they hold ministries. They have had more ambitious solutions that have fixed the housing crisis. That is what I am saying needs to happen here. Do

members know what? It is working. I hope you guys over there understand that it is working. In fact, in Victoria, which I talked about as well, the Labor Party depends upon the Greens to get things through the upper house. We saw the vacancy tax go through. Again, it is working. This is the key point I would make. We need more ambition and things that need to happen. What we are doing is simply not working. The Leader of the House and Hon Kate Doust can list whatever they like, but the proof is in the pudding, and the evidence is undeniable. We are going backwards on every metric. Surely, that is the only thing that matters when we talk about the human right for housing. If the government's policies, interventions and budget announcements are not adding up to something that is working, then it is doing something wrong. I had hoped that is what would be a takeaway today. Hon Kate Doust talked about how we need a whole bunch of ingredients to make a cake, and my interjection was that I agreed with her. However, the ingredients that we are offering in WA right now are so small that we are only making a cupcake. It is literally a cupcake to feed a party that needs a much bigger, stronger solution. I think that can be the analogy for today. It can perhaps be summed up by the defence of Brownlie Towers, which somehow goes back to still blaming the Barnett government, even though this government has been in power for seven years and has done nothing other than demolition. It was good to know that Hon Sue Ellery and the minister had been watching my social media because, yes, I have been in a lot of social media saying that this government is demolishing houses faster than it is building them, and it will keep doing it. That is the evidence. In fact, there is one I hope Hon Sue Ellery will enjoy, which is coming up, about Brownlie Towers, because I visited it the other day. It is a very nice place with lots of trees, and not a single building or dwelling. After seven years of government promises, not a single dwelling. It is a bit like the heart of Beaconsfield or Connect Joondalup—not a single new dwelling. This is the problem. We have to do things differently and be more ambitious. I stand by my quote that we have to be more courageous, because at the moment we are going backwards on housing and that is the problem.

*Division*

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

Ayes (18)

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

Noes (12)

Hon Peter Collier	Hon Nick Goiran	Hon Tjorn Sibma	Hon Wilson Tucker
Hon Ben Dawkins	Hon Steve Martin	Hon Dr Steve Thomas	Hon Dr Brian Walker
Hon Donna Faragher	Hon Dr Brad Pettitt	Hon Neil Thomson	Hon Colin de Grussa ( <i>Teller</i> )

Pairs

Hon Dr Sally Talbot	Hon Martin Aldridge
Hon Rosie Sahanna	Hon Louise Kingston

Question thus passed.

**COMMITTEE REPORTS — CONSIDERATION**

*Committee*

The Deputy Chair of Committees (Hon Stephen Pratt) in the chair.

*Standing Committee on Environment and Public Affairs —  
Sixtieth Report — Petition No. 020 – Dog Act 1976 — Motion*

Resumed from 17 April on the following motion moved by Hon Peter Foster —

That the report be noted.

**Hon DARREN WEST:** I was expecting others to jump up and make a contribution on this important report. This report gives us, as members of Parliament, the opportunity to acknowledge in the house our pets and get their names into *Hansard*. I think that is very important because, like all members of the public, we love our pets; we love to spend time with them and get a lot of enjoyment from them. I have a particularly old dog at home. Jess was born in 2008, and is now a ripe old age, coming up to 16 years. My dog has been a very loyal work friend and a friend to our family, and has been around for most of the kids' lives.

**The ACTING PRESIDENT:** Members, the allocated hour for that report has lapsed.

**Consideration of report postponed, pursuant to standing orders.**

*Standing Committee on Estimates and Financial Operations —  
Eighty-ninth Report — Consideration of the 2021–22 Annual Reports*

Resumed from 22 June 2023.

*Motion*

**Hon PETER COLLIER:** I move —

That the report be noted.

This is from the 2021–22 annual report, so it is a little dated. Having said that, it does reflect the hard work of the hardest working committee in the Parliament, which is the Standing Committee on Estimates and Financial Operations. As I keep on saying—I will be a bit repetitive here—it is an extraordinarily effective and cooperative committee. As a result of that, we have some good outcomes; and that can happen. That is exactly why if someone wants to look at a type-A example of why the committee system in the Legislative Council works, they should look at the estimates committee. It is working really, really well, and it has for the last three and a half years. I have thoroughly enjoyed my role as chair, even though, as I keep saying, the Leader of the House did not want me—tough, she got me! I think we do a very good job as a committee—not myself as chair, but as a committee we do a very good job.

At the beginning, we had a change in personnel on this committee. Originally, in my role of chair I was ably supported by Hon Samantha Rowe, who does a very good job as deputy, Hon Nick Goiran and Hon Dr Brad Pettitt. The other member was originally Hon Jackie Jarvis before she was elevated to the ministry. I am pleased to say she was replaced—not pleased because she was replaced, but pleased to say we got Hon Dan Caddy, who is an extraordinarily good and effective first-term parliamentarian. I say that quite sincerely. He really gets it. He knows when to go for the jugular and when things have to be done effectively. That is what makes a good parliamentarian. I will talk about that in my upcoming budget reply speech. I am looking forward to that with my unlimited time.

**Hon Stephen Dawson** interjected.

**Hon PETER COLLIER:** Did I wake the minister up? Sorry.

**Hon Stephen Dawson** interjected.

**Hon PETER COLLIER:** Yes, I get unlimited time as the leader of the party. I checked it out, mate.

**Hon Stephen Dawson:** All the time in the world. Bring it on.

**Hon PETER COLLIER:** I cannot wait. I will take us through to the winter break! I will not; I promise. Do not get excited. It will be my last one, so I have to have a bit of fun.

For the benefit of members, the annual report hearings are a powerful mechanism through which the Legislative Council can scrutinise the financial operations of the government in between the estimates hearings. We have our annual estimates hearings, which all members are a part of. They can also be part of the annual report hearings, but they tend to draw the appropriate shadow minister, which is appropriate. As I said, they are a mechanism for the committee to scrutinise the financial operations of the government. Committee members collectively resolve on those agencies that we would like to come in, look at their annual reports and then invite other members to join us. We have done it pretty much relentlessly for the whole period of this government, and I know that the committee did exactly the same under previous governments. The departments come in and particular elements of their annual reports are scrutinised, but we also diversify; we allow a bit of flexibility with the annual reports and members can go outside the boundaries or confines of a particular financial year. I will read this in from the report because it is important —

In the course of this inquiry, the Committee:

- compared the overall expected and actual spend from the Consolidated Account
- reviewed resourcing and non-financial performance of selected agencies
- highlighted the increasing level of qualified audit opinions and questioned qualified entities on how these matters will be addressed
- explained how annual reports can be used to assess the financial performance of agencies over the year, and identified issues in selected agencies
- followed-up on matters from previous reports, including outstanding Statements of Corporate Intent, the use of the higher than expected surplus in 2020–21, and overdrawn special purpose accounts.

It continues —

This report also reflects on whether the Committee’s capacity to scrutinise was impacted by the quality, quantity and timely provision of information. The Committee was impacted by the late tabling of the annual reports for the Department of Communities and the Department of Planning, Lands and Heritage. Other issues, such as errors in annual reports and the number of occasions when the Minister decided not to provide information to the Committee, did not adversely affect the Committee’s capacity to scrutinise the annual reports.

That takes me back to the fundamental role of this committee. It is the only upper house committee that has a majority of opposition members and, by convention, a chair who is a non-government member. That has not occurred in some instances over the last couple of terms for reasons that I will speak about in a couple of weeks. However, that is why it works effectively. We proactively and constructively advise departments and Treasury on ways in which they can improve the budget papers or handle their financial procurement processes. Sometimes the ministers respond satisfactorily, and sometimes not so satisfactorily, but almost without exception, we resolve issues that we are concerned about.

The committee held 10 hearings with agencies and made nine recommendations in the report, six of which aim to improve the quality of information contained in the report. The others relate to the tabling of annual reports, errata and notices of non-provision of information. I am pleased to say that in the government's response, it either supported or noted all but one of the recommendations. The government took on board the recommendations of the committee; it saw them for what they were. They were what I regard as valuable feedback to the government from an external body to try to improve transparency and reporting to Parliament. The only recommendation that the government did not support was recommendation 2, which states —

The Treasurer direct the Department of Treasury to amend *Treasurer's Instruction 945: Explanatory Statement* to require accountable authorities to disclose whether and why an annual estimate published in the annual report differs from the previously published estimate.

It sounds eminently sensible, but, upon reflection, I think the government's response justifies its reason not to support the recommendation. It states —

The Budget Paper No. 2 presentation is broadly consistent with the Uniform Presentation Framework agreed at the May 1991 Premiers' Conference and subsequently revised by agreement at the Council on Federal Financial Relations in February 2019. The format standardises presentation of diverse agencies in the Budget Papers, which drives improved budgetary comparability and publication efficiencies.

That is fair enough. The government responded to that and so we took it on board, and that is fine. We do not get offended when the government does not support our recommendations necessarily, particularly if it has a legitimate reason for it. Other than that, all the other recommendations were either supported or noted, and the committee is very grateful for that.

We have been very fortunate with the staff of the committee. We have had a complete transfer of staff from when this annual report was done. At the time, Andrew Hawkes was the advisory officer, Margaret Liveris was the committee clerk and Denise Wong was the legal advisory officer. We worked with those three staff members for almost three years, right up until six months ago. There has been a bit of a change in the staffing of the office. On each and every occasion, I am in awe of their understanding of the budget papers and the processes and procedures. We rely very heavily on the staff in our meetings and in the annual report and estimates hearings. They sit by our side in the committee. They are very approachable and accommodating. On behalf of the committee, I thank Andrew, Margaret and Denise most sincerely for the support that they provided to us to make our job a lot easier. I will talk about the incoming committee staff during consideration of the next report and during the forthcoming budget estimates hearings. That gives me an opportunity to remind members that their requests for agencies for the budget hearings in three weeks need to be in by next Tuesday and their questions need to be in in a couple of weeks.

Having said that, I will not take any more than my allotted time. I thoroughly enjoy being Chair of the Standing Committee on Estimates and Financial Operations. It is a very productive, harmonious and cooperative committee across the board, and I think we are providing good, positive outcomes for Parliament.

**Hon PIERRE YANG:** Thank you, deputy chair, for the opportunity to say a few words about the eighty-ninth report of the Standing Committee on Estimates and Financial Operations, *Consideration of the 2021–22 annual reports*. As Hon Peter Collier has mentioned, I also want to give a shout-out to the members of this very important committee of this place for their contributions: Hon Peter Collier, the chair; Hon Samantha Rowe, the deputy chair; Hon Jackie Jarvis at the time; Hon Nick Goiran; Hon Dr Brad Pettitt; and my very good friend Hon Dan Caddy, who replaced Hon Jackie Jarvis from 14 February 2023.

As we heard from Hon Peter Collier, it is a very harmonious, productive and effective committee. When parliamentary committees take a very mature non-political and bipartisan approach, it produces very good outcomes. I draw on my experience on the Standing Committee on Legislation in the fortieth Parliament, which was ably led by Hon Dr Sally Talbot as the chair. Along with Hon Nick Goiran, Hon Colin de Grussa and Hon Simon O'Brien, we worked very collaboratively most of the time and many good outcomes came from that committee.

As we know, schedule 1 of our standing orders lists the terms of reference for our committees. The functions of the Standing Committee on Estimates and Financial Operations are —

- (a) consider and report on —
  - (i) the estimates of expenditure laid before the Council each year;
  - (ii) any matter relating to the financial administration of the State ...

That was correctly pointed out in the eighty-ninth report. Our standing orders also state that this committee will have five members, three of whom must be non-government members. A very important point to note is that the committee that examines the financial operations of the state, the government and the executives of our polity is scrutinising it with a very strong sense of transparency, with the opposition parties and the crossbench forming a majority on this committee. That is very important to note, and it is worth remembering that the decisions, recommendations and findings of this committee come out of that context. I thank the committee for all the work it has done and contributions it has made over the past three years in the forty-first Parliament.

I will make a contribution about the actual report. The eighty-ninth report refers to the 2021–22 budget being structured around four major government goals. They are —

- Growing our communities: Protecting our environment with thriving suburbs and regions
- Safe, strong and fair communities: Developing healthy and resilient communities
- Strong and sustainable finances: Responsible, achievable, affordable service delivery —

I will come back to this point. And —

- WA Jobs Plan: Local manufacturing and production, creating WA jobs and training for the jobs of the future.

We can take pride in the achievements of this government since 2017. We announced the Plan for Jobs in 2016 and took it to the 2017 election. Once we were elected, we did all we could to realise that very important aspect of local manufacturing and decent local jobs with decent wages and conditions for Western Australians. If we look at the recent announcement about the first railcar series manufactured in Western Australia, we will see that that is a significant example of the achievement of this government since its election in 2017.

I come back to the third point that I mentioned: “Strong and sustainable finances”. Members remember that when we were elected in 2017, as I have mentioned many times—Hon Dr Steve Thomas may have a different opinion on this, although it is a hard fact—the state was in domestic recession. If we exclude exports, we were in a domestic recession of three or four per cent for three or four years before 2017. We turned that around and we led by example by asking senior executives of the public service, ourselves in this place and the judiciary to not receive a pay rise over that term of Parliament. It was very important to show the public that “Yes, we understand that you are doing it tough and we are with you.” We are willing to do the same so that we are in this together and we can turn the boat around together. We did that. We put the brake on the ever-accelerating recurring public expenditure under the previous government and we turned the whole financial situation around. The previous government lost the AAA credit rating. We regained it. We reduced state debt despite the once-in-a-century pandemic that threw a curveball at the Labor government in this state. Not only did we manage that, but we also emerged from the crisis much stronger and in a much better place than we would otherwise have been if there was a Liberal–National government.

Paragraph 2.3 of the report states —

The Parliament approved the Government’s request to spend \$32.6 billion from the Consolidated Account to implement its budget. The 2021–22 Budget noted that a further \$3.4 billion would be spent under the authority of other statutes and up to \$820.5 million could be spent under the Treasurer’s Advance arrangements.

Paragraph 2.4 states —

The Government later sought, and received, Parliament’s approval to increase the Treasurer’s Advance limit from \$820.5 million to \$2.3 billion to finance additional spending not otherwise included in the original request for funds.

Members would remember that during the last sitting week we approved another Treasurer’s advance bill. It is important that we support the government in its measures to advance the interest of the state. If I have another opportunity today, I want to talk about those very important projects that this government is undertaking.

**Hon KLARA ANDRIC:** I rise today to make my first contribution on the eighty-ninth report of the Standing Committee on Estimates and Financial Operations. I was very pleased to hear earlier comments by Hon Peter Collier about bipartisan collaboration amongst the committee’s members and the very encouraging words of Hon Dan Caddy about committee members. The honourable member is clearly very excited about joining the committee in February of 2023, is that correct?

**Hon Dan Caddy:** Something around that.

**Hon KLARA ANDRIC:** Something around that. It is very encouraging to hear that.

It was also quite encouraging to hear Hon Peter Collier’s commentary about the government recommendations and the one recommendation that was not supported, saying that it was in fact the government was justified not to support it and that was fair enough. The government had provided, according to the words of Hon Peter Collier, legitimate reasons for not supporting the recommendations as he reflected on the reasons provided. As mentioned



previously, the report concludes the committee's consideration of the 2021–22 annual reports and in the course of this inquiry, the committee examined the total spending from the consolidated account and the operations of what I understand are 10 agencies in detail and other agencies that were done on requirement.

From its inquiries, the committee made a total of nine recommendations, as listed in the eighty-ninth report. Six of those recommendations aim to improve the quality of information that is contained in the annual report. The remaining three recommendations concern the tabling of the annual report's errata and notices of non-provisional information.

The 2021–22 budget was structured around four goals. Those goals are listed under the heading "Overall financial performance". I refer members to chapter 2.2 on page 1, which states —

The 2021–22 Budget was structured around the following four Government goals:

- Growing our communities: Protecting our environment with thriving suburbs and regions
- Safe, strong and fair communities: Developing healthy and resilient communities
- Strong and sustainable finances: Responsible, achievable, affordable service delivery
- WA Jobs Plan: Local manufacturing and production, creating WA jobs and training for the jobs of the future.

As noted in the report —

All agencies contributed to at least one goal and some contributed to more than one.

Spending from the consolidated account totalled \$36.9 billion. The committee noted that this was \$928.8 million more than expected at the time of the 2021–22 budget. I refer to the government's requests and approvals for budget funding from Parliament, which also begins on page 1 and concludes on page 2 of the report at chapters 2.3 and 2.4. Chapter 2.3 states —

The Parliament approved the Government's request to spend \$32.6 billion from the Consolidated Account to implement its budget. The 2021–22 Budget noted that a further \$3.4 billion would be spent under the authority of other statutes and up to \$820.5 million<sup>5</sup> could be spent under the Treasurer's Advance arrangements.

The committee examined 10 agencies in detail. They are listed on pages 3 and 4 at chapter 2.10, which states —

The Committee examined the following agencies in detail:

- Child and Adolescent Health Service
- Commissioner of Main Roads
- Department of Biodiversity, Conservation and Attractions
- Department of Communities
- Department of Justice
- Department of Planning, Lands and Heritage
- Department of Transport
- Department of Treasury

It was noted in the report that the committee also intended to meet with the Department of Fire and Emergency Services back in February 2023. However, understandably, the commissioner was unable to meet at that time due to the committee's request falling during the department's high-fire threat period. As members would appreciate, that is very acceptable. It should also be noted that the committee now intends to meet with the Department of Fire and Emergency Services as part of its consideration of the 2023–24 budget estimates.

Collectively, the agencies examined in detail by the committee received a total of \$13.3 billion in appropriations from the consolidated account. The agencies were reported against several factors. They are listed at chapter 2.12 on page 4 of the report, which states —

In 2021–22, these agencies collectively received \$13.3 billion in appropriations from the Consolidated Account and reported against:

- 32 desired outcomes
- 48 services
- 133 key effectiveness indicators
- 83 key efficiency indicators
- 7 other key performance indicators.

Regarding the agency resourcing, the committee assessed financial statements that show whether or not the agency received sufficient resources to cover the full cost of delivering the services and had sufficient cash to fund the in-kind capital for operating, investing and financing these payments. Chapter 2.13 is titled “Agency resourcing” and states —

The financial statements show whether the agency received sufficient resources to cover the full cost of delivering services and sufficient cash to fund the combined impact of operating, investing and financing payments. In addition, the notes to the financial statements may show whether the agency received its full allocation of appropriation funding and/or received supplementary funding.

In the fewer than 40 seconds remaining to conclude my remarks on the eighty-ninth report, I want to take the opportunity to thank all the committee members for their very hard work. In particular, I thank the previous speakers, Hon Peter Collier and Hon Pierre Yang, for their contributions today. I look forward to making another contribution on this very important report of the forty-first Parliament in the very near future.

**Hon SANDRA CARR:** I also rise to make a contribution today on the eighty-ninth report of the Standing Committee on Estimates and Financial Operations titled *Consideration of the 2021–22 annual reports*. I am sure, as per my honourable colleagues, that my contribution will be every bit as riveting, so please take the precaution of stapling your thighs to the seat for this one!

From the outset, I also note Hon Peter Collier’s contribution earlier when he said that the Standing Committee on Estimates and Financial Operations was the hardest working committee in the Council. I take objection to that comment, having held the title of hardest working committee for quite some time as a member of the Standing Committee on Public Administration. I believe the honourable member may need to seek an alternative definition for the estimates committee’s efforts. I think that is an important correction to have on the record today! Having said that, I recognise the important contribution of all committees. They provide an important scrutiny and oversight function into the various functions of government departments. They make a valuable contribution.

I will now turn to the other comments of Hon Peter Collier. He recognised the helpful responses from the government on the nine recommendations that were made and, when those recommendations were not supported, I believe he used the words that that was “appropriately justified”. I believe it is the goal of Treasury to be a self-reflective and responsive department that looks at responding to constructive feedback and recommendations from the committee to ensure that the department’s processes are always improved upon and transparent. I note that in a couple of instances the response, such as that to recommendation 3, is that the government notes that it appears to have been an isolated error that went undetected. That indicates an important function of these committees, in that there are human beings putting together these annual reports and humans inevitably make mistakes. Therefore, that function is particularly important for that additional oversight and scrutiny and opportunity to correct and amend the record appropriately. The response here indicates that it is to be the case and that it is anticipated that the department will prepare the correct disclosure in future.

Likewise, recommendation 4 addresses an isolated error that went undetected and anticipates that the department will prepare the correct disclosure in future. That highlights the important function of committees and the work they do to detect some of those errors and make sure that reports are accurate and that inevitable human error is also picked up as part of that entire process. Anyone who has worked on committees and had to put together reports will know that some of the scrutiny of detail of the various information obtained is high level and, dare I say, tedious at times, when scrutinising each word or comma, or making sure that it reflects all the detail as accurately as possible. Inevitably, at some stage that will lead to human error.

I turn to the table from Main Roads WA on page 14 of the report. I will take a moment to talk about the function of Main Roads and the important role it plays. The table presents some of the functions of Main Roads and the allocations of budget amounts. Main Roads has a very complex budget to manage and some of the budget for building new roads regionally includes things such as land acquisition or buying properties. That can be quite a complicated process because there is no certainty in those acquisitions, as it is part of a negotiation. As we all know from budgeting in our daily lives, in a global context there is no certainty around the cost of things. A good example of that is the cost for anyone trying to build a house or any kind of construction project at the moment. Invariably budgets must have some flexibility. In my conversations with Main Roads about some of the work it is doing, I have found that part of its maintenance budget has historically included some of those acquisitions. It is a complex situation for Main Roads because money that is normally put towards the maintenance and repair of roads goes towards some of the future planning. This constant scrutiny of budgets and what we are allocating also allows departments when preparing that work to reflect on ways it could be done better or ways that the buckets of money, as they are colloquially referred to, can be allocated to identify more specific purposes. That kind of scrutiny is a good way to facilitate that.

I turn now to the recommendations more broadly. In summary, I feel that Hon Peter Collier is correct in saying that the government’s response to these recommendations has been particularly helpful. Even when things are noted, or supported in principle, an action has been identified by Treasury. It also brings its own expertise in the

way these matters can be addressed or rectified, or corrected in terms of process. Each of the government's responses indicates that that is its intention. It has given due consideration and it has applied its own expertise and insight into the recommendations provided by the committee and has responded appropriately and in a manner that Hon Peter Collier referred to as suitably justified, which is a good insight into the collaborative nature of a bipartisan committee.

I will wind up my statement by thanking the members of the committee who prepared this report—Hon Peter Collier; Hon Jackie Jarvis at the time, who has now vacated her position on the committee and has been replaced by the highly capable Hon Dan Caddy, who is equally robust and dedicated to scrutiny of all things tedious; Hon Dr Brad Pettitt; Hon Samantha Rowe; and Hon Nick Goiran. I thank also the fabulous committee staff, Andrew Hawkes and Margaret Liveris—I hope I have said that correctly. I would hate to mispronounce someone's name. That is one of my biggest fears in life, so I obviously have a very comfortable life. I thank also Denise Wong. It is a fantastic team working together to put the information in this report. I thank them for their time and effort and I appreciate that this task is probably about as exciting as my contribution today. I thank them for their work. I will now take a seat and allow my colleague to make his contribution.

**Hon NICK GOIRAN:** The more that time moves on, the more nothing changes with respect to the Cook Labor government. Here we have the eighty-ninth report of the Standing Committee on Estimates and Financial Operations. The report before us looks at the annual reports of government agencies, not from the past financial year, but the financial year preceding that. Members will see that the committee had the opportunity to have hearings with 10 of the government agencies. That information is found at paragraph 2.10, on page 3 of the report. Members will also find in this report that, yet again, certain ministers of the Crown have shown a disregard for the work of this committee and the Parliament and to their fundamental obligations under the law of Western Australia. If members take the opportunity to familiarise themselves with the report, they will see that a number of recommendations have been made, including recommendation 9, which states —

The Treasurer and the Minister for Energy; Corrective Services notify the Parliament and Auditor General of their decisions to not provide certain information to the Committee.

I draw members' attention to page 34 of the report, which sets this out. That recommendation required a response from government. The government has provided a response to members, and it is one word—"noted". The government of Western Australia—at least some of the ministers of the Crown—has intentionally decided not to provide information to Parliament. The consequence of doing that is that they are required under the law of Western Australia to provide a notice to the Parliament and to the Auditor General. The committee reminded them of this at recommendation 9, and the government's response was to say that it had been noted. I would have thought that in the time we have had this afternoon since the chair first noted the response—we have had multiple members of the government, including a parliamentary secretary, provide contributions—that somebody would have indicated whether they intended to fulfil their obligations under recommendation 9, but not one of the previous speakers has done so. This is not the first time that we have seen this kind of misbehaviour by the government in respect of this matter. This is not the first time that we have seen this government show a blatant disregard for its legal obligations under the Financial Management Act.

I will take a few moments to highlight precisely the information that the government, or certain ministers, has deliberately decided not to provide to the committee. Keep in mind that we are talking about a ministry that was led at the time by the then Premier, Mark McGowan. He was in charge, and he infamously said that a government that he would lead would adhere to a gold standard of transparency. Keep in mind that background and context in light of the information that is provided on page 32 of this report under the heading "Provision of information". Paragraph 7.2 states —

Ministers declined to provide information to the Committee on 8 occasions. These occasions are shown in Table 8 on page 33. The Committee did not ask any questions prior to hearings, so the table covers questions on notice and additional questions.

At table 8, on page 33, we see that the culprits are the Treasurer, the Minister for Corrective Services and the Minister for Energy. They are the three culprits set out at table 8. The basis for the non-provision of information ranged from a claim of legal professional privilege to one of privacy, one of it being too resource intensive, one of having different data systems, one of data quality and a claim of commercial-in-confidence.

At paragraph 7.3 the committee draws the following to the attention of members of this honourable chamber. It states —

When a Minister decides it is 'reasonable and appropriate' not to provide 'certain information' to Parliament, the Minister is required to notify each House of Parliament and the Auditor General of this decision. The relevant Ministers should notify Parliament and Auditor General for occasions 1 and 3–8.

The only minister who is not required to provide information to the Auditor General and the Parliament is the Minister for Transport, who highlighted that the relevant information that could not be provided was names that had been redacted for privacy reasons. The other culprits, the Treasurer, the corrective services minister and the energy minister of the day are required to notify the Parliament and the Auditor General.

With respect to the longstanding tension with legal professional privilege, the committee has said the following at paragraph 7.4, which states —

In relation to occasion 1, the Committee does not consider providing a list of agencies and the topics for legal services procured from a related party to be covered by legal professional privilege. The Committee may have had a different view if it had sought copies of the legal advice, which it did not.

Paragraph 7.5 states —

For occasion 8, the Minister for Energy ideally should have supplied the relevant information to the Committee, and requested it be kept private.

The question that then arises is that given that this report was tabled by Hon Peter Collier in June last year, and we are now 11 months later, has the government complied with its obligations under the Financial Management Act? Will a member of government respond to these recommendations in 2024 or will the government continue to treat the recommendations with disdain and contempt? It is all well and good to have one member of the government after another recite to us who was on the committee and who the research and advisory officers and the like were. That is all well and good, but I am not quite sure how many times we have to hear that from one political team. It is perhaps no wonder that the Standing Committee on Procedure and Privileges tabled a report yesterday encouraging us to take a different approach to the consideration of these committee reports. I am not sure how many times we need to hear those things, but however many times it is, all I am asking for is that on one occasion one of the members of the government stands up and explains whether they intend to comply with recommendation 9, and not because it is some trivial matter brought to their attention by this annoying committee—as the committee chair said earlier this afternoon, the only committee that is not controlled by the government. It must be annoying to the government to have this committee constantly drawing its attention to its obsession with secrecy. As I say, it is not the first time on a Wednesday we have had this discussion; it is not the first time we have seen this government show blatant disregard for its obligations to the Auditor General and the Parliament of Western Australia and, in particular, the people of Western Australia, who are ultimately entitled to have access to this information that the government wants to continue to keep secret. Would it be too much to ask that at some point—I do not know whether we will have the opportunity today, with some 11 minutes remaining to consider this motion, and even less time than that for today—whether somebody within government, perhaps the deputy leader or, if not, one of the parliamentary secretaries, who are always enthusiastic to contribute on a Wednesday afternoon, could just find out what the situation is with recommendation 9. I am not even asking them for an update on all nine recommendations, I am giving them one job—one recommendation. We would not have thought that was too tough. Would it be possible to get an answer by the end of this debate about that? Do any of these three ministers intend to fulfil their obligations?

**Hon DARREN WEST:** I would like to make a contribution on this very fine piece of work by the Standing Committee on Estimates and Financial Operations. For us, financial probity is very important. Once again, as members can see with all these reports from the Standing Committee on Estimates and Financial Operations, the committee continues to outline the strong economic performance of the McGowan and Cook governments. We are very, very proud that we will deliver our budget this week with a predicted surplus. If there is a surplus, that will be eight surpluses in a row, which is a stark contrast to our predecessors who ran eight deficits in a row. We are very proud of our financial management; we are very proud of the way we have managed the money of the people of Western Australia and invested it wisely into long-term investments on things that they need.

**Hon Matthew Swinbourn** interjected.

**Hon DARREN WEST:** I will get to the committee members because I think they do an important job. I will get to that. I thank the member for that prompt. I appreciate it. I do go off on tangents from time to time about good economic management and things like that. That is very important to me, as it is in business and personal finances, especially as it is —

**Hon Kyle McGinn:** Farming!

**Hon DARREN WEST:** Farming is a little bit different because we just keep farming until the money is all gone. It is a bit of a Liberal approach! But when dealing with other people's money, particularly taxpayers' money, strong financial management is important, and we have seen that in spades from this government. The chair of the committee may like to speculate about whether the government wanted him there or not, but I can say that he and his committee have done a fine job in scrutinising the financial management of the state of Western Australia because all of its reports come up with good examples of prudence and good financial management.

It is a good committee. Hon Nick Goiran is not always one to take accolades, but he is also on that committee and he is a good contributor to it. I recently had the pleasure of sitting on the latest budget estimates hearings with one of the many agencies called in in the energy space, and there was a very thorough set of questions to and examination of those agencies, as it should have been. It was good to hear the questions asked and hear the responses from the very well informed witnesses who were there with me that day.

Also on the committee, of course, is my good friend Hon Samantha Rowe, whom I have sat next to my entire time in the Legislative Council, and I am very pleased about that. As has been mentioned, Hon Jackie Jarvis had a stint

on the committee before being replaced on 13 February 2023 by Hon Dan Caddy, who is also a strong performer on the committee. Of course, it is also very important to have Hon Dr Brad Pettitt on that committee. I cannot acknowledge just the committee members: Andrew Hawkes, Margaret Liveris and Denise Wong do fantastic work. All our committee staff across all our committees do an amazing job.

I will wade into the debate that Hon Sandra Carr started about the power of some of these committees. I concur with her that the Standing Committee on Public Administration is also a very hardworking committee that achieves results. That committee has been described by none other than Josh Zimmerman, chief political reporter at *The West Australian*, as the all-powerful public administration committee. Maybe one day the Standing Committee on Estimates and Financial Operations will be in that towering sphere and be described as all-powerful, but, until then, the mantle remains with the public administration committee.

I will not repeat everything that has been mentioned by my colleagues, but the total expenditure of the state government in the 2021–22 financial year was \$36 933 million. That is a lot of money. It takes a lot of work to keep such a large budget on track.

**Hon Kyle McGinn** interjected.

**Hon DARREN WEST:** It does. It takes a lot of financial responsibility. In the early times of our government, a lot of discipline was required to keep the budget on track and to shift tack when required during the early stages of the COVID pandemic. Many may remember those times, when we found ourselves, as a state, making decisions and doing things that we never thought would happen, such as closing our borders. People may remember that there were testing stations in tents; the airport had a tent out the front. It was a very different state than we had seen before, and very different from today. I think it was a particularly good effort by the Treasurer, Treasury and all of the executive of government to maintain fiscal responsibility and strong economic management through that time. I know there has been a lot of talk about the way that COVID was managed by the McGowan government, but, in hindsight, I do not think we would do much else. There were calls from the opposition at that time to throw open the borders. What a disaster that would have been for our mining sector and the immunocompromised and elderly in our community! We literally kept Western Australia safe and strong through that time. The financial discipline was first class. I know that all the reports of the Standing Committee on Estimates and Financial Operations reflect on that.

Ten agencies were called by the committee, and I note that many of those agencies were involved in the COVID response. I note that a lot of questions were asked of those agencies and probity was applied to them, as it should be. The committee focused on the intended and actual spending from the consolidated account. Financial performance for the whole-of-government accounts is covered in the *Annual report on state finances*. We can find some really interesting information if we run through that report on state finances. For us in government, it is a good story to tell. There is a lot of information throughout the report. I encourage people to read these committee reports, because it is important that the spending of taxpayers' money is fully scrutinised by committees such as this. I encourage people to pick up these reports and have a read. After all, it is taxpayers' money.

The report contains many recommendations, which Hon Nick Goiran focused on. Those recommendations will be responded to appropriately. I take the point that he made and I am sure there will be some joy for him at some point, although I will not be providing that today. I note that there is a lot of good information as well as findings and recommendations throughout the course of this report.

I note that paragraph 6.31 is headed "Errata tabled in the Legislative Council". I take the point that was made earlier that there are many reasons for errata and that it is important that mistakes are identified, responded to and fixed. It is fair to say that people make mistakes. There can be a range of reasons that mistakes are made. It is important that those mistakes are picked up, fixed and not repeated. A strong point of performance of this government is that it has managed the finances well and has done so to the best of its ability.

I am almost out of time—I am sure members are disappointed about that! If people do not have time to read the whole report, it is important to read the executive summary and the conclusions. I take note of those, and especially paragraph 8.1, which states —

The *Annual Report on State Finances* and agency annual reports are important accountability documents. These documents provide the reader with an assessment of how the State and individual agencies performed against budget-time expectations and the previous reporting period.

**Consideration of report postponed, pursuant to standing orders.**

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

### STATE SUPERANNUATION AMENDMENT BILL 2023

*Receipt and First Reading*

Bill received from the Assembly; and, on motion by **Hon Stephen Dawson (Minister for Emergency Services)**, read a first time.

*Second Reading*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services)** [4.17 pm]: I move —

That the bill be now read a second time.

I am pleased to introduce the State Superannuation Amendment Bill 2023. The overriding intention of this bill is to amend the State Superannuation Act 2000 to enable the WA public sector and the Government Employees Superannuation Board to participate in the commonwealth's Your Future, Your Super reforms for the benefit of WA's public sector workers and GESB's members through the GESB One Fund initiative. The bill will also implement longstanding and relatively minor administrative, governance and compliance updates, along with measures to increase efficiency in managing state superannuation.

The commonwealth's Your Future, Your Super changes came into effect in 2021 and apply to superannuation funds regulated by the Australian Prudential Regulation Authority. These changes were subsequently adopted by state-regulated superannuation funds in other jurisdictions. The principal change, and the main subject of this bill, is the "stapling" of members' super accounts. An employee's super account will be figuratively stapled to them, which means that the account will follow them when they change employment. Stapling eliminates the creation of an account with another fund, which would incur duplicate fees and insurance premiums. The changes will mean that if an employee does not choose a superannuation fund when starting a job, the employer will be required to locate the employee's stapled account through the Australian Taxation Office's online portal and direct contributions to that account. Only when a fund choice is not made by the employee and a stapled account does not exist will the employer direct contributions to a default fund, which for most WA public sector employees is GESB.

The bill provides for two types of stapling: firstly, stapling for new employees who join the WA public sector and, secondly, stapling for members of GESB who leave the state public sector or commence concurrent, non-public sector employment. Clause 8 of the bill provides for the first type. It prescribes the processes that state government employers must follow for new employees to ensure that contributions are directed to the employee's stapled fund—if one exists—unless the employee chooses otherwise.

The second type of stapling is largely provided for in clause 17 of the bill. These provisions will enable the GESB Super scheme to receive non-government employer contributions made on behalf of GESB members. This will allow GESB members who are employed outside the state public sector to continue to maintain their superannuation with GESB and not be required to open an account with another fund, by allowing GESB to accept superannuation contributions made by their non-government employer to their GESB Super account, either as their chosen fund or as their stapled fund.

Currently, when a GESB member ceases employment in the WA public sector, they are unable to direct their superannuation guarantee payments from their new employer to their GESB account, and they need to set up a super account with another fund. This restriction also impacts existing WA public sector employees who concurrently work in the private sector, such as teachers and nurses, despite member demand to keep their super consolidated with GESB. GESB members frequently request to be able to contribute to their GESB account when they leave the public sector or when they also work in the private sector. In the 2022 calendar year alone, 885 private sector employers attempted to pay a contribution to GESB. Apart from the impact this restriction has on GESB members and the increase in duplicate accounts for members who leave the public sector, the changes will also ensure that GESB retains currency with the broader superannuation industry and will continue to be well positioned to deliver high-quality, competitive outcomes for its members into the future.

The bill will enable the GESB One Fund initiative to address stapling and provide GESB members with the option to direct non-public sector employer superannuation guarantee contributions to the GESB Super scheme, irrespective of whether they remain in, or are solely employed by, the WA public sector. It will also mean that their GESB Super scheme account is stapled and, therefore, will follow them if they leave the WA public sector or commence secondary, non-public sector employment.

Stapling will only apply to the GESB Super scheme. GESB's closed legacy schemes—including West State Super, Gold State Super and pension schemes—cannot accept contributions from non-WA state government employers without potentially jeopardising their constitutionally protected status. However, the GESB One Fund initiative will enable members of these legacy schemes, whether they are current or former WA public sector employees, to contribute to a GESB Super account and participate in the commonwealth's stapling regime while maintaining their benefits in the constitutionally protected schemes. Although stapled GESB members in the closed GESB schemes will have two accounts with GESB, they will still benefit from maintaining their superannuation and associated insurance within GESB as a single fund provider.

After the bill is passed, the parts of the amending legislation that require WA public sector employers, when onboarding new employees, to contribute to a new employee's stapled fund—if no other fund is chosen—will be proclaimed separately and at a later date from the legislation's other provisions. This is to allow time for state government employers' systems and processes to be updated and to ensure efficient interaction with the Australian Taxation Office's online portal.

GESB will work with WA public sector agencies to ensure a smooth transition to the new requirements and the timely provision of relevant information to new employees about the option to join GESB when they commence employment. Information on fees, performance and insurance coverage will be provided as part of this process. The bill will also make some additional amendments to the State Superannuation Act that are longstanding. Principal among these is to enable GESB more flexibility in complying with, or adopting, national superannuation standards in situations in which these are in members' best interests; fixing maximum terms for GESB directors; and providing for casual director appointments to cover extended absences. Other changes include minor updates and general housekeeping, such as deleting obsolete references and removing gendered language from the State Superannuation Act.

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

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

[See paper [3129](#).]

Debate adjourned, pursuant to standing orders.

### **THERAPEUTIC GOODS LAW APPLICATION BILL 2023**

*Returned*

Bill returned from the Assembly without amendment.

### **CRIMINAL INVESTIGATION AMENDMENT (PROTECTION OF LAW ENFORCEMENT ANIMALS) BILL 2023**

*Second Reading*

Resumed from 18 April.

**HON PETER COLLIER (North Metropolitan — Leader of the Opposition)** [4.24 pm]: I stand on behalf of the opposition to indicate its support for the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023. I need to forewarn the minister that I will be using this bill to bring down the government.

**Hon Stephen Dawson:** Thank you for the heads-up, honourable member. This is the one that's going to do it!

**Hon PETER COLLIER:** Thank you. I had intended to do it swiftly, in about 10 minutes, but I have decided that I am going to do it very slowly.

**Hon Stephen Dawson:** Do it slowly.

**Hon PETER COLLIER:** Absolutely—I will do it very slowly. I will take a fair bit of time. Even when the minister is on the mat before he taps it, I will keep on hounding him. It will not be pretty.

**Hon Stephen Dawson:** You are making me blush!

**Hon PETER COLLIER:** Having said that, the opposition will support this bill. Essentially, I will go through the bill in a bit more detail in a moment, and I will go through a Corruption and Crime Commission report about the use of police dogs in a lot more extensive detail than I originally intended. That will probably be after question time.

Suffice it to say, police dogs and police horses are probably dear to all our hearts in this chamber. Essentially, the bill will not necessarily protect them, but it will ensure that there will be sanctions against those who harm police dogs and police horses. They are dearly loved by, and increasingly used in, our community. Particularly, the use of police horses is becoming more prevalent at open-air concerts and street parties et cetera.

I cannot say that this is a conflict of interest, but I can say that both animals are very dear to me. As a 12-year-old boy, I got up on Christmas morning and walked out to the backyard, and my mum and dad had bought me a beautiful golden palomino. It was the most beautiful horse you could ever imagine. Yes, I was a spoilt boy in Kalgoorlie. We kept him in our backyard. I was able to ride every morning, come home and play a bit of tennis and then go for a ride. I went in the gymkhanas and did everything. I have a deep, personal affection for horses; I always have and always will have. I would love to go for a ride again one day, but I probably would not be up to it. I am also the proud patron of the Shenton Park Dogs' Refuge Home and have been for 22 years. My patronage preceded my time in Parliament. I love that place and do all I possibly can to help those poor, homeless animals, and I will continue that support after I finish here very shortly. Having said that, my association and devotion to both those animals is quite profound, sincere and heartfelt.

Now, we get on to the animals that are used in the police force. As I said, they are used increasingly. The police dogs came in for a bit of flak just a few years ago, particularly after the CCC investigation, but the Western Australia Police Force's response to the CCC investigation was, as always, extraordinarily professional and responsive. It took on the chin some of the recommendations and concerns raised by the CCC investigation.

The problem is that from about 2016 or 2017, with the increasing prevalence of service animals, there has been more of a propensity for some people to harm them. We are coming into line with a number of other jurisdictions, which I will talk about in a moment. I am trying to talk this out as best I can, but I can launch into my tirade after question time.

Debate interrupted, pursuant to standing orders.

[Continued on page 1882.]

### QUESTIONS WITHOUT NOTICE

#### COUNTERING VIOLENT EXTREMISM PROGRAM

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

I refer to the countering violent extremism program jointly operated by the WA Police Force and the Department of Education, in which the education department has confirmed the 16-year-old boy who was shot dead by police after stabbing a man in Willetton this week was enrolled.

- (1) Is participation in the program voluntary?
- (2) Can parents, guardians or a school authority request participation on behalf of a child?
- (3) What are the mandated requirements for participation, including attendance and reporting?
- (4) What attainments are required for completion of the program?

**Hon STEPHEN DAWSON replied:**

I thank the Leader of the Opposition for some notice of the question. The following answer has been provided to me by the Minister for Police.

The Western Australia Police Force advises that due to operational sensitivities and the impact on this voluntary program, a response is not possible to be provided.

#### FIREARMS ACTS

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

- (1) Which jurisdictions in Australia have gun limits included in their firearms acts?
- (2) Which jurisdictions in Australia require those applying for a gun licence to meet mental health requirements?

**Hon STEPHEN DAWSON replied:**

I thank the Leader of the Opposition for some notice of the question. Again, I provide this answer on behalf of the Minister for Police.

- (1)–(2) Western Australia is leading the nation in elevating public safety as its paramount consideration with respect to firearms possession and use in accordance with the National Firearms Agreement.

#### PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT — STAFF HOUSING — ESPERANCE

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

I refer to the procurement of housing for employees of the Department of Primary Industries and Regional Development.

- (1) Has DPIRD sought to procure any additional housing for new employees in the town of Esperance from 1 March 2024 to date?
- (2) If yes, can the minister please provide the number of employees for which housing is being sought?

**Hon KYLE McGINN replied:**

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

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

#### ELECTORAL AMENDMENT (FINANCE AND OTHER MATTERS) ACT

**392. Hon TJORN SIBMA to the parliamentary secretary representing the Minister for Electoral Affairs:**

I refer to the minister's answer yesterday concerning the implementation of measures stemming from the Electoral Amendment (Finance and Other Matters) Act 2023, including consultation with registered political parties and the development of an online disclosure system.

- (1) When was the "user experience expert" contracted and at what cost?
- (2) Will the minister table the agenda and materials used during the workshops?



- (3) Specifically, what information and materials were participants asked to provide during the workshops?
- (4) Will the minister guarantee that the online disclosure system will be fully operational by 1 July?
- (5) What would be the consequences if the online disclosure system is not functional by 1 July?

**Hon MATTHEW SWINBOURN replied:**

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

Unfortunately, an answer cannot be provided in the time available today. An answer will be provided on the next day of sitting.

COMMUNITY CHILD HEALTH NURSES

**393. Hon DONNA FARAGHER to the parliamentary secretary representing the Minister for Health:**

I refer to community child health nurses employed by the Department of Health. How many positions are currently vacant for community health nurses by FTE in —

- (a) the Child and Adolescent Health Service; and
- (b) the WA Country Health Service?

**Hon PIERRE YANG replied:**

I thank the honourable member for some notice of this question. I also thank the honourable member for some notice of the question she asked yesterday. The following has been provided by the Minister for Health.

- (a) There are 17.55 FTEs.
- (b) There are 19.09 FTEs.

ECOLOGICAL THINNING

**394. Hon Dr STEVE THOMAS to the Minister for Forestry:**

I refer to the establishment of the special purpose account called the ecological thinning account established in the 2023–24 midyear review, with a total of \$150.6 million apportioned from the 2023–24 to 2026–27 years.

- (1) How will the determination of forestry sites and volumes to be harvested through ecological thinning be established?
- (2) Will industry have access to sawlog trees that have been ecologically thinned and via what mechanism or bidding process?
- (3) Where will the trees that have been ecologically thinned be stored or located, at what cost and for what commercial intent or purpose?
- (4) What are the criteria and process for tenderers to be awarded ecological thinning contracts and how is the value of each contract assessed—by land area, volume harvested or a combination of the two?

**Hon JACKIE JARVIS replied:**

I thank the member for some notice of the question. I note that this response is from Thursday, 21 March. I do not believe anything has changed. As of that date, the answer is as follows.

- (1) The Department of Biodiversity, Conservation and Attractions will determine the sites for ecological thinning for forest health outcomes. Ecological thinning areas available under the forest management plan 2024–2033 are based on forest health outcomes, not yield.
- (2) Yes. Sawlogs will be available through contracts and auctions.
- (3) The scale of ecological thinning will vary during the year as a result of thinning schedules and the need to manage any impacts on soil during wet weather. To ensure consistent supply to customers, it may be necessary to stockpile some of the logs prior to distribution.
- (4) Initial contracts for ecological thinning have been awarded following submissions by contractors that have the capacity to undertake the work. The contracts are based on hourly rates.

TOWN OF PORT HEDLAND — GOVERNANCE

**395. Hon NEIL THOMSON to the minister representing the Minister for Local Government:**

I refer to a letter dated 14 March 2024 from Tim Fraser, the executive director of local government, to the Town of Port Hedland raising governance concerns.

- (1) Why has the government not yet addressed the inappropriate level of delegated authority, which was raised as an issue in the letter?

- (2) Why has the government not addressed the perceived lack of transparency or alignment with the council's strategic approach in respect of the mayor's business dealings as they relate to the town's and council's business, including a lack of engagement with the council and council members?
- (3) Given the concerns raised by councillors, will the government commit to addressing governance to support the elected council members?

**Hon JACKIE JARVIS replied:**

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

- (1)–(3) The Department of Local Government, Sport and Cultural Industries is continuing to engage with the Town of Port Hedland to support good governance in line with the Local Government Act 1995. Questions related to the town's response to any specific governance matters are best directed to the town's council.

**BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT  
(SEX OR GENDER CHANGES) BILL 2024**

**396. Hon BEN DAWKINS to the parliamentary secretary representing the Attorney General:**

I refer to the proposed Births, Deaths and Marriages Registration Amendment (Sex or Gender Changes) Bill 2024.

- (1) Can the Attorney General confirm that the proposed legislation has over 100 references to gender or biological sex and neither is defined and that they are used interchangeably and in the alternative?
- (2) Is the Attorney General, a lawyer, familiar with the custom of defining terms in legislation?
- (3) Are regulations for this act in existence; have they been drafted in any form; and, if so, by whom were they drafted?

**Hon MATTHEW SWINBOURN replied:**

The following answer has been provided to me by the Attorney General.

- (1) The Attorney General has better things to do than count the number of words that are in a particular bill. If the member is so keen on the number of times something is mentioned in a bill, I am certain he can do his own homework and count them himself. I note that there are no references in the bill to the words "biological sex".
- (2) Yes, the Attorney General is familiar with the principles of legislative interpretation, as is the Parliamentary Counsel's Office, which drafted the bill. I encourage the member to familiarise himself with those principles.
- (3) It is not an act. No regulations have been drafted for the current bill.

**FIRE AND EMERGENCY SERVICES — WALPOLE FIRE**

**397. Hon Dr BRAD PETTITT to the Minister for Emergency Services:**

I refer to community reports that the Department of Fire and Emergency Services did not have waterbombers available within the district for the recent fire in north Walpole because it had not extended contracts to keep equipment on the south coast despite the drought and increased fire risk.

- (1) How long did it take to get aerial support to the fire?
- (2) Where did the waterbombers have to come from?
- (3) Why were no waterbombers stationed in Albany or Manjimup?
- (4) If waterbombers were stationed in Albany or Manjimup on 25 April, why were they not deployed immediately at first light?
- (5) Why was the waterbomber contract for the south coast not extended given the extended dry summer, drought and tinderbox conditions we have been experiencing?

**Hon STEPHEN DAWSON replied:**

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

This question relates to a fire that was managed by the Department of Biodiversity, Conservation and Attractions, so it requires information from DBCA. The member can do one of two things: he can ask the question of the Minister for Environment or he can place this one on notice and I will get him an answer through that on-notice process.

**ROEBOURNE REGIONAL PRISON — PRISONERS — MENTAL HEALTH SERVICES**

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

I refer to mental health services at Roebourne Regional Prison.

- (1) How many staff are employed to provide mental health services at the prison?

- (2) What is the current mental health staff to prisoner ratio?
- (3) Does the department adhere to a minimum ratio; and, if so, what is that ratio?

**Hon STEPHEN DAWSON replied:**

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

- (1) Two staff are employed to provide mental health services at Roebourne Regional Prison. In addition, prisoners required to be seen by a mental health nurse receive telehealth appointments.
- (2) There is no required ratio for mental health staff to prisoners.
- (3) The department does not adhere to a minimum ratio.

MEDICAL CANNABIS — FIBROMYALGIA

**399. Hon Dr BRIAN WALKER to the parliamentary secretary representing the Minister for Health:**

I refer the minister to a recent paper from the Mayo Clinic Integrative Medicine and Health, suggesting that 82 per cent of patients taking cannabis—medicinal or recreational—as the result of a fibromyalgia diagnosis reported improvements in their pain symptoms.

- (1) How common is fibromyalgia in Western Australia?
- (2) Given that medicinal cannabis is also a legitimate and recognised treatment for many of the secondary issues, such as mental health symptoms and sleep disturbance, often experienced by fibromyalgia patients, what is the Cook government doing to ensure that medicinal cannabis is both available and affordable as a treatment in these cases?

**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) Fibromyalgia is experienced by between two per cent and five per cent of Australians in their lifetimes, with peak incidence in middle-aged females.
- (2) Medicinal cannabis is accessible as a prescription medicine in Western Australia. The Western Australian government supports the existing commonwealth approach to the funding of prescription medicines in the community and continues to maintain mechanisms for access to unfunded high-cost medicines in exceptional circumstances through WA Health service providers.

BIODIVERSITY, CONSERVATION AND ATTRACTIONS — DECLARED PESTS

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

I refer to the answers provided to question without notice 1438 on 14 November 2023, which advised the Department of Biodiversity, Conservation and Attractions killed 425 feral pigs in 2022, and, recently, to question without notice 308, which advised 21 pigs were killed in 2021–22 and three pigs in 2022–23. Would the minister please explain the difference in figures provided in both answers and advise which is the more accurate?

**Hon DARREN WEST replied:**

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

Both answers are accurate. The figures provided in response to question without notice 1438 on 14 November 2023 includes feral pig control undertaken by multiple entities, including the Department of Biodiversity, Conservation and Attractions, recognised biosecurity groups and other community-based groups using a range of techniques across the south west, while the figures provided in question without notice 308 on 17 April only included feral pigs killed directly by DBCA by trapping and shooting.

CRAIG PEACOCK — PREMIER'S COMMENTS

**401. Hon NICK GOIRAN to the Leader of the House representing the Premier:**

I refer to the Premier's interview with Nadia Mitsopoulos on ABC Radio Perth on Tuesday, 23 April 2024 in which he was asked whether he intended to respond to Mr Craig Peacock.

- (1) Does the Premier recall responding, "Obviously, we will need to respond but in the context of strong legal advice" and "We all deserve a response from government, and I will make sure that response is consistent with our legal advice"?
- (2) Was it the Premier's intention to give listeners the impression that Mr Peacock will receive a response after legal advice has been obtained?
- (3) Has a request for legal advice been made?

- (4) Was this done on a date before or after the radio interview?
- (5) Has the Premier now received the advice?

**Hon SUE ELLERY replied:**

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

- (1)–(5) There is no update in relation to the correspondence the member is referring to.

PUBLIC HOUSING — STOCK

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

I refer to the public housing waitlist.

- (1) How many applications are on the public housing waitlist, representing how many individuals?
- (2) How many applications are on the priority public housing waitlist, representing how many individuals?
- (3) How many houses were added to the public housing stock last month?
- (4) How many houses were removed from the public housing stock last month?

**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)–(2) As at 31 March 2024, there were 20 132 applications on the public housing waitlist statewide. This includes 5 327 priority applications.
- (3)–(4) Please refer to Legislative Council question on notice 1942.

COUNTERING VIOLENT EXTREMISM PROGRAM

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

I think I know the answer to this, but I will ask it anyway. I refer to the countering violent extremism program, jointly operated by the Western Australia Police Force and the Department of Education, which the education department has confirmed that the 16-year-old boy who was shot dead by police after stabbing a man in Willetton this week was enrolled in.

- (1) What is the status and/or rank of the person or persons who conduct this program?
- (2) At what age do students leave the program?
- (3) Was the 16-year-old involved in this week's incident meeting all the mandated requirements of the program?
- (4) What protocols are in place for students who fail to meet the mandated requirements of the program?

**Hon STEPHEN DAWSON replied:**

I thank the Leader of the Opposition for some notice of the question. The Minister for Police has provided the following answer.

The Western Australia Police Force advises that due to operational sensitivities and the impact on this voluntary program it is not possible to provide a response.

SOUTH COAST MARINE PARK ALLIANCE — WEBSITE

**404. Hon COLIN de GRUSSA to the parliamentary secretary representing the Minister for Environment**

I refer to the website operated by the South Coast Marine Park Alliance, located at [www.southcoastmarinepark.com.au](http://www.southcoastmarinepark.com.au).

- (1) What funding was provided by the WA government towards establishing and maintaining the website?
- (2) What resources are currently being provided by the WA government to maintain the website?
- (3) What information was provided by the WA government for inclusion on the website?

**Hon DARREN WEST replied:**

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

- (1) No funding was provided.
- (2) None. This website is independently operated by the South Coast Marine Park Alliance.
- (3) The South Coast Marine Park Alliance was directed to the publicly available comprehensive information on the marine park proposal at the website [www.dbca.wa.gov.au/pscmp](http://www.dbca.wa.gov.au/pscmp).

## OFFICE OF MULTICULTURAL INTERESTS — COMMUNITY FUNDING

**405. Hon TJORN SIBMA to the Leader of the House representing the Minister for Citizenship and Multicultural Interests:**

I refer to grant funding provided through the Office of Multicultural Interests to culturally and linguistically diverse associations throughout Western Australia.

- (1) Can the minister provide a table of grants approved through the community grants program for 2020–21 through to 2023–24 inclusive and year to date?
- (2) Can the minister provide a table of grants approved through the community capital works fund for the same period of time as the question above?

**Hon SUE ELLERY replied:**

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

- (1) All the community grants program funded organisations for 2020–21, 2021–22 and 2022–23 are listed on the Office of Multicultural Interests' website and can be found at [www.omi.wa.gov.au/funding/community-grants-program/previous-grant-recipients](http://www.omi.wa.gov.au/funding/community-grants-program/previous-grant-recipients). I table the information.

[See paper [3130](#).]

**Hon SUE ELLERY:** All the community grants program funded organisations for the 2023–24 year to date are noted in the table below. I seek leave to have that information incorporated into *Hansard*.

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

Organisation	Project Title	Amount Awarded
Buddha's Light International Association of Western Australia	Vesak—Buddha's Birthday and Multicultural Festival 2024	\$30,000
Chung Wah Association	Perth Chinese New Year Fair 2024	\$30,000
Vietnamese Community in Australia WA Chapter	Tet Vietnamese New Year Celebration 2024	\$30,000
Centre for Thai Language and Culture of WA	Together we enjoy success	\$2,500
Malayalee Association of WA (MAWA)	Safe Steps: Empowering Seniors, Inspiring Futures	\$4,218
Mongolian Association of Western Australia	Empowering Community—Connection, Networking, and Belonging	\$5,000
Perth Indonesian Community	Indonesian Dance for Mental Health	\$4,000
Tongan WA	Tongan Community Building event	\$5,000
Australian Asian Association of Western Australia	Migrants and Refugees Capacity Building program	\$50,000
Bunbury Multicultural Group	Driving To Make A Difference Stage 2	\$30,000
Edmund Rice Centre WA	ERCWA Case Work support post 5 years	\$50,000
Australian Arab Association	Multicultural Eid Carnival 2024	\$10,000
Bunbury Chinese New Year Festival	Bunbury Chinese Lantern Festival 2024	\$5,000
Bunbury Multicultural Group	South West Multicultural Festival	\$10,000
Ellenbrook Punjabi Council	Ellenbrook Multicultural Festival 2023	\$5,000
Japan Festival	Japan Festival Matsuri 2024	\$10,000
Midwest Multicultural Association	Festival of Lights 2023	\$5,000
Mongolian Association of Western Australia	Mongolian "Naadam" Festival	\$5,000
Nepali Association of WA (NAWA)	Nepali New Year 2081	\$5,000
Nigerian Association of Western Australia	Naija Fest 2023	\$5,000
Perth Indonesian Community	Perth Indonesian Festival and Food Bazaar	\$5,000
Perth Italian Festival	Perth Italian Festival 2023	\$5,000
Polish Dance Group Kukuleczka	Folkloriada Festival	\$5,000
Shire of Katanning	Katanning Harmony Festival 2024	\$7,500
South West Indian Group (SWIG)	SWIG Bunbury Diwali 2022—Festival of Lights	\$5,000
The Kenyan Community of Western Australia Incorporated	Kenyan Cultural Extravaganza	\$5,000
Broome Community Information Resource Centre and Learning Exchange	Harmony Week Community Long Table Dinner	\$2,000

Collie Italian and Sporting Club	Harmony Week Festival 2024	\$2,000
Culture Care WA	Connecting Culture, Art and Faith	\$2,000
Edmund Rice Centre WA	Mirrabooka Celebrating Harmony Week	\$2,000
Fremantle Women's Health Centre	Celebrate and Embrace—Culture Through Storytelling	\$2,000
Ghana Association of Western Australia	Ghana Sports & Culture Day	\$2,000
Goldfields Community Legal Centre	Multicultural Harmony Sport Different Colours, One People	\$2,000
Hudson Road Family Centre	Find your Village Multicultural Community Celebration	\$2,000
Kuku Community of WA	Kuku Community—Sport and active recreation	\$2,000
Mandurah Filipino Sports Club	We Belong as One 2024	\$2,000
Mandurah Filipino-Australian Multicultural Community	Harmony Concert	\$2,000
Midwest Multicultural Association	Harmony Festival 2024	\$2,000
Northwest Multicultural Association WA	Harmony Week Multicultural Exhibition 2024 & Exhibition Opening Event	\$2,000
Peel Multicultural Association	Harmony Week Lunch with Multicultural Performances	\$2,000
Polish Club General W. Sikorski Western Australia	Poles and Friends Festival	\$2,000
Rainbow Coast Neighbourhood Centre	Albany Harmony Week Festival	\$2,000
South Lake Ottey Family & Neighbourhood Centre	Celebrate Diversity: Cultural Reflections	\$2,000
The Spiers Centre	Taste the World: Celebrating Diversity through Food	\$2,000
West Arthur Community Resource Centre	Migrant Memories—past and present	\$2,000
Western Australian Volleyball Association (Volleyball WA)	VWA Harmony Cup	\$2,000
Australian Arab Association	Arab Festival 2024	\$50,000
Chung Wah Association	Chinese New Year Fair 2024	\$20,000
Indian Society of WA	Diwali Mela 2023	\$100,000
Organisation of African Communities in WA Inc	Jambo Africa 2024	\$10,000
Organisation of African Communities in WA	WA African Community Awards	\$5,000
Sikh Association of WA	Guru Nanak Dev Ji Gurpurab	\$4,500
Western Australia Multicultural Association	Multicultural Youth Talent Show 2023	\$1,000

- (2) All grants approved through the community capital works fund from 2020–21 to 2023–24 year to date are listed, noting there were only two rounds during this period. I table that information.

[See paper [3130](#).]

#### KINDILINK PROGRAM — FUNDING

**406. Hon DONNA FARAGHER to the minister representing the Minister for Early Childhood Education:**

I refer to the KindiLink program. What is the total funding allocated to this program in 2024?

**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 Early Childhood Education.

The Department of Education advises it is \$3 840 086.

#### WELLINGTON CATCHMENT — PINE TREE SEEDLINGS

**407. Hon Dr STEVE THOMAS to the Minister for Forestry:**

I refer to the former Minister for Forestry's media release of 22 June 2017 in which he announced an \$8.7 million project to plant an estimated 4.4 million pine tree seedlings in 3 500 hectares of the Wellington catchment in Collie over the subsequent four years. It is now six and half years later.

- (1) As at 20 March 2024, how many seedlings had been planted in Collie under this program?
- (2) How many of the planted seedlings have survived?
- (3) How many hectares of land have been planted out in Collie under this program?
- (4) How much of the original \$8.7 million budget has been acquitted, and how much has been retained?

**Hon JACKIE JARVIS replied:**

I thank the honourable member for some notice of the question. As the member knows, the answer is correct as at 21 March 2024.

- (1) Since 2017, approximately 6.9 million seedlings have been established in the Collie–Wellington catchment.
- (2) The Forest Products Commission silvicultural guideline targets an 85 per cent survival rate and requires infill planting if any area is below this target.
- (3)–(4) This program has now been superseded by the \$350 million softwood investment program, which includes continued new plantings in the Collie–Wellington catchment.

## MINISTERS OF THE CROWN — SOCIAL MEDIA

**408. Hon NEIL THOMSON to the Leader of the House representing the Premier:**

I refer to the social media expenditure by ministerial offices of the state.

- (1) How much has been spent by the Premier’s office on social media posts during the 2023–24 financial year to date?
- (2) How much was spent by the Premier’s office on social media posts in 2022–23?
- (3) How much has been spent on social media posts across all ministerial offices in 2023–24 to date?
- (4) How much was spent on social media posts in 2022–23?

**Hon SUE ELLERY replied:**

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

- (1)–(4) No government funds have been expended on ministerial social media posts.

## PFAS CONTAMINATION — ROCKINGHAM LANDFILL FACILITY

**409. Hon BEN DAWKINS to the parliamentary secretary representing the Minister for Environment:**

Will the minister advise the house what the PFAS levels are at the Rockingham tip?

**Hon DARREN WEST replied:**

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

Based on the 2022–23 annual environmental report submitted by the City of Rockingham for the Millar Road landfill facility, the sum of PFAS detected in groundwater ranged from between 0.67 micrograms per litre up to 6.7 micrograms per litre in some groundwater bores. The City of Rockingham has engaged a consultant and an independent contaminated sites auditor under the Contaminated Sites Act 2003 to review groundwater monitoring data and undertake investigations to better characterise the risks to human health and the environment.

## GOVERNMENT ADVERTISING — THIS IS CLIMATE ACTION

**410. Hon Dr BRAD PETTITT to the Leader of the House representing the Premier:**

I refer to recent advertisements from the WA Government regarding the This Is Climate Action campaign in WA that have appeared in traditional media, billboards, social media, podcast platforms and other advertisements.

- (1) How much money has the WA government spent on these climate action in WA advertisements, sponsored posts et cetera to date?
- (2) How much money has been allocated for climate action in WA advertisements and sponsored posts in total?

**Hon SUE ELLERY replied:**

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

- (1)–(2) The This Is Climate Action campaign is ongoing and forms part of the Department of the Premier and Cabinet’s \$6.979 million budget for a range of whole-of-government communications and campaigns in 2023–24.

## STUDENT ASSISTANCE PAYMENT

**411. Hon WILSON TUCKER to the Leader of the House representing the Minister for Education:**

I refer to the WA student assistance payment scheme.

- (1) How many applications have been received for each category of payment?
- (2) Of those received, how many applications —
  - (a) have been assessed as ineligible;
  - (b) have been assessed as eligible;
  - (c) have received payment; and
  - (d) are yet to be assessed?

**Hon SUE ELLERY replied:**

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

- (1) As at 6 May 2024, the department had received a total of 179 322 claims for 317 472 students across the two payment categories. They are 180 482 applications for primary K–6 students at \$150 and 136 990 applications for secondary years 7–12 students at \$250.
- (2) As at 6 May 2024 —
  - (a) 19 863 have been assessed as ineligible;
  - (b) 142 030 have been assessed as eligible;
  - (c) 121 817 have received payment; and
  - (d) 17 429 are yet to be assessed.

## SCHOOLS — STAFF — ASSAULTS

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

I refer the minister to the ABC's coverage of violent assaults in WA schools, published in July 2023, which noted that there had been 2 275 reported incidents of assault or threatening behaviour against WA public school staff in 2022.

- (1) Are the figures for reports of assault or threatening behaviour available for 2023; and, if not, when are they likely to be released?
- (2) If the figures are available, how many of those reported assaults were committed by adults and how many by minors; and, if the figures are still being processed, is a breakdown of that nature available for the 2022 figures?
- (3) Does the Cook government intend to bring forward legislation, as it has for retail workers, to make it a specific offence to assault a teacher; and, if not, why not?

**Hon SUE ELLERY replied:**

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

- (1)–(3) The question cannot be answered in the given time. An answer will be provided during the next sitting week, on Wednesday 15 May.

## FIREARMS — SERVICEWA APP

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

I note the minister's comments in the other place during consideration in detail of the Firearms Bill 2024 in which the minister explained that the ServiceWA app would be updated with capabilities to manage digital licences for firearm licence holders.

- (1) Is a separate application being developed to monitor firearm activity or movement?
- (2) If so, will this app have point-to-point tracking capabilities?
- (3) What is the status of its development and how much has been expended to date?

**Hon STEPHEN DAWSON replied:**

I thank the honourable member for some notice of the question. The following answer has been provided on behalf of the Minister for Police.

The Western Australia Police Force advises that due to operational priorities, it is not possible to provide an answer within the required time frames. A response will be provided to the honourable member tomorrow. I owe the member another one, so that will be two answers tomorrow.

## ATTORNEY GENERAL — MAGISTRATES COURT — MEDIA STATEMENT

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

I refer to the Attorney General's media statement published on 30 April 2024 entitled "Fresh faces appointed to Magistrates Court" in which it was revealed that the appointments follow a resignation.

- (1) Who was the magistrate who resigned?
- (2) What was the length of that magistrate's tenure?
- (3) What were the reasons for their resignation?
- (4) How many magistrates have resigned during each of the last seven calendar years?



**Hon MATTHEW SWINBOURN replied:**

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

- (1) Magistrates Zempilas and Vose resigned.
- (2) Magistrate Zempilas was appointed from August 2009 to September 2023. Magistrate Vose was appointed from April 1990 to January 2024.
- (3) Magistrate Zempilas was appointed as a judge of the District Court of Western Australia. It should be noted that magistrates must resign their commissions for the purposes of accepting appointments in a superior court. Magistrate Vose retired. It should be noted that magistrates must resign their commissions upon reaching the statutory retirement age.
- (4) The information on magistrate resignations per calendar year, which includes retirements and elevations to a superior court, is contained in tabular form and I seek leave to have it incorporated into *Hansard*.

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

2017	2
2018	4
2019	3
2020	5
2021	0
2022	3
2023	3
2024	2

TRAINING AND WORKFORCE DEVELOPMENT — CONSTRUCTION VISA SUBSIDY SCHEME

**415. Hon STEVE MARTIN to the parliamentary secretary representing the Minister for Training and Workforce Development:**

I refer to skills shortages in the home building construction industry.

- (1) How many workers have entered Western Australia and begun work as a result of the construction visa subsidy program, to date?
- (2) How many milestone payments have been made under each stream of the CVS program, to date?
- (3) Has the minister sought to resolve the problem with delays in commonwealth visa processing with her federal colleagues?
- (4) If yes to (3), what steps have been taken?

**Hon MATTHEW SWINBOURN replied:**

I thank the member for some notice of the question. The following answer has been provided to me by the Minister for Training and Workforce Development.

- (1) It is 114.
- (2) For milestone 1, 289 employers have made claims for 772 skilled migrants; for milestone 2, 95 employers have made claims for 179 skilled migrants; and for milestone 3, 68 employers have made claims for 114 skilled migrants.
- (3)–(4) Yes. The Minister for Training and Workforce Development has raised visa processing delays with Hon Andrew Giles, MP, the commonwealth Minister for Immigration, Citizenship and Multicultural Affairs, and Hon Clare O’Neil, MP, the commonwealth Minister for Home Affairs, at the ministerial migration roundtable meetings held in December 2023 and April 2024. Information on specific visa applications experiencing delays under the program have been sent to the Office of the Minister for Home Affairs with a request for priority processing.

POLICE — DOGS — DEPLOYMENT

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

I refer to the commitment of the Western Australia Police Force to complete recommendation 1 of *A report on the deployment of police dogs*, tabled in the Legislative Council on 11 May 2022, by March 2024.

- (1) Has recommendation 1 been completed?
- (2) If not, why not, and when will it be completed?

**Hon STEPHEN DAWSON replied:**

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

- (1) Recommendation 1 is partially complete.
- (2) The training components are anticipated to be completed by July 2024.

## BIODIVERSITY, CONSERVATION AND ATTRACTIONS — STAFF HOUSING — ESPERANCE

**417. Hon COLIN de GRUSSA to the parliamentary secretary representing the Minister for Environment:**

I refer to the procurement of housing for employees of the Department of Biodiversity, Conservation and Attractions.

- (1) Has the DBCA sought to procure any additional housing for new employees in the town of Esperance between 1 March 2024 to date?
- (2) If yes to (1), can the minister please provide the number of employees for which housing is being sought?

**Hon DARREN WEST replied:**

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

- (1) The Department of Biodiversity, Conservation and Attractions has secured two rentals in Esperance since March 2024.
- (2) These houses have been secured for two employees.

## RAILCAR MANUFACTURING — ALSTOM — REPORTING

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

I refer to the minister's answer to my question yesterday seeking that the minister table Alstom's most recent six-monthly participation plan report for the Metronet C-series rail cars.

- (1) From whom among the agencies of the state government's "Advice is being sought on the legality, probity and confidentiality issues around the release of this information"?
- (2) Did the minister set a deadline for the receipt of this information; and, if so, when is that deadline?

**Hon STEPHEN DAWSON replied:**

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

- (1)–(2) Advice is being sought from the Public Transport Authority in the first instance.

## COMMUNITY KINDERGARTENS — FUNDING

**419. Hon DONNA FARAGHER to the minister representing the Minister for Early Childhood Education:**

I refer to the community kindergartens operating in Western Australia.

- (1) Will the minister provide a breakdown of the total amount of funding allocated to each community kindergarten in 2024 for —
  - (a) operational grant funding;
  - (b) staffing costs;
  - (c) linked school administration support; and
  - (d) any other costs not listed above?

**Hon JACKIE JARVIS replied:**

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

- (1) (a)–(d) The Minister for Early Childhood Education has provided the answer in tabular format. I seek leave to have it incorporated into *Hansard*.

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

**The Department of Education advises:**

Community Kindergarten	(a) 2024 Grant <sup>(1)</sup>	(b) Salaries: Teacher and EA	(c) Admin Support for Linked Schools	Total 2024 Funding
Albany Community Kindergarten	\$17,280.00	\$121,551.39	\$19,753.22	\$158,584.61
Bullsbrook Community Kindergarten	\$19,800.00	\$243,102.78	\$19,753.22	\$282,656.00
Byford Community Kindergarten	\$17,280.00	\$121,551.39	\$19,753.22	\$158,584.61
Glen Forrest Community Kindergarten	\$17,658.00	\$243,102.78	\$19,753.22	\$280,514.00

Hazel Orme Community Kindergarten	\$19,800.00	\$243,102.78	\$19,753.22	\$282,656.00
Hillarys Community Kindergarten	\$15,894.00	\$121,551.39	\$19,753.22	\$157,198.61
Kindaimanna Community Kindergarten	\$16,902.00	\$121,551.39	\$19,753.22	\$158,206.61
Lockyer Community Kindergarten	\$36,896.00	\$486,205.56	\$19,753.22	\$542,854.78
Lower King Community Kindergarten	\$17,028.00	\$121,551.39	\$19,753.22	\$158,332.61
McDougall Park Community Kindergarten	\$18,792.00	\$121,551.39	\$19,753.22	\$160,096.61
Mullaloo Community Kindergarten	\$19,548.00	\$243,102.78	\$19,753.22	\$282,404.00
Padbury Community Kindergarten	\$19,044.00	\$243,102.78	\$19,753.22	\$281,900.00
Pineview Community Kindergarten	\$15,894.00	\$121,551.39	\$19,753.22	\$157,198.61
Rossmoyne Community Kindergarten	\$19,926.00	\$243,102.78	\$19,753.22	\$282,782.00
Seaview Community Kindergarten	\$18,414.00	\$243,102.78	\$19,753.22	\$281,270.00
Spring Road Community Kindergarten	\$17,154.00	\$121,551.39	\$19,753.22	\$158,458.61
Tuart Hill Community Kindergarten	\$17,280.00	\$121,551.39	\$19,753.22	\$158,584.61
<b>Total</b>	<b>\$324,590.00</b>	<b>\$3,281,887.53</b>	<b>\$335,804.74</b>	<b>\$3,942,282.27</b>

<sup>(1)</sup> The grant is paid in two instalments following the February and August census. The 2024 grants in the table above are based on the February 2024 census. Some minor changes to the second instalment may be made if the August census varies from the February census.

<sup>(2)</sup> Some in-kind Departmental resources are applied to administering the community kindergarten program which is not easily quantifiable and not included in the Total 2024 Funding.

<sup>(3)</sup> Funding in this table also excludes employee costs paid centrally.

<sup>(4)</sup> The Eastern Hills Community Kindergarten and Playgroup is temporarily closed for the 2024 calendar year. This is to enable the local council to proceed with capital works to upgrade the facility. All students were accommodated at surrounding schools during this temporary closure.

#### AGRICULTURE AND FOOD — BIOSECURITY

#### 420. Hon Dr STEVE THOMAS to the Minister for Agriculture and Food:

I refer to the 2023 biosecurity blitz.

- (1) How many reports of biosecurity concerns were received by the department during the 2023 biosecurity blitz?
- (2) How many actions were taken as a result of those reports?
- (3) As a direct result of those reports, what area of land was treated for invasive species?
- (4) How many of those reports related to invasive species whose classification the government changed to a “permitted organism” as identified in the *Government Gazette* of 17 November 2017?

#### Hon JACKIE JARVIS replied:

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

- (1) The biosecurity blitz ran from 16 October to 16 November 2023, and 1 013 reports were received.
- (2) All reports received, including those that are not of biosecurity concern, provide valuable data to support Western Australia’s pest and disease status for trade purposes. Twelve reports identified a potential biosecurity concern and were actioned by the Department of Primary Industries and Regional Development.
- (3) The biosecurity blitz is focused on pests and diseases of plants rather than invasive species, which include priority weeds, vertebrate pests, some invertebrates such as invasive ants, and aquatic pests. To date, no reports of priority invasive species have been identified as a result of the biosecurity blitz.
- (4) None.

#### POLICE — RESIGNATIONS AND RETIREMENTS

##### *Question without Notice 360 — Answer*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services)** [5.03 pm]: I would like to provide an answer to Hon Peter Collier’s question without notice 360 asked yesterday, which I seek leave to have incorporated into *Hansard*.

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

The Western Australia Police Force advise:

- (1) 22.
- (2) 4.
- (3) 7,034.
- (4) (a) 5,293  
(b) 1,741  
(c) Other: 0

**POLICE — FAMILY AND DOMESTIC VIOLENCE***Question without Notice 375 — Answer*

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services)** [5.03 pm]: I would like to provide an answer to Hon Peter Collier's question without notice 375 asked yesterday, which I seek leave to have incorporated into *Hansard*.

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

The Western Australia Police Force advise:

(1)–(2) As at April 2024, there are 12.2 Actual FTE in the Family Violence Division. As part of the 950 program, a further 11.8 FTE has been allocated to the Family Violence Division.

All frontline police officers can respond to family violence incidents and play a key role in investigations and ongoing victim support. Additionally, there are Family Violence Response Teams within State Crime, Metropolitan and Regional WA Districts.

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**CRIMINAL INVESTIGATION AMENDMENT  
(PROTECTION OF LAW ENFORCEMENT ANIMALS) BILL 2023**

*Second Reading*

Resumed from an earlier stage of the sitting.

**HON PETER COLLIER (North Metropolitan — Leader of the Opposition)** [5.04 pm]: I just remind members that, as I said before the break, I intend to use this opportunity to bring down the government ever so meticulously. I will take a little longer, Leader of the House, than I originally intended, as I told the house earlier.

**Hon Sue Ellery:** I appreciate that.

**Hon PETER COLLIER:** Yes; thank you. I got the killer blow in a response to a question I asked today; that is why I thought I would wait until after question time.

For the benefit of members, yet again, we have here the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023, which will essentially provide sanctions against individuals who harm police dogs or horses. Of course, it will have extraordinarily strong public support; I imagine there are no issues there whatsoever. Let us look at the genesis of this legislation. It has been ongoing for some time. I will go through the first consideration of this legislation and then perhaps get a response from the government on why it has taken so long. I refer to an article in *The West Australian* titled "Jail for hurting police animals". The article states —

The State Government has said it could toughen forthcoming animal welfare laws with penalties for people who injure police dogs and horses amid claims four police dogs are injured on the job each year.

The move comes as the WA Police Union demands fines or even jail terms to deter assaults on police dogs and horses.

In a submission to an inquiry into new animal cruelty laws, WA Police Union president George Tilbury complained there was no financial penalty for offenders convicted of harming a police animal, pointing out a police horse was worth about \$150,000 and a police puppy about \$15,000.

"Police animals provide alternatives to using lethal force and it has been said by officers from those units that a police dog is worth six police officers and a horse is the equivalent of 10," Mr Tilbury said.

The union said four dogs were injured on the job a year, and replacing a dog was costly because of the time and effort needed to select and train a replacement.

Mr Tilbury said WA should be looking to other States and countries that had put penalties in place for hurting police animals.

The State Government is pushing ahead with wideranging cruelty laws that would give inspectors powers to raid businesses to prosecute mistreatment of animals.

Police Minister Michelle Roberts said she welcomed the police union submission and had asked WA Police whether the incoming legislation could be amended to quickly introduce new penalties.

"Our police animals are highly trained and invaluable members of our police force," Mrs Roberts said.

"I regard an assault on a police dog or horse as serious and indefensible."

In South Australia, offenders can be held liable for all associated costs of hurting animals, including vet bills, rehabilitation and the cost of finding and retraining a replacement animal.

And that State extends the same protection to all working dogs, including guide dogs.

The union said offenders in the US faced penalties of up to 10 years in jail for intentionally killing a police animal, suggesting WA should follow suit.

WA Police canine and mounted section has about 40 dogs and 20 horses.

The State Government has received push-back from farmers and pastoralists who warn the new animal welfare laws will place unfair burdens on business and drive up costs of items such as meat and eggs.

I could not quite work that one out.

**Hon Stephen Dawson:** What year was that?

**Hon PETER COLLIER:** I will go through that now. I read that now because that article was published on 22 June 2018. That came as a result of a union request in the wish list for the 2017 election. That is where it came from. It was a commitment from the Labor government after 2017. That was reinforced by the then Minister for Police in June 2018. We are now, in 2024, dealing with the legislation. It has taken six years to get from the commitment to where we are now. This is such a sensible piece of legislation and I assume it will have cross-chamber support. I am not sure, but I will leave it to others to make that determination. It also has very strong public support. In addition to that, the second reading speech was given in the Legislative Assembly on 30 August 2023, which was eight or nine months ago. Then, the second reading was agreed to in the other place on 18 April this year, which was six or seven months ago, and we are here dealing with this now. I imagine this bill will go through. I will not speak for the crossbenchers, but the opposition has no intention of holding up this bill. We do not need to go into Committee of the Whole House. We support the bill, but I intend to take my time, as I said, because running down a government is a very arduous process!

**Hon Stephen Dawson:** As you should, honourable member!

**Hon PETER COLLIER:** I thank the minister.

Does the minister see my point? The Labor Party made that commitment during the election campaign of 2017, when it was in opposition. It was reinforced by the minister in June 2018. All that for a piece of legislation that seems, quite frankly, fairly seamless. I would be interested to know why there was a delay in the government's approach.

Having said that, I will go through a few areas of the bill, and then I will talk a bit about the Corruption and Crime Commission investigation. Regardless of this legislation, police can use an animal for investigative purposes under section 17 of the Criminal Investigation Act. That includes preventive and investigative powers, as well as the maintenance of public order. They already have the capacity to do that. It primarily involves police dogs for tracking and locating drugs and suspects; however, it includes horses, most notably for large crowd events. That is what I said in my opening comments. Everyone sees the dogs; they are visual, but the horses, not so much, although, as I said, they have become more prevalent in recent times, particularly in Northbridge or when there are large groups. We see horses in those entertainment areas on a Friday or Saturday night. They are magnificent animals. I go to every police graduation and they lead the parade. They really are just the most beautiful animals. The manner in which they are trained is a very arduous and sophisticated process because they have to deal with an enormous amount of noise and distraction. You cannot help but admire them. In a previous role, I have also been to the Joondalup academy and seen some of the dog training, and it is quite fascinating.

Currently, no specific sanction exists for assaults on or injury to an animal used by police officers in the line of duty. Police have used the obstruction and cruelty to animals provisions in the Criminal Code to prosecute individuals who injure police animals. As I said, at the moment, a number of other jurisdictions have the capacity to sanction those who injure or maim police animals. The Northern Territory, New South Wales, Queensland, Tasmania and South Australia have all legislated for offences relating to killing or injuring animals used in law enforcement. This information is a little dated, of course, because it was based upon the briefing I had. The Western Australia Police Force is always very thorough and forthcoming with its briefings, but I just want to make sure that that is it. I am not sure whether Victoria, or any other jurisdiction, has joined that realm now. There are not many left; actually, that is it. If that is the case, we would be one of the last ones, unless Victoria has joined. The minister might like to confirm that for me.

The bill will introduce new offences in WA for assaulting, injuring or killing a law enforcement animal. Assaulting a law enforcement animal will be treated as an offence of assaulting a public officer. The penalties will be aligned with the penalties in section 318 of the Criminal Code, not including the mandatory sentencing provisions. For example, killing an animal will be punishable by up to 10 years' imprisonment. Assaulting or injuring an animal will carry a maximum sentence of seven years' imprisonment, with a summary conviction and penalty of three years' imprisonment and a fine of \$36 000. Again, this information is a little dated, but for the interest of members, since 2015, there have been 32 reported injuries against police animals. There are currently 28 dogs and 23 horses. That number may have changed, so, for clarity, could we get some confirmation that those figures are accurate; that is, there have been 32 reported injuries and there are currently 28 dogs and 23 horses? For the benefit of the house, could the minister also let us know whether there is any intention to increase that number?

**Hon Stephen Dawson:** The budget is tomorrow, so I couldn't give you —

**Hon PETER COLLIER:** The minister could not even speculate!

**Hon Stephen Dawson:** I couldn't speculate whether there is not.

**Hon PETER COLLIER:** I might have to speak about this until tomorrow when the budget is handed down! Damn; I do not get unlimited time!

**Hon Stephen Dawson:** Come into committee and ask.

**Hon PETER COLLIER:** That is good point.

**Hon Stephen Dawson:** Let me see what I can find out.

**Hon Darren West:** We will give you an extension until tomorrow!

**Hon PETER COLLIER:** Good! Unfortunately, standing orders do not allow for that or I would ask for it. I am being very accommodating to the government at this stage!

There we have it. They are the numbers at this stage. I get this, but animals are not stationed in regional parts of the state. Perhaps the minister can give us a bit of an update about when they are used in regional areas of the state. I assume it is when there is an incident or something, but I would just like some clarification.

Having said all of that, there will be a reasonable excuse provision for assaulting, injuring or killing a law enforcement animal—for example, when an accused is acting in self-defence, and that was dealt with to a degree in the CCC report. I will talk about that in a moment. The bill also provides for compensation orders to be made against a person who is convicted of assaulting, injuring or killing a law enforcement animal. As I said, that was a recommendation of the 2017 police union pre-election submission and a component of recommendations for reform made in the June 2018 report of the statutory review of the act.

That is the bill itself. It is very simple. The capacity of police-use animals will not be changed. They can use them now; they have been able to do that. The bill will protect the animals. I am right on board with the minister on this one. It is a unity ticket. We have to make sure we get this bill through as soon as we can. Do not think for a moment that that means I will rush the bill through. I will take my time on this piece of legislation. For the benefit of members, I am just being helpful.

**Hon Samantha Rowe:** We appreciate it!

**Hon PETER COLLIER:** I thank the member.

There is *A report on the deployment of police dogs* from the Corruption and Crime Commission that I would like to spend a little bit of time on. Originally, I was going to be a bit selective, but I think it is important for the benefit of members to be a little bit more expansive than I had originally intended. Is the minister comfortable with that?

For the benefit of members, I will go through the introduction to explain why there was a CCC investigation into the use of police dogs. It seems an oxymoron, but we will look at why the CCC felt it was necessary and whether it has had an impact. Is the minister all right?

**Hon Stephen Dawson:** I am just looking through the data.

**Hon PETER COLLIER:** I am really delighted. I am just making sure that the minister has some other pieces of information. The report reads —

- [1] In 2020, the JSCCCC conducted an inquiry into the Commission's oversight of excessive use of force allegations against members of WA Police.
- [2] The JSCCCC report recommended the Commission undertake an audit of police dog bite incidents to determine whether the use of force was justified and adequately reported by WA Police.
- [3] The Aboriginal Legal Service of WA (ALSWA) provided the JSCCCC and the Commission with information suggesting the prevalent use of police dogs on Aboriginal and Torres Strait Islander persons. The historic and anonymised nature of the information impacted the Commission's ability to verify the information and identify lines of enquiry, therefore limiting the assessment of each incident. Nevertheless, consideration was given to the concerns raised by ALSWA.
- [4] The Commission initiated a thematic review of the serious misconduct risks associated with the deployment of police dogs. Specific consideration was given to WA Police training practices; compliance with the Use of Force policy; and the likelihood of serious injury relating to police dog use.
- [5] The Commission's thematic review included:
  - an analysis of WA Police data, including use of force reports involving police dogs;
  - assessment of all notifications of excessive use of force by a police dog made to the Commission in the 2020–2021 financial year; and
  - a random audit of use of force reports submitted for a one month period, including (where available) viewing associated body worn camera (BWC) footage.
- [6] WA Police officers are empowered to use such force as is reasonably necessary to reduce a threat and gain control of a person. Police dogs are one use of force option.

- [7] An officer may use a trained animal to assist in exercising their powers, so long as all reasonable measures are taken to ensure the animal does not injure a person or damage property.
- [8] The WA Police Canine Unit is responsible for the training of police dogs. This report focuses on the use of general purpose police dogs, trained to locate persons and bite on an ‘apprehend’ command.
- [9] The Canine Unit acknowledges deployment of a police dog may result in serious injury. When considering the level of force appropriate, a police officer is trained to make a decision based on the information and intelligence available to them, their appreciation of the situation and the perception of the threat they face. As a use of force option it considers the use of a police dog to sit between a taser and firearm when an officer is considering what tactical response is reasonable in the circumstances.
- [10] Significant improvements in the deployment of police dogs and the mitigatory associated risks have been made since 2016.
- [11] The Canine Unit has undergone major reform. The introduction of contemporary training methods along with better dog selection has resulted in improved canine handler control.
- [12] WA Police has amended the circumstances in which police dogs can be used, with deployment now defined as either challenge or apprehend. Reporting is required in both instances. This has improved accountability when a dog is the use of force option selected by a handler.
- [13] The canine handler’s use of a verbal warning is a key initiative in minimising the risk of injury. This warning raises awareness to the police dog’s presence and provides an opportunity for the person to submit to arrest.
- [14] The Commission identified a gap in the policies and procedures specific to the use of police dogs.
- [15] The Canine Unit confirmed reliance on lesson plans from the training syllabus as providing the guiding principles for handlers. The absence of defined policies and procedures creates ambiguity as to the expected operational use of a police dog and hinders review of this force option.
- [16] Data analysis revealed a higher representation of police dog deployment on Aboriginal and Torres Strait Islander persons. The Commission did not identify any systemic factors which gave rise to the higher representation. It remains unclear what factors contribute to this higher representation.
- [17] The Commission makes two recommendations to WA Police:
- Undertake further analysis of police dog use to explore reasons for the higher representation of Aboriginal and Torres Strait Islander persons.
  - Develop and implement Canine Unit policies and procedures.
- [18] The Commission will review the WA Police response to these recommendations in 12 months’ time.

That was the genesis of the report from the Corruption and Crime Commission. The recommendations made in the report are quite extensive and are extensively contained within the report itself. I draw members’ attention to the report, *A report on the deployment of police dogs*, dated 11 May 2022, and to the various incidents that were used to come to those conclusions. Chapter 4, “Summary”, states —

- [161] Since 2016 the Canine Unit has undergone significant reform.
- [162] In 2017, WA Police reported that unacceptable training methods and internal processes had led to a culture of under-reporting canine bites and ongoing canine behaviour issues. The lack of control posed a risk to the public, police officers and WA Police reputation.
- [163] In response, WA Police made significant changes to dog selection and training methodology.
- Before you didn’t know if the dog was going to bite you or the crook ... now with the dog we have here that is command driven, we have a usable tool not a liability.*
- [164] The development of canine standards aligned to the Australia New Zealand Policing Advisory Agency (ANZPAA) Guidelines for Police Dog Handling was critical.
- [165] The following initiatives have since been implemented by WA Police to enhance a canine handler’s control of the police dog during deployment:
- Selection of a different dog breed.
  - Changes to the police dog capabilities.
  - Improved initial training of both police dog and canine handler.
  - Mandatory ongoing training and competency assessment processes.

- [166] The changes implemented attempt to ensure the decision making, in every situation, remains with the canine handler.
- [167] In late 2020, WA Police invited the Commission and ALSWA to an information and demonstration session by the Canine Unit. The demonstration of police dog capabilities was particularly valuable in displaying the way police dogs are trained and used.
- [168] Police dogs were previously trained to stand off and bark, unless there was a threat. The decision to bite was based on the dog interpreting the threat, according to the circumstances and a person's behaviour. Now, police dogs are trained to bite immediately, with the canine handler responsible for deciding when and how to use the police dog.
- [169] With 'find and bite' training comes the risk that any contact with a police dog may result in the police dog biting the person. A key strategy in mitigating this risk is the verbal challenge. Where practicable, canine handlers are required to issue a verbal challenge of 'Police Canine! Come out now, or I will release the dog and you may be injured!'. This affords a person the opportunity to submit to arrest prior to any force being used.
- [170] The Canine Unit has further safe guarded the handlers' control by implementing emergency recall competency and use of an electronic collar. Both initiatives enable a handler to recall the police dog to the heel position, even after instructed to apprehend. This ensures the handler maintains control and the dog can adjust to changing circumstances.
- [171] Both the canine handler and police dog are also subject to regular testing of skills against core competency standards. The police dog's full operational status relies on achieving and maintaining the required standard.
- [172] In late 2021 and in response to logistical challenges involved in the ongoing training and testing of police dogs, WA Police decided to transfer all regional canine handlers and police dogs back to the metropolitan area. All police dogs are now based in the metropolitan region. However, they may be deployed to regional areas for specific operational needs.

#### **Compliance with WA Police policy and procedures**

- [173] In late 2018, the Canine Unit introduced two categories for the use of police dogs—'challenge' or 'apprehend'.
- [174] Both are used to reduce a threat and gain control of a person. However, the circumstances for use vary depending on the handler's perception of risk. A challenge does not involve physical contact between the dog and person. During apprehend the canine handler instructs the dog to make physical contact in the form of a bite.
- [175] Prior to any use of a police dog, the handler must reasonably suspect there is a risk of serious injury to any person or a risk the person will escape arrest for a serious offence. Only when the risk is **imminent** [emphasis added], can a police dog be used to apprehend.

It goes on; I will not read the entire summary. As I said, I have drawn members' attention to it. For the interest of members, I will read some components that led to the recommendations. The summary states, in part —

- [177] WA Police has an overarching Use of Force policy that outlines police dogs as a tactical option. It describes the justification for use and reporting protocols. In 2020, WA Police amended this policy to align to the Canine Unit changes made in 2018.
- [178] In response to this review, the Canine Unit advised that lesson plans from their training syllabus form the guidelines for dog handlers in the safe deployment of their police dogs, there is no additional policy, procedure or guidelines.
- [179] BWC footage now assists substantially with the internal and external monitoring of compliance with policy and procedures. However, in the absence of prescribed Canine Unit practices and procedures, it is difficult for external areas, including OSTF, to review and determine the appropriateness of a police dog deployment.

It goes on to say, in part —

#### **Likelihood of serious injury**

- [184] Legislation permits officers to use force and prescribes the circumstances for when force and animals can be used to exercise their powers.
- [185] An officer who uses an animal must take all reasonable measures to ensure the animal does not injure any person or damage any property.

...



- [187] The review considered the likelihood of a police dog to cause injury.
- [188] Thirty four percent of police dog incidents considered as part of this thematic review resulted in a person being apprehended and requiring medical treatment. Only one person received significant injuries that may have been considered likely to endanger life, or cause permanent injury to health.
- [189] Based on this limited information, the risk that a police dog will cause grievous bodily harm appears to be low. However, the sample size is too small to be definitive.

It also states —

**Cultural and other considerations**

- [194] In considering the actions of a canine handler in deploying a police dog, attention must be given as to what information was known by the handler, at that point in time, as to the ethnicity, age and vulnerabilities of the suspect.
- [195] Police officers work in dynamic circumstances and it is not reasonable to assume that every officer is aware of a subject's age and ethnicity prior to deploying a police dog. A subject may be hiding from discovery or the incident may be occurring at night or when visibility is poor.
- [196] The Commission's review has continued to identify a higher representation of Aboriginal and Torres Strait Islander persons as the subject of police dog use.
- [197] The review has not identified any evidence of canine handlers culturally targeting Aboriginal persons in the deployment of police dogs.
- [198] However, whatever the reason, the high representation is concerning.
- [199] As part of ongoing efforts across government to improve the criminal justice system for Aboriginal and Torres Strait Islander people, it is recommended the WA Police conduct a further analysis of police dog use to explore the reasons for this high representation.

That forms the basis of the reasons and the recommendations. It captures all the reasons, and I will go through the recommendations. It might take me a little bit of time, minister, but I think it is valuable for the benefit of members.

It states —

- [200] Since 2016, WA Police has implemented continual improvements in respect to the deployment of police dogs. The changes have improved the visibility and accountability of this force option.
- [201] A number of the matters detailed in this report were notified by ALSWA to the Commission or WA Police, years after the incident had occurred. Such a significant delay in reporting limits the ability of the Commission to take meaningful action.
- [202] The Commission's review considered each matter and the appropriateness of the action against WA Police Use of Force policy in effect at the time of the incident. Some of the issues identified in these historic matters would not occur today, due to changes implemented by WA Police to policy, police dog capability and training practices.
- [203] While the full impact of these changes is yet to be measured, a further analysis of recent WA Police use of force reporting data suggests the total number of police dog deployments are trending downwards.
- [204] In addition, zero police dog deployments were reported in regional areas for the period October to December 2021. This is most likely a because of the centralisation of canine services.
- [205] Aboriginal and Torres Strait Islander persons continue to be highly represented, being the subject of sixty one percent of all police dog deployments for the 2020–2021 financial year.
- [206] The continued high representation of Aboriginal and Torres Strait Islander persons and police dog deployments is concerning. Further consideration by WA Police is required to explore reasons for this and if possible, to implement strategies to reduce the risks associated with the use of police dogs and aboriginal people.
- [207] In recognising the likelihood of serious injury, the Commission also encourages WA Police to continue to identify ways to reduce the need for a police dog to apprehend a person. WA Police advise that 'it will always seek continuous improvement in operational activities. The EM & SS Division will continue to work with Canine Unit to identify methodology to reduce the requirement for police dog interventions in apprehending suspects'.
- [208] The requirement of canine handlers to issue a verbal challenge prior to a police dog being used is considered crucial in providing an option for a person to succumb willingly to an arrest, without the need for force. While the review noticed some variation in the wording of the challenge used by officers, this is not unusual given the dynamic circumstances in which they are operating.

- [209] That being said, in the absence of Canine Unit policies and procedures, there remains a deficiency in understanding the expected practices of a canine handler and police dog. This creates ambiguity as to the appropriateness of the police dog use and limits the ability for consistent oversight of this force option.

As a result of all the information, there were a couple of recommendations. The recommendations are as follows —

- [210] The Commission makes the following recommendation to WA Police:

- Develop and implement WA Police Canine Unit Policy, Procedure and/or Guidelines.

- [211] WA Police response to this recommendation:

*In January 2022, WA Police Force's EM & SS Division commenced an assessment of Canine Unit's operations.*

*The assessments include:*

- *Developing formal Canine Unit Standard Operating Procedures and Guidelines; and*
- *Reviewing all WA Police Force policies related to Canine Unit operations, updating and cross referencing accordingly.*

- [212] The Commission makes the following recommendation to WA Police:

- Undertake further analysis of police dog use to explore and address reasons for the higher representation of Aboriginal and Torres Strait Islander persons in police dog deployments.

- [213] WA Police response to this recommendation:

*WA Police Force will review the higher representation of Aboriginal and Torres Strait Islander persons involved in police dog deployments, noting it is likely this may correlate with:*

- *The over representation of Aboriginal and Torres Strait Islander people in the criminal justice system; and*
- *The higher proportion of Aboriginal and Torres Strait Islanders in regional WA, where over fifty per cent of reviewed incidents occurred.*

- [1] The Commission commends WA Police for addressing the recommendations already. The Commission will conduct a review of the WA Police response to the recommendations in 12 months' time.

That is what I said, minister. I have really enjoyed this portfolio. From my observations, WAPOL always rises to the occasion with these things. It has taken it on board as far as the Corruption and Crime Commission is concerned. However, the CCC was going to do a review in 12 months' time. That review has been done and it was tabled in October 2023. It started the review earlier than anticipated, so let us see how things are going and whether changes have been made to the procedures for the use of police dogs.

As I said, this was tabled in October last year, but the review commenced a little earlier. The report states —

- [20] In February 2023, the Commission wrote to WA Police requesting an update.

- [21] WA Police responded and advised they were conducting a holistic review and assessment of all facets of the Canine Unit. This includes addressing the two Commission recommendations.

- [22] The response outlined the following key initiatives and actions:

**Recommendation One: Develop and implement WA Police Canine Unit Policy, Procedure and/or Guidelines.**

- Creation and development of Policy, Police Manuals and Standard Operating Procedures, including Use of Force, Deployment of Police Dogs, Requesting Canine Resources and Management of Police Dogs.
- Structural changes being made to the Canine Unit Training Team.
- Review/endorsement of the General-Purpose Police Dog Training Course.
- Development of a process for Senior Officer attendance at scene following a police dog apprehension (bite).
- Assessment of the current Canine Section single officer patrol.

**Recommendation Two: Undertake further analysis of police dog use to explore and address reasons for the higher representation of Aboriginal and Torres Strait Islander persons in police dog deployments.**

- Development and implementation of an IT solution for recording and reporting Canine Unit tasking and police dog deployments.

- Engagement of the Sellenger Centre from Edith Cowan University (ECU) to conduct research into Canine Unit operations. Specifically, to:
  - undertake analysis of reported data to explore if Aboriginal persons are overrepresented in police dog deployments;
  - review and research the WA Police Force Manual Use of Force Policy, which relies on the belief that a dog bite injury is not intended or likely to result in Grievous Bodily Harm.
- Review the tasking and deployment process for canine resources to ensure it is aligned with legislation and policy.

I am about to hit the killer blow, minister. I want all members to look and learn; this is how you bring down a government. Do members notice how I have created my case? Members have all been listening intently. Just wait, look and learn.

The next part is the Corruption and Crime Commission's review. The minister will notice how I staggered my questions tonight. What was the final question I asked about?

**Hon Stephen Dawson:** In question time?

**Hon PETER COLLIER:** Yes, what was my final question in question time?

**Hon Stephen Dawson:** The final one was about police dog training.

**Hon PETER COLLIER:** Exactly! I did it that way and asked it right at the end of question time. I kept everyone waiting.

**Hon Stephen Dawson:** I paid attention, and I took a copy of it.

**Hon PETER COLLIER:** Thank you. The minister would be worried right now. The report continues —

#### **Commission's review**

- [23] In May 2023, Commission Officers met with WA Police representatives from Emergency Management & Specialist Support Division, including the Canine Unit, to understand the status of the initiatives.
- [24] WA Police confirmed that a Project Manager and working group had recently been established earlier that month.
- [25] WA Police explained the project addresses the Commission's recommendations and includes a wider review of the Canine Unit operations. However, most if not all these actions are yet to be completed.
- [26] In the past 12 months, WA Police have engaged ECU's Sellenger Centre to assist with research into police dog operations. As a result, a new reporting tool was developed to aid data collection on police dog deployment. Despite aligning the research project outcomes to the Commission's review date, this information is not yet available.
- [27] WA Police are presently unable to show the results of many of the proposed actions and initiatives. It is likely the outcome of research will assist in developing policy and procedures.

Here we go!

**Hon Samantha Rowe:** Should we brace ourselves?

**Hon PETER COLLIER:** I think you should. The report continues —

- [28] WA Police have committed to completing Recommendation One by March 2024.

I draw members' attention to a question I asked today in question time —

I refer to the commitment of the Western Australia Police Force to —

Minister, this is very important.

**Hon Stephen Dawson:** Sorry. My colleague was asking me how serious this issue was.

**Hon PETER COLLIER:** It is very serious. I asked —

I refer to the commitment of the Western Australia Police Force to complete recommendation 1 of *A report on the deployment of police dogs*, tabled in the Legislative Council on 11 May 2022, by March 2024.

Remember that it is now May. The question asked —

- (1) Has recommendation 1 been completed?

The response was —

- (1) Recommendation 1 is partially complete.

It has not been completed! I also asked —

- (2) If not, why not, and when will it be completed?

The answer was —

- (2) The training components are anticipated to be completed by July 2024.

I ask the minister: is that a good government, one that cannot even keep a commitment to have that review done by March? I told the minister that it was going to be fatal. You watch!

**Hon Stephen Dawson:** Do you want me to answer that now or do you want me to wait?

**Hon PETER COLLIER:** No, just watch all the minions in Dumas House, who will now be running around, asking, “What we do? How do we respond to this?” The CCC report continued —

- [29] WA Police predict these actions will reflect an overall culture change within the Canine Unit.  
 [30] In addition to proposed structural changes, there will be a focus on the fact that a canine handler is a ‘police officer first’ and that the measure of success for a police dog deployment should be an apprehension without a bite.  
 [31] Given most initiatives remain in their infancy or are yet to be commenced, the Commission’s review is limited.

We have got a long way to go, do we not, minister? It continued —

#### CONCLUSION

- [32] The decision to conduct a wider review of the Canine Unit operations and not simply address the Commission’s recommendations, demonstrates a commitment by WA Police to wholesale change.

**Hon Stephen Dawson:** As you have said, they are a good agency.

**Hon PETER COLLIER:** It is a very good agency. I have a lot of respect for WAPOL. I continue —

- [33] The changes proposed to the Canine Unit culture, personnel/structure and operating practices are important and will require time to implement.  
 [34] It is recognised that, at a minimum, the new reporting will assist WA Police in reviewing police dog deployments and how these align to legislation, policy, and practices.  
 [35] The Commission acknowledges the commitment of WA Police to addressing the inherent risks associated with the use of police dogs. However, it is considered too early to assess whether the two recommendations have been addressed.  
 [36] The Commission will conduct a further review of action taken by WA Police in 12 months’ time.

The jury is out about whether the Western Australia Police Force has actually met the recommendations of the original report, but it has certainly made some inroads. I think my intense scrutiny of the government during question time and my comprehensive coverage today show how we cannot, for a moment, be complacent. That is the role of His Majesty’s loyal opposition: to scrutinise government and make sure that government adheres to its commitments.

I genuinely did not mean to be flippant tonight. This is one of those occasions when governments and oppositions work together. I took one for the team tonight. Yes, I extended my comments a lot further than I originally intended, but, with all due respect, the reports from the CCC are important. To be perfectly honest, members could have read the report. I intended to have a much more condensed precis of the CCC reports, but it does not hurt at all to read them in.

Suffice it to say that the bill itself is a good piece of legislation. It does something that the opposition supports, which is to ensure sanctions for anyone who hurts or maims a police dog or a police horse, which are both essential in assisting in the maintenance of law and order, particularly in high-population areas and in some areas of the regions. It is absolutely appropriate. We think that the sanctions are appropriate, and the sooner they start, the better. This legislation will probably not go through tonight as I am sure some other members would like to contribute, but I would like to think that we will get through this tomorrow and then it can become law as soon as possible. Having said that, the opposition supports the bill.

**HON DAN CADDY (North Metropolitan)** [5.47 pm]: It gives me great pleasure to stand and speak about the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023. While I have been listening to the outstanding and voluminous contribution of Hon Peter Collier and the details he went into, I have been reflecting. I will not speak for as long, but I will take a somewhat different tack.

This may appear to be a bill about protecting police assets; however, at its core I see this as a bill about animal welfare. The bill recognises the value of police animals, not just as values on a balance sheet but also as critical and important members of the Western Australia Police Force. As I have done in the past on numerous occasions, I will always stand in this place in support of enhanced protection for animals, including working animals, of which police horses and police dogs, or the mounted and canine units, are a subset.

In my mind, animals fall into five categories. I will go through the categories, and when I get to the end, I will tie this back. We have wild animals, livestock, pets, animals involved in sport—I use that term loosely in some instances—and working animals, which are the animals we are talking about here today. Why do I say this? I say this because there are all sorts of laws that govern each and every one of these categories of animals. At the moment, we are catching up with laws for working animals. For wild animals, we have protected species on land, air and sea. Some of them are protected because they are native species, and some because they are endangered or in some instances critically endangered. That is not specific to Western Australia or Australia; those sorts of laws apply in many jurisdictions around the world. Then when we get to livestock, there are numerous laws around the way primary producers look after their flocks or their herds. There are laws around the way people need to keep their animals on a farm. There are laws about transporting animals, whether it is domestic or for export. There are laws for the processes around selling livestock. A lot of these laws have been updated recently in different jurisdictions, but most of these laws go to the inherent value we put on livestock as animals, not necessarily as dollars on a balance sheet. I have spoken before about my family history of farming. I know that, yes, my grandfather, my uncles, and other family made money from livestock, but, at the end of the day, the welfare of the animals was first and foremost in our minds.

We have laws around how we treat our pets. We have minimum standards laws and indeed if someone's pet—no matter what it is, but it is generally dogs—is not treated properly, the owner may well find themselves reported. We have laws around restraining certain breeds, especially of dogs. There are three registered breeds of dogs. I spoke recently about greyhounds as pets. Once they finish racing, they have to be kept on leads. At the start, people considered the laws around greyhounds as pets to be for public safety, but they are as much for the welfare of the animal as they are for anything else. I have spoken about those before and the changes to the laws around how we treat greyhounds once they have finished racing.

I just spoke about greyhounds, but sports animals are a good example, because there are laws around the treatment of sports animals. There are others, but I am thinking specifically of horses and dogs, which is why this is a good point to make. Just this morning, Hon Samantha Rowe and I, along with Hon Peter Collier and Hon Dr Brad Pettitt, spoke with representatives from Racing and Wagering Western Australia about a recent initiative that will mean that the transporting of greyhounds can only be done in air-conditioned vehicles. A lot more focus will be put on the temperature control of kennels on race days and myriad other things around that. I cannot remember the name of the actual thing, but it is basically their hot day regulations. Once again, that is around animal welfare. There are similar things with horses. We have vet checks and all of these sorts of things.

The other thing that is interesting with sporting animals—greyhounds, thoroughbreds and harness racing horses—is that when it comes to their sport, for want of a better term, they are treated as we treat human athletes. They are swabbed. There are laws around substances they can have in their bodies and, if they fall foul of that, a very similar process is followed to what happens with a human athlete. To me, that is an important point, because that is where this ties back quite particularly to this bill and what we are doing for police animals. We are in effect treating them or protecting them in a way we would treat human police officers that are either sitting on them, serving with them, handling them or whatever terminology you may want to use. This is a critical point. When we look at working animals, we have to make sure that they have, as best as can possibly be, the same protection as the humans they work alongside.

I will talk about it a bit more later because there are different categories of working animals, but it is particularly important for police animals because they tend to work in volatile environments for some of their working life. They are probably more prone than other working animals to experience maltreatment. That might be the best way to put it. This bill will create a two-limbed offence provision —

**Hon Darren West:** Shouldn't it be four-limbed?

**Hon DAN CADDY:** Very good interjection, Hon Darren West. Comedy hour is tomorrow morning, but I welcome the interjection. It is fantastic.

The first limb is assaulting, injuring or killing an animal that is being used by an officer, and the second limb is assaulting, injuring or killing an animal on account of it being an animal that is used, trained to be used or maintained for use by officers. This means a targeted attack, whereby someone may attack an animal when it is not working, for want of a better term. This will stop that as well. A penalty will be seven years' imprisonment, with a summary conviction of three years' imprisonment and a fine of \$36 000. In circumstances of aggravation, imprisonment will be an option as well, and killing an animal could lead to imprisonment for several years. Obviously, there will always be extenuating circumstances in some cases, so the bill includes reasonable excuse defences that are clearly spelt out. Self-defence provisions is the way I would use them, which reflect similar provisions in the Animal Welfare Act, if I am not wrong. All Criminal Code defences will also apply. The bill will also empower the court to make an order for restitution for the reasonable costs of treatment, care, rehabilitation, retraining or replacement of a police animal that has been assaulted, injured or, in the worst-case scenario, killed.

I did not want to speak for long, but I also want to take this opportunity to talk generally about both the mounted section and the canine section. Positions in the mounted section and especially the canine section are incredibly sought after. That is my understanding, and I am happy to be corrected. Members may be interested to know that

frontline experience as a police officer is a more important prerequisite to join the mounted section than horseriding and handling skills. Indeed, I spoke to a young man not long ago who was very eager to join the police. He wanted to do his six months at the academy and go straight to the mounted section. I said to him that I am not an expert on this, but I do not think that is how it will work. He said that he had ridden trails through Montana and had ridden horses for years and years, so I said that he may want to look to see how it works. I do not know what he decided to do. I certainly hope he made the decision. All staff obviously have to do a substantial riding course upon joining the section. I believe there are also regular assessments.

Although the mounted section has been in operation for what must be 90 years now, mounted policing has seen a re-emergence not just here in Western Australia but in other parts of the world and is considered to be an extremely important method of policing for the twenty-first century. As I have said many times in this place—I have spoken about the Western Australia Police Force on a number of occasions—our police are responsible for the largest policing jurisdiction in the world. I am reliably informed that the mounted section makes itself available across the entire state, from the Kimberley to Albany out to the goldfields, which is pretty impressive. I have spoken before about being breathalysed by a mounted police officer in York Street in Albany and I retold the joke I had with the officer. She was fantastic. I am showing my age, but I have a great polaroid—actually, it is not a polaroid; it is a digital photo—of her contorted on the horse trying to get through the window to breathalyse me. That is something I will never forget.

WAPOL will tell you that a police horse provides a unique platform with an excellent 360-degree view, from a great height, of the surroundings and of not just colleagues, but also anyone at ground level. Horses are used a lot in crowds. Even someone with my short stature has an excellent view of events in a crowded area when on horseback. I think that is important. Speaking about being in a crowded area, this goes to one of the reasons that this bill is so important. Hon Peter Collier gave us some of the history of the reasons for it and why the police union, for example, is so keen for this bill to be enacted. The roles of the horses and officers who ride them are mixed, obviously. They perform some ceremonial roles and are also involved in search-and-rescue operations in what I expect would be difficult terrain. In my experience, and from what I have been told, for most of the time the mounted units are deployed where there are large crowds, and often that is in the urban environment. That brings me back to what the bill is all about. It is no stretch to point out that in some cases when officers are on horseback among large crowds, those situations may be volatile. I suggest that is the reason that the mounted unit is there in the first place.

We all saw the horrible footage a couple of years ago of a police horse being attacked in Queensland, I think. That goes to the analysis and the requests from the police union. It is for this very reason that the amendments we are talking about today are important to protect a valuable asset of the state. I heard earlier that the dollar value of a horse is \$150 000 and a dog is \$15 000, but it is also about the life of the individual animals and the place that the animal has with the officer who handles them. As members of this place and, more importantly, as members of the Western Australian community, we owe a great debt to the dedicated officers, ancillary staff and horses of the mounted section of our Western Australian police force. This is a shout-out to them and the work they do. It is an opportunity to say thank you. I am sure that this legislation will be welcomed by them.

I have spent my time talking about horses, but I do not want to miss out on the canine section. The canine section of the Western Australia Police Force is a much newer beast than the mounted section. I think it is some 30 years old. It started off with a couple of German shepherds. I grew up with German shepherds. I do not remember a time before I had a German shepherd. They were called Luther and Romell. We did not name them; the names were given to them when we got them as puppies. They are incredibly intelligent, loyal and capable dogs. It is little surprise that German shepherds were the first dogs used by the police force. German shepherds and Belgian shepherds are used by police forces not only here, but also right across the world. I have never had the pleasure of visiting the canine unit here in Western Australia, but I saw a European facility in my time living abroad. The bond between the officers and the animals is absolutely incredible.

WA police quickly realised after the inception of the canine unit 30 years ago that the canines were an incredible addition. Since then, the number of dogs has steadily grown. I need to refer to my notes because there are several teams, including the narcotic detection dogs, general purpose dogs, dual purpose dogs and also a dedicated training cell. I had a quick look at the WAPOL website to see what it could tell me about the canine section. It operates for 24 hours a day, seven days a week. The support that it provides to the frontline staff—this will bring it back to the bill—are the apprehension of violent offenders; narcotics detection in houses, buildings, vehicles, vessels and aircraft; lecturing on the role of dogs in policing; responding to antisocial behaviour, demonstrations and riots; and tracking and searching for offenders involved in criminal activities. At least three of those support roles, if not four, are what can only be described as being at the pointy end of policing. As I outlined earlier, the mounted units often attend large gatherings that may be a bit unsettled. That is no different for the dogs. They will often work in difficult, if not volatile, situations. Once again, they are critically important. As with the horses and the officers who work with the horses, I take this opportunity to recognise the hardworking humans and dogs of the Western Australia Police Force canine section.

Hon Peter Collier made the point at the start of his lengthy contribution that this bill will be supported by the community. I agree with that. I have absolutely no doubt that it has support across not only this chamber, but also

the Western Australian community. In a wider sense, the public perception of animal welfare has moved drastically over the last decade, which is a good thing, and this bill is another example of that. We have debated more than one bill in this place either pertaining to or having a major component of which relates to animal welfare. The Animal Welfare and Trespass Legislation Amendment Bill and the Dog Amendment (Stop Puppy Farming) Bill 2021 are examples of that. We have seen a marked increase in the media coverage of animal welfare, once again, not just in this state or country but around the world. That is primarily in the area of primary production. I do not think that is always welcome or the best thing, but this government has recognised that over the years. Indeed, the former Premier delivered an additional \$800 000 in funding boosts last year split across six organisations that look after various animals. I believe that one of those was the Dogs' Refuge Home, as referred to by Hon Peter Collier; I believe he is a patron of that organisation.

I will circle back and come back to the bill itself. In fact, the history of this legislation goes back to when we were in opposition. Ahead of the 2017 election, the then opposition leader, later the Premier, made a commitment to the people of Western Australia and to the Western Australian Police Union that he would create or codify an offence for assaulting a police animal or animals. I have already referred to that. At the time, there was some pretty dramatic footage from other jurisdictions of things that had happened. This legislation was important to the Western Australia Police Force because of the animals it has. I think it has roughly 50 animals, if I am not wrong, and its horses and dogs are trained and used for several purposes, as I have outlined tonight. The primary use for the dogs is to track and apprehend offenders. One of the dot points I spoke about was an education piece, which must be an absolute thrill. I assume that officers take the dogs out to schools. I can only assume that is something that happens; I am not sure from reading that. I know that in my time living abroad, I had lots of friends who were members of the local police force, and, indeed, some who were members of the dog unit there. One thing they did regularly was visit schools as part of police relations; when they visit schools with a dog, they are twice as popular as they would have otherwise been. Other than that, noting the points I have here, these animals are primarily used at that pointy end, as I have said before.

The statistics that were compiled by the WA Police Union and presented to the current government, which was the opposition at the time, absolutely showed that police animals were often subject to assault when they were being used to apprehend offenders. Those statistics showed that since the start of 2015 there had been 32 charges relating to 26 assault incidents involving law enforcement animals. When we came to government, following consultation with the Attorney General's office and the Director of Public Prosecutions, we made the decision to create an offence within the Criminal Investigation Act, as this is the act that provides the power for police officers to use police animals in the course of their duty. As I read in earlier, this is a duo-legged act with different penalties applying.

I do not want to take up all the time, but there is not much time left for us to talk tonight anyway. I think that the absolutely critical part of this legislation is that as well as protection for the animals, it should give the handlers—I call them handlers because I am referring to those who are with the dogs—or the mounted officers heart to know that there are provisions in place and that hopefully these provisions will have a preventive effect on anyone out there, whether those people are part of a large crowd, as we have pointed out, or are individual offenders who are being tracked and pursued by police dogs. It is good legislation; it is necessary legislation. I think Hon Peter Collier may have alluded to this in his comments, but this legislation will bring Western Australia into line with most other states. I know that Queensland, New South Wales, the Northern Territory, South Australia and Tasmania already have similar legislation in place. As Hon Peter Collier said, we are not sure exactly where Victoria is at. But, most importantly, this legislation will provide protection for our—I say “our” because they are ours—frontline animal resources. I wanted to say “animal officers”, and I know from my experience with dog handlers overseas that that is how they see their dogs. They do not distinguish between their human colleagues and the dogs they are working with as they go out into their work day. Whether it is one of those days when they are on an education drive or they are out looking to apprehend someone, they 100 per cent look at these animals as their partners and consider them one of them. I have seen firsthand the relationship between dog handlers and their dogs.

This is a fantastic and universally supported bill. It is a very important bill. It is not before its time. It is here, and I go back to what I said. As a government, we have done a lot in the space of animals and animal welfare. With that, I take my seat. I commend this bill to the house.

**HON LORNA HARPER (East Metropolitan)** [6.16 pm]: We have just a few minutes left before we go to members' statements. I am honoured to stand and speak on the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023. I am delighted that we have a bill here that will protect the horses and dogs that really are officers of the law. I am a great dog lover. My dogs are spaniels, not German shepherds, because I am rather short in stature; German shepherds are usually about half my size. I have met a few police horses. I remember they used to come round the street where we lived near Bayswater, and we would hear them. I try to stay away from them because, again, with my size, I think the horses are rather large. While I was researching this to be able to have a quick chat, I was delighted to learn that the Clydesdale horses—the horses traditionally used with the mounted police—actually come from Scotland. Again, us Scottish migrants come in here, and we have even brought our horses.

**Hon Jackie Jarvis** interjected.

**Hon LORNA HARPER:** Our horses took the jobs of the Australian ones, yes! These horses are spectacular. The height of those horses scares me, but when we are out in the city and we see mounted police officers, it is a sight to behold. The fact that people would actually attack or punch a police horse, or would try to harm a police dog, is really pretty sad. Yes, these animals deserve protection, and 10 years' imprisonment for killing a police dog is the protection that we need to give them. These are also officers of the law. If we think about it, a police dog cannot read somebody their rights, to use an American term, and arrest them, but they can hunt them down. These dogs are highly trained to be able to find drugs and hunt down people who are hiding. We see it on the news when dogs hunt down people hiding in a bush. If a police officer and an Alsatian were running after me, I would hide, as well!

Debate adjourned, pursuant to standing orders.

### CHERIE TOOVEY — RETIREMENT

#### *Statement by President*

**THE PRESIDENT (Hon Alanna Clohesy)** [6.19 pm]: I advise that our education presenter Cherie Toovey is retiring, with today being her last day at Parliament.

It is estimated that Cherie has welcomed over 100 000 visitors to Parliament over the last 24 years. She is well known for her smiling, friendly disposition and knowledge of Parliament and the democratic process. Cherie is a passionate educator and delivers inclusive and engaging tours, ensuring members of the community are welcome and able to connect with and experience the Parliament.

Cherie has shared her knowledge all over the state through the “Pop-Up Parliament” education program that is delivered as part of the regional outreach program. Cherie is highly regarded by members, schools and community groups, and is often requested personally to lead tours. Cherie will be missed by our community, colleagues and members alike. I hope you join me in wishing Cherie a well-deserved retirement. Thank you, Cherie.

**Members:** Hear, hear!

### LGBTQIA+ INCLUSION

#### *Statement*

**HON DR BRAD PETTITT (South Metropolitan)** [6.20 pm]: As members would know, at the start of each sitting block on a Wednesday I have been reading stories about the Equal Opportunity Act. Tonight, I rise to tell Andrea Thompson's story in her words. It goes —

As well as being a gender diverse woman, I am a parent, an author, a music journalist, an artist manager and music promoter. I have been a primary school teacher, worked at the highest levels of the WA public service and run a successful small business. I am the chair of Queer Arts Alliance, a not-for-profit organisation established to support the careers and grass-roots engagement of LGBTQIA+ people in the arts. I feel like I've lived a full and productive life and it's not over by a long shot. But people keep getting hung up on one thing—my diversity. And, since I came out and told the world what I've known my whole life, I have experienced endemic institutional and social prejudice that has seen me excluded from economic and social participation in a very significant way.

I don't want to be transgender anymore.

I want to live in a post-gender world and get beyond the idea that people of any gender have the right to exercise power over my life, the fundamental essence of who I am and how I express that.

Gender is a core part of each person's being. Your understanding of your gender is formed as you develop and becomes a firm part of your being during childhood/adolescence, which is recognised a period of experimentation. Your gender is non-negotiable. This is the same for gender diverse people as much as it is for cisgender people. Our genders are non-negotiable, too.

Understanding this, imagine for a moment that the government decides it knows best what your true gender is. It passes a law and establishes a board chaired by a magistrate that gets to decide your gender.

To have your gender legally recognised, you must go through an expensive process of medical and psychological examination and treatment. You must get letters from your GP, medical specialists, psychiatrists, psychologists, family members, friends, employers—anyone but yourself—confirming that they believe that you are the gender you have always known you are.

The only person this board does not require testimony from is you.

As the applicant, your understanding of this fundamental core of your being, your gender, has no value. When the board meets to consider your application, you are not even required to attend the meeting or give testimony on your behalf.

In considering your application to have your gender legally recognised, the board has the power to order you to have surgery to have your reproductive organs removed. They can use the requirement for surgery as a reason for denying your application to have your gender recognised.



The board regularly rejects applications, even without requiring surgery. They have the power to direct that you live as a gender that is not yours, to consign you to a lifetime of discrimination that is legal because you now do not have protection under anti-discrimination laws.

Would you just quietly sit by and believe that was OK if it was happening to you?

This is the regime gender diverse people currently live under in 2024 in Western Australia. The Gender Reassignment Act 2000 and the Gender Reassignment Board treat gender diverse West Australians who need to legally claim their genders exactly as I have described.

On 16 April the State government announced its intention to repeal the Gender Reassignment Act. During the media conference, the Attorney-General, John Quigley, said:

“You don’t want someone who, for example, has been convicted of a nasty, aggravated sexual offence, then changing gender so they can access women-only areas,”

Quigley’s comment was baseless and nothing more than slavish repetition of a common anti-trans trope that is a favourite among religious fundamentalists, right wing lobby groups and TERFs. It was hate speech that instantly —

*Point of Order*

**Hon STEPHEN DAWSON:** If the honourable member is going to refer to the Attorney General, he should call him Hon John Quigley or, indeed, the Attorney General, not by his surname.

**The PRESIDENT:** Honourable member, I am aware of the standing order, and members are required to refer to ministers and other members by their titles; however, on this occasion, I have been listening closely and Hon Dr Brad Pettitt is reading an extensive quote, and the quote includes those words. The honourable member himself, who is required to follow the standing orders, is not using the language, the quote is using the language, so there is no point of order.

*Debate Resumed*

**Hon Dr BRAD PETTITT:** Thank you. I am happy to insert “honourable” into this, noting it is not actually in there. The story continues —

It was hate speech that instantly made the lives of all gender diverse woman less safe.

This Parliament should censure Quigley for his baseless comments and for making the lives of gender diverse Western Australians infinitely more dangerous while pandering to the broader electorate.

Hon John Quigley —

made his comment to justify forcing gender diverse people applying to have their genders recognised under the new system to undergo counselling to prove that they are not potential sex criminals. Who in the medical profession is even qualified to make such a determination?

The new laws the Labor government is proposing continue to medicalise gender diversity and are likely to have unintended consequences that will be harmful to gender diverse people and continue to place unnecessary barriers in their way when they apply to have their genders legally recognised.

The only solution is for the Parliament to stop making laws about the genders of gender diverse people and to treat us equally to cisgender people. Stop colonising out lives with your discriminatory and harmful laws.

Gender diverse people take their lives because of the laws passed by this Parliament that discriminate against gender diverse people. The most recent loss of the life of a gender diverse West Australian citizen was on 21 March 2024.

As Parliamentarians, you are part of that government. The blood of gender diverse people is on your hands.

That is the ultimate endgame when you deny someone their identity, discriminate against them and treat them as ‘other’, which is what ‘trans’ translates as from the Latin. People’s existences are damaged beyond repair. Some people hide who they are, compartmentalise their lives, afraid of what will happen if they reveal their true identities.

They hide from family, friends, workplaces, social groups, anyone they think or know will sanction them for being themselves. Denial of self can lead to all sorts of harm, including self-harm and, ultimately, loss of life.

How many cisgender people have to go through ritual humiliation and prove that they are not sex criminals to be able to claim their gender legally? None.

How many cisgender people would be harmed if gender diverse people were able to decide their own genders without interference? None.

How many gender diverse people are being harmed by a government too weak to show leadership while it desperately tries to cling to power? Too many.

This is the world that I and other gender diverse people are currently forced to live in. This is the reason why I don't want to be trans anymore.

I am a woman, but don't call me transgender. 'Trans' is a label that governments and medical practitioners use to mark me as different and as an excuse for their prejudice. I will no longer participate in the cisgender majority's petty power trip.

Bring on the post-gender world and the end of cis hegemony.

I thank Andrea for sharing her story. I know that was hard to do, but I bring these stories regularly because I think this is a key issue that I regularly hear of. I think it is really important that we hear from this diverse community, as we make laws about them in this place. I thank members for listening to me and I will continue to bring these stories over time.

*House adjourned at 6.29 pm*

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