



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
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LEGISLATIVE ASSEMBLY

Thursday, 17 October 2024

Legislative Assembly

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

PAPERS TABLED

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

WATER CORPORATION ANNUAL REPORT 2023–24

Correction — Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [9.01 am]: I have received a letter from the Minister for Water requesting that an erratum be added to correct three errors in the Water Corporation's annual report 2023–24, which was tabled on 19 September 2024. The changes relate to the number of wind turbines at Flat Rocks wind farm, stage 2, the sum invested to support housing projects and the sum committed to support planned developments. Under the provisions of standing order 156, I authorise the corrections to be attached as an erratum to the tabled paper.

[See paper [3302](#).]

DEPARTMENT OF JUSTICE — VICTIMS OF CRIME — SUPPORT

Statement by Attorney General

MR J.R. QUIGLEY (Butler — Attorney General) [9.02 am]: I inform the house of the various supports available to victims of crime in Western Australia through the Department of Justice. These include the Office of the Commissioner for Victims of Crime, the Office of Criminal Injuries Compensation and court counselling and support services. Recent changes to the Office of the Commissioner for Victims of Crime have improved services available to victims. To ensure that there is an increased focus on the victim, including providing support to make submissions and to receive protection if needed, the previous Victim–offender Mediation Unit has been separated into two units—the Victim Engagement Unit and the Restorative Justice Unit.

The Victim Engagement Unit provides direct support to the victim throughout the offender's sentence. In 2023–24, there were 2 410 victims of crime registered with the victim notification register in relation to 1 990 offenders. The register allows victims to be kept informed of the movements of the person who offended against them. There were 4 224 reports for sentencing or release prepared. These reports support the work of newly appointed victim representatives on the Prisoners Review Board. These representatives were appointed to the board following the government's additional investment announced in April of \$96 million for domestic violence services.

The Restorative Justice Unit will work to provide the victim with the opportunity to meet the offender to tell them how the offence has impacted their life. Restorative justice programs ensure that the offender is called to account and that they personally acknowledge the impact of their behaviour on the victim. This service has already commenced in the Children's Court and the Perth Magistrates Court.

The Office of the Commissioner for Victims of Crime is led by Commissioner Kati Kraszlan, who is supported by 62 employees. The work of Ms Kraszlan and her team reflects this government's continued commitment to support victims of crime in Western Australia.

COMMUNITY WATER SUPPLIES PARTNERSHIP PROGRAM

Statement by Minister for Water

MS S.F. McGURK (Fremantle — Minister for Water) [9.05 am]: On 20 August this year, I announced that 10 water security projects had been awarded funding under the state government's community water supplies partnership program. The program supports the establishment of reliable non-potable water supplies in our regional communities, for emergency farmland and firefighting water needs and to reduce scheme water use. The community water supplies partnership program provides up to \$100 000 for each project to local government and community groups to develop important off-farm community water supplies. In this round of funding, nearly \$500 000 has been awarded for 10 projects across the agricultural, Gascoyne and Warren–Blackwood regions.

The Shire of Victoria Plains will receive \$179 885 for three water security projects, including \$15 400 to install a mobile water tank, \$72 341 for a tank at Calingiri and \$92 144 for the Goudge Road–Parker Road bore. The Shire of Wongan–Ballidu will also receive \$100 000 for its project, which involves automating pumps at two dam facilities, Mocardy Dam and Railway Dam, which will assist in minimising water wastage. The Shire of Plantagenet has been awarded \$67 675 to install a 409-kilolitre steel water tank, pipework and pump to collect water from the Mt Barker agricultural pavilion and other buildings, with the harvested water to be primarily used for irrigation of the oval.

I am pleased that Baiyungu Aboriginal Corporation in the Gascoyne region will receive \$18 000 to support water security at Cardabia station. The funding will support investigations to assess the viability of a disused bore to supply the homestead precinct with a non-potable water supply. The community water supplies partnership program is jointly funded by the Cook government and the commonwealth government's national water grid connections funding program. This highly successful program has provided over \$4.8 million to local government authorities for 69 water security projects since 2021.

WESTERN AUSTRALIAN TRAINING AWARDS

Statement by Minister for Training and Workforce Development

MS S.F. McGURK (Fremantle — Minister for Training and Workforce Development) [9.07 am]: On 20 September, I attended the Western Australian Training Awards 2024. This was a special occasion, recognising the achievements of apprentices, trainees, employers and training organisations based in WA. It was also the thirtieth anniversary of these awards. This year a record number of nominations were received from applicants training in a range of industry areas, highlighting the increased participation in vocational education and training as a result of this government's record investment. I had the pleasure of seeing some amazing women recognised, taking seven of the eight individual awards and reflecting the modern face of our vocational training sector. VET is no longer a plan B to university, nor is it solely a training pathway for young men to pursue trade qualifications. Women's participation in our vocational training system increased by 6.5 per cent in the year to 30 August, with women choosing to take up training opportunities in the sector so they can pursue rewarding and in-demand jobs in the state's workforce. MTA WA Training was named WA large training provider of the year 2024 for its contributions to skilling the next generations of light vehicle automotive technicians.

The WA vocational student of the year 2024, Miley Nguyen, made the decision to leave a career in civil engineering and make a positive impact on lives around her by completing a certificate IV and diploma of community services. The WA apprentice of the year 2024, Ellie Wotherspoon, is one of many young Western Australian women who have chosen an apprenticeship pathway to pursue a career in a traditionally male-dominated industry, completing an electrical apprenticeship while also completing a Bachelor of Education. Ellie will be a fantastic role model for other young women, and along with all the other award winners she will represent WA at the Australian Training Awards in Canberra on 6 December. I congratulate our WA Training Award nominees, finalists and winners, and wish the WA representatives the best of luck in the national awards.

SEAFOOD INDUSTRY AWARDS

Statement by Minister for Fisheries

MR D.T. PUNCH (Bunbury — Minister for Fisheries) [9.09 am]: I am pleased to advise this house today of the individuals and Western Australian businesses recognised in the 2024 National Seafood Industry Awards last month. It was very pleasing to see our state represented across 10 of the 13 categories at the awards hosted by Seafood Industry Australia. The awards recognise the positive contributions of individuals, partnerships, businesses and organisations towards maintaining a sustainable and profitable Australian seafood industry. The WA finalists were selected from the winners of the WA Seafood Industry Awards held in May.

Most notably, I congratulate Angus Callander for being inducted into the National Seafood Industry Hall of Fame. Angus is the executive officer of the WA commercial fishing industry consultation unit and he was recognised for his 40-year career helping to steer the industry's development across a number of areas, including transforming remote fisheries, building social licence and community-based initiative programs, and innovative business development.

Other WA winners were Brett McCallum for the health and safety award, recognising his 40 years of dedicated service shaping all facets of work health and safety for the seafood industry. Endeavour Foods manager and director, Sophie Sharland, received the young achiever award for her commitment to driving positive change and empowering future leaders in the seafood industry. Albany's Hooked on Middleton Beach was awarded for producing Australia's best fish and chips.

The SPEAKER: I saw that.

Mr M.J. Folkard interjected.

Mr D.T. PUNCH: Yes, they are very nice.

Tassal Group, which recently expanded its operations to include aquaculture of ocean-grown barramundi in the Kimberley, took out the best large business award. Tassal CEO, Mark Ryan, was also inducted into the hall of fame.

The seafood industry is an important contributor to the state's economy, employing more than 6 000 people across the state. Our state is a world leader in sustainable fisheries management. Being recognised on a national level for excellence, sustainability and innovation is a fantastic acknowledgement for our seafood businesses, commercial fishers and industry leaders. I commend these individuals and businesses to the house for their tireless contributions to our wonderful seafood industry. I am sure that members will join me in acknowledging them for their excellence in the Australian seafood industry.

CARNABY'S BLACK-COCKATOO*Grievance*

MR R.S. LOVE (Moore — Leader of the Opposition) [9.12 am]: I raise with the Minister for Environment the desperate plight of Carnaby's black-cockatoos. Known as the "rain bird", this white-tailed black-cockatoo is endemic to the south west of Western Australia. BirdLife Australia states that the population of Carnaby's in the Perth–Peel region has declined by 50 per cent in the past 50 years, and its range has contracted by a third. Accordingly, the Environment Protection and Biodiversity Conservation Act 1999 lists Carnaby's as a threatened species.

I want to acknowledge Bindoon resident Dean Arthurell, who is in the public gallery today. I commend him for his work establishing the charity Carnaby's Crusaders. Dean and many other volunteers devote countless hours to support the recovery, breeding and preservation of habitat to help these noisy and gregarious black-cockatoos. The Carnaby's habitat extends from north of Kalbarri to Cape Arid east of Esperance. A partly migratory bird, Carnaby's normally fly inland to eucalypt woodlands to breed when food supplies would ordinarily be plentiful in July and August. From December to July, they head back to coastal areas on the Swan coastal plain. Food sources include the nuts of marri and jarrah and the seeds of banksia and hakea. Pine plantations have also become an important food source.

Since July, we have heard reports of Carnaby's starving and too weak to fly inland in search of breeding hollows, which is interrupting this year's breeding season. It is a desperate situation that follows our long, dry season and late winter break, in which species such as banksia did not set seed. In 2023, Perth recorded 596 millimetres of rain, compared with an average of 727 millimetres. Last year's dry season only exacerbated the Carnaby's dire food situation that was already threatened due to land clearing on the Swan coastal plain and clearing of much of the pine plantations, such as in Gnangara. Dean reports that Chittering Wildlife Carers and the Perth Zoo have seen a huge increase in birds that are emaciated, weighing in at 400 grams when they would normally weigh 650 to 700 grams. He says that the influx of underweight cockatoos in distress is an unprecedented catastrophe. What is left of Perth's banksia woodlands have failed to set seed following Perth's hottest ever summer and the late winter break.

Perth botanist Professor Kingsley Dixon is quoted in a *WAtoday* article of 7 October titled "Refugees in their own country: Starving cockies flood Perth Zoo vets amid food crisis" saying that the irregular flowering and low seed set in banksias was down to two factors—climate change and large prescription scrub burning. Dean says that Native Animal Rescue in Malaga and Kaarakin Black Cockatoo Conservation Centre in the Perth hills will defer the future release of rehabilitated Carnaby's due to inadequate food resources this season. I note there is no state funding for either of those cockatoo rehabilitation centres that look after sick and injured birds. They rely on volunteer helpers, donations and fundraising.

This is a situation that should come as no surprise to the minister. I note the *WAtoday* article of 20 January 2021 titled "Three years until Carnaby's cockatoo starvation starts, BirdLife warns". That cautionary tale pointed to the once 23 000 hectares of pine plantations across the Gnangara mound that had been reduced to 6 000 hectares, and it was all due to be cleared with no revegetation plans for the site. A last-minute reprieve in December 2023 saw the final 1 800 hectares of the Gnangara pine plantation left standing, but Save the Black Cockatoos advocate Paddy Cullen warned back then that this quantity of pines would not be enough to support the Carnaby's population, and, true to form, BirdLife Australia's starvation warning three years ago is now a reality.

Not ready to sit by and see Carnaby's die of starvation, Dean Arthurell and his Carnaby's Crusaders have approached the Department of Biodiversity, Conservation and Attractions for permission to handfeed Carnaby's cockatoos. He says a DBCA-managed supplementary feeding program is the only immediate option available to support the urban populations of Carnaby's to avoid mass starvation in the short term. He says DBCA has no funds or resources for the supplementary feeding of Carnaby's and is morally opposed to feeding wild animals. This is an interesting response given that the feeding of animals for tourism is allowed—for example, the pelicans in Kalbarri and the dolphins in Monkey Mia. Dean acknowledges that revegetation is part of the long-term solution but feeding must be implemented now.

Drawing a parallel with the little penguin population on Penguin Island, Dean has grave concerns for the future of Carnaby's. He says failure to protect the penguin's habitat and not allowing the supplementary feeding of little penguins has left just 114 birds remaining from a population of more than 2 000 some 20 years ago. I quote an email Dean sent me about the little penguins —

In 2022 despite a formal request to implement an emergency feeding program to support the juvenile population through a heatwave, DBCA rejected the request and as a direct result 50% of the chicks died. All the while pushing ahead with a 3+ million dollar revamp of tourist facilities that is now redundant without penguins ...

In *The Guardian* article of 12 January 2022 titled "Half this year's little penguin chicks on WA's Penguin Island wiped out as colony dwindles" Murdoch University researcher Dr Joe Fontaine said that the penguin deaths were unnecessary. He had made a formal request to DBCA for an emergency response but the consequence was a "non-decision decision".

Dean continues in his email —

This is the same inaction we are now seeing where the Minister, Director General or anyone in the government is willing to acknowledge, speak or act on behalf of our protected Black Cockatoo's. Simply allowing them to starve to death

Dean points to the October 2013 Department of Parks and Wildlife's *Carnaby's cockatoo (calyptorhynchus latirostris) recovery plan*, a 57-page document that covered the 10-year period from 2012. He says that the current catastrophic situation with Carnaby's comes as a direct result of failing to implement the 2013 recovery plan. He wants to know what monitoring has been done and what DBCA has achieved in line with the 2013 recovery plan, what comes next and who is preparing the next stage of the recovery plan.

Leaving threatened species to starve is a highly embarrassing turn of events for a minister charged with supporting Western Australia's environment and a somewhat different attitude from that of the federal government. Acknowledging the threat our endemic black-cockatoos face, Carnaby's cockatoos are listed as one of the 110 priority species in the federal government's *2022–2023 threatened species action plan: Towards zero extinctions*, a 56-page document that details a government pathway for the conservation and recovery of threatened species. In the action plan foreword, the federal government's intent is clear: "We don't accept that environmental decline and extinction is inevitable."

I call on the minister to immediately intervene to ensure that starving Carnaby's are fed to get them through this season. Time is of the essence. Volunteers are willing and able to assist, but permission is required for the supplementary feeding of Carnaby's cockatoos. To do nothing is a dereliction of duty and flies in the face of decades of work already dedicated to the recovery of this unique and threatened species.

MR R.R. WHITBY (Baldivis — Minister for Environment) [9.19 am]: I thank the member for Moore for providing me with some notice of this grievance. I note the grievance today was a virtual tsunami of misinformation. The state government is committed to the conservation and recovery of all three threatened black-cockatoo species found in our south west, including the Carnaby's cockatoo, Baudin's cockatoo and the forest red-tailed black-cockatoo.

I thank Dean, who I understand is in the gallery. Dean and others like him do amazing work. I have been to some of the facilities and I know he is passionate about this species, as many others are. I again thank him for his commitment and involvement in working towards the preservation of this wonderful species.

I must say I was surprised when I learnt that the member for Moore was bringing this grievance to me today, based on the fact that he belongs to a party of historical climate denialists. That is at the core of the issues facing all our native species. He believes he can lecture our government on outcomes for the environment and wildlife, which is pretty breathtaking. Coalition governments have a long list of inaction on environmental outcomes and climate change. Only Labor governments embed good outcomes for the environment and climate in government policy. The member for Moore claims that he supports wildlife, but I find that a little questionable.

Before we move into what is specifically happening to the black-cockatoo species and our response, I want to look at the coalition's history of inaction in the environmental space. The coalition did not support our historic decision to end native logging, and, in fact, has continued to push that fact to this day. One of the biggest things we can do to support these species is to end native logging, and we have done it.

In debate on the Conservation and Land Management Amendment Bill 2024, the member for Cottesloe, in opposition to the bill, said that logging of native forests "could literally have continued for centuries". There we have it. His concern about the species, all of our native species, is all summed up there. Does the member for Moore agree with his colleague's statement? The member for Cottesloe also said that if the legislation was to be passed, "No subsequent government can undertake logging." That was the point. On the first point, surely opposition members know that these forests provide important habitat for the three black-cockatoo species and a range of other threatened flora and fauna. On the second point, we do not want subsequent governments to bring back native logging—that is absolutely right.

Let us look at another example. The coalition government did not fund the *Forest management plan 2014–2023*, limiting action to conserve and protect our south west native forests, whereas we have invested nearly \$13 million in 2024–25 and \$67.2 million over four years to implement the forest management plan. The *Forest management plan 2024–2033* came into effect on 1 January 2024 after extensive public consultation and assessment by the Environmental Protection Authority. The forest management plan implements this commitment, protecting nearly two million hectares of native karri, jarrah and wandoo forests from the threat and risk of commercial timber harvesting operations. The forest management plan is a major historical moment for Western Australia's natural environment as it includes a range of actions to promote greater resilience in our south west native forests and supports conservation efforts. The plan includes a commitment to maintain and expand the conservation reserve system, undertake active forest management and ecological thinning as a climate adaptation response, and increases efforts to manage pest animals, weeds and plant disease. It supports other biodiversity conservation activities and implements a comprehensive forest health monitoring program.

In another example of the coalition government's history on this issue, it did not commit to stopping pine harvesting in Gngangara state forest. Our government has stopped pine harvesting in the forest to retain 1 800 hectares of habitat for the Carnaby's cockatoo in Perth's north-eastern suburbs. As well as protecting Gngangara state forest, we have the Plan for Our Parks policy. It is a commitment that is often questioned in this place. Our vision is to create five million hectares of new national and marine parks to protect the environment for future generations. How many times have we seen members opposite question the need for national parks and marine parks? We have funded the urban greening grants program and the tree recovery package. Both initiatives have a combined total of more than \$10 million. We have taken strong action in the environmental space. We have committed to net zero emissions by 2050—climate change is at the heart of these challenges—and retiring state-owned coal-fired power stations by 2030, which will reduce the state government's carbon emissions by 80 per cent. Our government has a strong history of protecting the environment and supporting our most critical species. The coalition is on shaky ground.

I turn specifically to the Carnaby's cockatoo issue. I am aware of the increased number of Carnaby's cockatoos being admitted for care at Perth Zoo compared with this time last year, and that Perth Zoo has observed that Carnaby's cockatoos are underweight compared with previous years. I am advised that this is likely due to reduced food availability following the summer drought. Monitoring at a long-term breeding site of Carnaby's cockatoos in Western Australia's midwest indicates a delayed start to the breeding season. This is likely due to low autumn rainfall and drought conditions affecting the flowering and fruiting activity of plant species that are food for black cockies. The immediate priority is to support sick and injured Carnaby's cockatoos that may be impacted by reduced food resources. Our government is providing specific additional support to the Perth Zoo veterinary department to ensure it can provide treatment for sick birds and to specialised black-cockatoo rehabilitation centres to enable them to rehabilitate birds and release them back to the wild.

Members, I am running out of time. The Department of Biodiversity, Conservation and Attractions is examining issues affecting WA's black-cockatoos as this breeding season continues, and we will consider any action that may be feasible to assist these species. It is not seen as feasible to set up feeding stations as Carnaby's cockatoos are widely dispersed throughout their breeding habitat in agricultural areas. There is a risk of disease, predation by other animals, and they are so widely dispersed that it is not seen as practical. I have other details that I can share with the member later, but time has expired.

SOLID WASTE DEPOT — ALEXANDER DRIVE, MIRRABOOKA

Grievance

MS M.J. HAMMAT (Mirrabooka — Parliamentary Secretary) [9.27 am]: My grievance today is to the Minister for Environment, and I thank him for taking my grievance on this very important issue. My grievance today relates to the recent decision of the Department of Water and Environmental Regulation to refuse an application by Brajkovich Landfill and Recycling Pty Ltd to amend landfill licence L6764/1997/14 under the Environmental Protection Act 1986. As the minister is aware, that application sought permission to accept and bury asbestos-containing material at the Brajkovich site at 501 Alexander Drive, Mirrabooka.

I first raised in Parliament the issues associated with the proposed waste site in Mirrabooka in June as a grievance to the Minister for Planning. This time, the proponent was seeking planning approval through development application DA24/0287 for a proposed change of land use for the land at 501 Alexander Drive, Mirrabooka. In my previous grievance, I outlined some of the history of the site and I do not intend to do that again today. In short, the site has been used for industrial purposes since 1954. However, it is now largely in a residential area, surrounded by houses, schools, child care and an aged-care centre. Despite being used for industrial purposes under the metropolitan regional scheme introduced in 1963, the land is reserved for parks and recreation purposes.

Residents were understandably very concerned when they learnt about the change of use proposed in that development application to "industry noxious solid waste depot", particularly the prospect that it would allow harmful substances within close proximity to residential areas and put residents and vulnerable people like children and the elderly at risk. Since the community became aware of the proposal in May this year, I have met and spoken with many residents who are concerned about the application. Hon Amber Jade Sanderson, member for Morley, has been meeting and speaking with concerned residents from her community as the proposed site adjoins her electorate of Morley. We have been working closely together on this matter.

I assisted local residents with a parliamentary petition that was tabled on 19 June asking the Legislative Assembly to reject the application. It consisted of 1 443 signatures and 14 nonconforming signatures, underlining the considerable community concern about proposed use of the site.

In my response to the grievance in May, the Minister for Planning advised that 417 submissions had been received by the City of Stirling as part of a community consultation. Of those submissions, 411 opposed the development. The Western Australian Planning Commission considered the development application at its meeting of the statutory planning committee on 10 July. In its decision, it imposed a number of strict conditions on the site, including banning any disposal of hazardous material, including asbestos. Unfortunately, the proponent has now appealed the decision

to the State Administrative Tribunal, and we await an outcome from that body in relation to the conditions imposed by the WAPC. I note that these matters are not within the minister's portfolio responsibility and that the minister is probably unlikely to provide any update about the planning issues today. I have included them as they are part of the context for my grievance.

As part of a separate process, the proponent also sought approval from Department of Water and Environmental Regulation to accept and bury asbestos-containing material on the site. DWER has now concluded its assessment, and my community has enthusiastically welcomed the decision to refuse the amendment to the landfill licence to allow for asbestos on this site. As part of the assessment undertaken by DWER, it considered submissions from the City of Stirling, the Department of Health and others, as well as over 90 community submissions. I know that many residents in my community submitted their concerns as part of this process. Although my community has welcomed the decision, ongoing concerns remain about ensuring that the proponent complies with the decision. We particularly welcome the statement in the DWER media release on 2 October that states that given the high level of community concern, proactive inspections of this facility will be undertaken to ensure compliance.

I wrote to the minister this week to seek his assistance in arranging an urgent briefing with DWER so I can better understand the proactive inspections that it will undertake. I am particularly focused on ensuring that my community receives ongoing timely and accurate information on this matter. I have been working hard since May, speaking personally to the many residents who have contacted me about this and doorknocking in the community. I have been working hard to keep residents informed about what is going on. I know the member for Morley has as well. Unfortunately, there has been some particularly unhelpful material circulating in our community. It has caused unnecessary concern by suggesting that our government approved a toxic waste dump on the site. In reality, firstly, the independent assessment process of DWER occurred in accordance with the legislated processes, and, secondly, rather than approving asbestos on the site, the member for Morley and I have always stood with the community in opposing asbestos being handled there. One resident told me he had signed an online petition circulated on Facebook and now find themselves receiving regular emails from the Liberal Party. He also told me that he always votes Labor, so the emails he receives are unlikely to change his vote anyway.

Regardless of these distractions, I want to assure the community today that I will continue to work with the member for Morley, the ministers of this government and the community to oppose the handling and burying of asbestos on this site. I will continue to work closely with the community to ensure that their views on this matter are heard, including raising them in this Parliament. Importantly, the member for Morley and I will continue to ensure that people have access to reliable, timely and accurate information about the situation.

I want to thank the minister for taking my grievance on this very important issue today and for listening to the concerns of the many people in my community and the member for Morley's community who are concerned about this. Can the minister confirm that there are no approvals for asbestos to be handled on this site? Can the minister also provide additional information about what action can be taken to ensure that the proponent does not handle any asbestos on the site? Can the minister provide any further information to my community about this most important issue? Thank you.

MR R.R. WHITBY (Baldivis — Minister for Environment) [9.33 am]: I thank the member for Mirrabooka for giving me the opportunity to bring the clarity and certainty that has been lacking on this issue. I understand the opposition has been engaged in some pretty deplorable, dirty trick campaigns to mislead the community, so it is important we get the truth of what is happening out. I want to thank the member for Mirrabooka and the member for Morley for their strong advocacy on this important issue. As the member for Mirrabooka identified, this issue has been weaponised by some in the community who have spread disinformation and caused panic and alarm. This is a deplorable act by certain individuals from certain parties. In contrast to that, the members for Mirrabooka and Morley have continually, calmly and strongly advocated for their community's interests, and they should be commended for their leadership on this matter.

I want to be clear that the Department of Water and Environmental Regulation has rejected the licence holder's application to dump asbestos at 501 Alexander Drive. Under the Environmental Protection Act, that decision is final and cannot be appealed. As the member noted, local residents would be aware that the property has been used as a landfill site since about 1977. It was previously operated by Atlas Brick. Currently, waste is buried at the site so it can be filled and prepared for rehabilitation into public open space. This will eventually mean more space for families and more trees and greenery to help cool our growing suburbs. Thankfully, regulation of landfill has changed substantially since the Mirrabooka site started operating and is now subject to strict licence conditions under the Environmental Protection Act. It has not been permitted to accept or bury putrescible waste, like household rubbish, since 1997. That is about 27 years. This is not in dispute. For anyone to say otherwise is dishonest if not totally irresponsible.

In October 2023, the current licence holder, Brajkovich Landfill and Recycling, applied to the Department of Water and Environmental Regulation for amendments to its licence. One of those proposed amendments would have allowed the facility to accept and bury asbestos. That licence amendment application was advertised twice in December 2023 and July 2024, keenly inviting submissions from the community.

I understand local residents' concerns. Regardless of any environmental impact, few people want to live near a site that buries asbestos waste, which is reflected in the department having received more than 130 stakeholder submissions. I would like to thank everyone who made a submission and had their say on this issue. As a result of everyone having their say and feedback from the Department of Health and City of Stirling, the department undertook a detailed risk assessment in accordance with its own rigorous and independent guidelines and concluded that the risk of asbestos exposure to residents, aged care and schools was simply unacceptable. On 6 September, the department informed the licence holder of its intention to refuse the application and gave it the statutory 21 days to appeal. After receiving no appeal from the licence holder, the department formally refused the application on 2 October. This means the facility continues to operate under its unchanged licence, allowing nonhazardous and biodegradable waste to be landfilled at that site. I stress that asbestos cannot be buried there under any circumstances. This has been the case for almost three decades and will continue to be the case for years to come. The department's decision is in keeping with our state government's commitment to enforcing our environmental laws. Given the community's concern about this issue, proactive inspections of the Mirrabooka landfill will now be undertaken to ensure that the licence holder is compliant with the rules. Let me assure the members for Mirrabooka and Morley that any noncompliance will be dealt with swiftly in accordance with the department's policy and could include prosecution and revocation of its existing licence.

Since the asbestos amendment application was refused, I note the licence holder has lodged a fresh licence amendment application to operate a solid waste depot at the site. If the latest application is assessed, it will be advertised for public comment on the Department of Water and Environmental Regulation's website, and the department will write to all stakeholders that made submissions about asbestos. It will also consider whether the latest application is consistent with the WAPC's development approval for the landfill and solid waste depot at the site, which includes a condition specifying no asbestos, putrescible waste or other hazardous materials are to be disposed of on site. Although this new application may concern some in the community, I want to be clear that regardless of the outcome, there is currently no application to bury asbestos at the site. This matter has been dealt with and is settled. If community members are concerned, I encourage them to have their say during the public submission period. I am confident the department will carefully consider all comments and thoroughly assess potential environmental impacts when determining if this project is acceptable, as it did with the application to bury asbestos at the site.

Thank you, member.

COTTESLOE FORESHORE DEVELOPMENT

Grievance

DR D.J. HONEY (Cottesloe) [9.39 am]: My grievance is to the Minister for Tourism—and Treasurer—requesting state government support for the upgrade of Cottesloe Beach. I thank the minister for taking my grievance.

Progression of the redevelopment of the Cottesloe Beach foreshore is long overdue. It is widely acknowledged that Cottesloe Beach is Western Australia's most iconic and recognisable beach. It is a drawcard for international and Australian tourists, as well as fellow Western Australians who come to experience its natural beauty and excellent swimming. A large photograph of Cottesloe Beach greets international visitors when they arrive at Perth Airport. Notwithstanding its fame and popularity, the Cottesloe Beach foreshore needs investment in new and upgraded facilities.

Although many people have enjoyed their visit to Cottesloe over many decades, the beachfront infrastructure needs renewal, and that is despite the council's excellent and ongoing work in maintaining the area. The pathways are inadequate, the facilities are insufficient and the area lacks the vibrancy and accessibility it deserves. Although there are disabled pathways to access the beach, they are way too steep and require major redevelopment to give disabled people proper access. For a beach that holds such an important place in the state's identity, it is disappointing that it has not seen the level of investment needed to elevate and sustain its status as a world-class destination. Recognising this need, the Town of Cottesloe carried out detailed analysis and planning to develop a solution. Since the approval of the master plan in 2019 and the finalisation of the detailed design documents in 2021, the Cottesloe foreshore redevelopment project has been ready to proceed. It is not a distant vision. This shovel-ready project has been meticulously planned to benefit all those who visit Cottesloe Beach and the beach environment and provide an economic stimulus by making the beach even more attractive to visitors.

The planned redevelopment project would enhance beach access, create additional recreation spaces, reduce traffic speeds and improve pedestrian accessibility. These improvements are not just about aesthetics; they are designed to support local businesses, boost tourism, create jobs and, mostly importantly, reinforce Cottesloe Beach's status as a must-visit destination. This is a critical investment for not only Cottesloe, but the entire state of Western Australia. A revitalised Cottesloe Beach foreshore would attract more metropolitan, intrastate, interstate and international visitors, adding to the vibrancy of the beachfront and the local economy. The project has overwhelming community support, and the benefits are clear.

The Town of Cottesloe has demonstrated its commitment and readiness. What it does not have is the financial capacity to finance the \$32 million cost of the project without significant contribution from the state and/or federal

government. The Town of Cottesloe has a modest revenue base, with its 2022–23 budget revenue being less than \$16.5 million. This modest budget reflects the small population, with fewer than 8 000 people living in less than 4 000 households. State governments, both current and previous, have invested in developments along the Perth coastline. We have seen the development of Hillarys marina and Mindarie marina and the redevelopment of the Scarborough and Mandurah beachfronts. There is also work taking place on Ocean Reef Marina. These expensive developments have delivered benefits to people and provided adequate economic stimulus. The Cottesloe Beach redevelopment deserves similar support. I am asking the state government to work directly with the Cottesloe council to bring the Cottesloe Beach redevelopment plan to fruition, hopefully through direct financial support, but also with the relevant ministers endorsing the council's current applications for federal funding.

The DEPUTY SPEAKER: The Minister for—Tourism?

MS R. SAFFIOTI (West Swan — Minister for Tourism) [9.43 am]: Tourism, yes. It is a bit of a loose—not a loose tangent.

I thank the member for the grievance. It is quite interesting because the last grievance I got from the member for Cottesloe was anti-development—he was opposed to any new developments in Cottesloe. This is a pro-development grievance. I am in a little bit of shock; I am trying to get through the shock that the member now wants development in Cottesloe. I quickly googled the last time the member for Cottesloe raised a grievance with me about Cottesloe, and it was when I was the Minister for Planning and he was opposing any new developments in Cottesloe. First, that is a bit of a shock. Second, we are a few months away from a state election. I remember in 2016 when we were in opposition, by this stage before the election we had released a number of major policies, including Metronet. We made commitments to our priorities. I was doing town hall consultations. The member for Southern River will remember the Willow Ponds Reception Centre, at which we held very good public consultation.

Mr T.J. Healy: One of the best!

Ms R. SAFFIOTI: Yes, one of the best. That consultation was about the Thornlie–Cockburn Link. We were out there making commitments.

Another weird angle of this is that the person who knocked off the current member for Cottesloe for preselection is running a petition on this particular matter. Sandra Brewer, the pro-development, now anti-development candidate for Cottesloe is running a petition requesting support. The opposition talks about itself as a future government—maybe. It has been talking about being the future government. My question is: Is this a commitment of a future Liberal Party government? Whether or not we commit to the funding, what is the Liberal Party's position? Is this an election commitment? I find it weird that the Liberal Party believes that it will win government in four and a half or five months, and it is running a petition on something but not actually supporting it. We are now into the election commitment phase, are we not? One would expect the Liberal Party to be stumping up the more than \$30 million that is required for this redevelopment. My first question is whether this is a Liberal Party commitment. It is asking me to commit money even though it believes that it will win the election. It is up to the Liberal Party now. That is number one.

Number two is that I believe that Cottesloe is a beautiful place, with iconic tourism value. Yes, we do promote it because it is a place that thousands of Western Australians visit. We will continue to promote it both interstate and overseas. We refer to Cottesloe Beach in all our tourism literature, and we will continue to do so because it is a beautiful part of the world.

As I understand it, the master plan includes building a development on the car park. Member for Cottesloe, is that right?

Dr D.J. Honey: It is car park 2. There is a potential commercial offset in terms of funding. There are a lot of issues because it is a reserve.

Ms R. SAFFIOTI: The master plan revolves around a development on a car park, car park 2.

Dr D.J. Honey: And the whole foreshore.

Ms R. SAFFIOTI: Yes.

Do members know what would happen? I will tell them what would happen. If we committed money to it, there would be a group that would say, “No development of the car park.” The council has come forward with a strategy that it thinks is a good idea. I like the proposal, but it is contingent on a new development on car park 2 with the private sector. I will tell members what would happen. We would commit the funding, but at the next council election there would be a group called “Save the car park” that would not want the development. We would commit the funding and then there would be an issue. The Sandra Brewer petition, which calls on the government to back the redevelopment, does not mention the redevelopment of the car park. It refers to slowing down the speed limit, which could happen regardless, and to implementing the Cottesloe master plan, but nowhere does it state that the master plan includes the redevelopment of a car park, which would be a new private sector development. If we commit the money, a “Save the car park” group would merge at the next election, have two of its people elected

to the council and we would be left having committed \$32 million on a master plan that the council would reject. That is what happens. I have seen it happen again and again. We back councils on their strategies and then there is a change in council membership and the long-term strategies with community support are splintered and we are left without support and have to carry the anger. I have seen it happen everywhere when we have partnered.

Member, I love Cottesloe Beach. I supported redevelopment along Marine Parade because some of the buildings were very tired. The council had an option to work with a private sector proponent on the Indiana Tea House, but it played a lot of local politics on that. Frankly, we are now moving into the campaign period and it is up to the Liberal Party to make a commitment. If the Liberal Party believes it is going to be the future government, it should make a commitment and then stand by that commitment. The member has given the government a grievance nearing an election. I say that the Liberal Party should commit to the issue and then come and see us, because without its commitment there is no serious commitment to it.

SOUTHERN RIVER — TREE CANOPY

Grievance

MR T.J. HEALY (Southern River — Parliamentary Secretary) [9.50 am]: I rise to make a grievance to the Minister for Environment on behalf of my community. I thank the minister for taking my grievance. I grieve to the environment minister because we need more trees in my community. We need to support more trees being planted across Canning Vale, Gosnells, Huntingdale and Southern River.

First of all, I want to commend the government and the minister because they have committed to providing a large number of trees and some have already been planted. I thank the minister. I want to formally acknowledge in this chamber my thanks to the minister for helping me to deliver on the promise of 1 100 trees to the City of Gosnells. Those 1 100 trees are fantastic. It was an incredible investment under the urban greening grant. Can the minister tell me some more about the great Western Australian government initiatives to increase tree canopy in my electorate and across Perth?

My daughters and I love Dr Seuss's *The Lorax* —

I speak for the trees. I speak for the trees, for the trees have no tongues. And I'm asking you, sir, at the top of my lungs ...

Urban canopy is important and the minister has championed it. The 1 100 trees and 3 000 plants provided under the urban greening grant have been and will continue to be distributed across my community, with a large proportion planted in Canning Vale to improve the tree canopy in specific areas. When the program was announced, I wrote to the CEO of the Gosnells council in support of the urban greening grants, and I am grateful that the council was successful. The council had identified that Canning Vale has the smallest ratio of canopy to land of all our suburbs across the City of Gosnells, with only eight per cent coverage. I commend the council CEO and staff for the contribution of another \$220 000 towards labour for the care and watering of the trees and the fertiliser to embed them in our shared community. I also want to note that I have great working relationship with the City of Gosnells. I commend the CEO, directors and staff at the City of Gosnells. We deliver some wonderful results. I also thank the Department of Water and Environmental Regulation and the Western Australian Local Government Association for their involvement.

In May this year, I joined the community, councillors and council staff for local onsite meetings at the Canning Vale parks where some of these trees will be planted. I have to say, the community supports our efforts. Minister, the 1 100 trees and 3 000 plants will improve local amenity and wellbeing. Improving our urban tree canopy improves biodiversity and supports birds and wildlife. It makes my community and my neighbourhoods even more liveable. It also means there are more places for children to play and families to enjoy. It improves property values and quality of life—streets become more welcoming, urban heating is reduced and there are improvements in shade and shelter. Obviously, there is also a connection between shading homes during summer and cost of living relief on power bills. People can already see the effect of our trees in the corridor from Bracadale Park to Auckland Park in Canning Vale and along Boardman and Amherst Roads and at Sutherlands Park.

Each of my amazing suburbs is a beautiful place to raise a family but each has a different quality and complexity of tree canopy. I live in an older part of Gosnells, with many parks and trees from some of the historical developments in Gosnells, but there are newer parts of the suburb that have fewer trees due to the clearing of larger blocks, and they need attention.

There is the amazing Mary Carroll Park wetlands. I acknowledge the government's \$1 million investment through Lotterywest towards the toilet and bridge developments and other things there, and the member for Thornlie and I commend Unice Robinson and her amazing team of volunteers in the Friends of Mary Carroll Wetland.

The suburb of Southern River has some beautiful tree canopy and a number of the younger trees planted over the last decade or so are still growing. I have often said that when I was in high school, the areas where my office is located and most of Southern River was farmland. As that changed to become residential, subdivision trees were

planted but the tree canopy is still growing and maturing. Of course, there is also some beautiful Bush Forever space across my community where we cannot plant new trees, but I respect they are beautiful parks. Sutherlands Park has also benefited from our allocation of trees. Canning Vale has some amazing wetlands that retain a number of trees, as does Huntingdale.

The streets and parks of my community are beautiful, but, again, this WA government's investment in the Gosnells and Southern River area and across the south-east corridor is important. Again, I commend the Minister for Environment and the Minister for Planning for the Perth and Peel urban greening strategy. I also commend the WA government's climate adaption strategy and its actions in that space.

I also want to speak on the importance of street verge trees, which were also supplied to the council under our grant. If local residents are interested in a street tree on their council verge, they can email the council, use the online form or call during March of each year for the winter planting period of that year.

In my grievance I have raised the concern about tree canopy, but I also want to commend the government on what it has already done to address the polyphagous shot-hole borer outbreak. I understand that 26 trees in the City of Gosnells, mainly along the river, have been removed. I commend the minister for the communication on the issue and the government's investment. WALGA has worked with the local government to minimise the number of trees lost across Gosnells and Southern River.

I am very proud that I have 30 000 bosses. They all live in Canning Vale, Gosnells, Huntingdale and Southern River, and I am here to serve each and every one of them. If they live in my electorate and want me to continue serving and to go in and fight for them, that is what I will do.

A large number of trees have been committed to my electorate and some have already been planted, and I thank the minister for that. I acknowledge the minister has already helped to deliver those trees, but can he please tell me more about the amazing investment that our government and his department have made across my community?

MR R.R. WHITBY (Baldvis — Minister for Environment) [9.57 am]: I thank the member for Southern River. It is always good to take a grievance from the member because it comes from the heart and we are closely aligned on our love for and support of the environment, particularly planting trees—as much as we are with our choice of tie today as well!

Mr T.J. Healy: My apologies!

Mr R.R. WHITBY: Thank you for that.

I know the member cares deeply about the community he represents. The member is absolutely right that urban canopy is a critical element of liveable neighbourhoods and the long-term sustainability and resilience of communities. It reduces the heat island effect by providing shade and cool air; absorbing carbon dioxide from the atmosphere and releasing oxygen; storing carbon, which is important with climate change, providing for better rainfall retention; and reducing stormwater run-off, leading to a more sustainable water cycle. We also know increasing tree coverage can help relieve cost-of-living pressures by providing shade to homes in the summer and lowering electricity bills. By promoting biodiversity and reducing the need for artificial cooling and heating, urban canopies can help cut greenhouse gas emissions and mitigate climate change impacts. It is also just a good thing to do and we love trees and the aesthetic of a community with greenery.

We need to address canopy decline. We accept that it is real, it has happened, and it is challenge for us in Perth and Western Australia. There was an overall decline in established vegetation between 2009 and 2016, with 41 per cent of all local governments in Western Australia experiencing a loss of tree canopy. Urban canopy used to be seen as a local government issue, but under Labor we are making it a shared responsibility to address. We want to work with our colleagues in local government. I am pleased to advise the member that the Cook Labor government's Urban Greening grants program supports 33 local governments in the Perth and Peel regions to expand tree canopy and vegetation cover—vegetation on the ground as well as the canopy is very important—to mitigate impacts of climate change and increase biodiversity, providing hydrological benefits and improving human health and wellbeing. We know it is good for the heart and soul to be out there with trees.

In round 1 of the February 2024 Urban Greening grants program, \$600 000 was awarded to 12 local governments, including Bayswater, Belmont, Gosnells, Joondalup, Kalamunda, Murray, Perth, Rockingham, South Perth, Stirling, Swan and Waroona. Collectively, those governments will plant approximately 9 400 trees and 29 000 understory species, with planning having commenced in the recent winter months. The Urban Greening grants program contributes to commitments outlined in the state government's 2023 *Climate adaption strategy* and the 2022 *Native vegetation policy for Western Australia*.

I thank and acknowledge the member for Southern River for his strong advocacy and support. He knows that urban canopy is not just an inner-Perth issue; it is a statewide issue, and, importantly, it is also an outer-suburb issue, where we have seen significant development and impact on tree retention. My electorate of Baldvis is very similar in many ways. That is why under round 1 of the Urban Greening grants program the City of Gosnells in the

member's electorate was awarded \$115 030 of funding to plant 1 100 trees and 3 000 understorey plants as part of the Bracadale Park to Auckland Parade Reserve corridor. The City of Gosnells has made a wonderful co-contribution of \$227 276 to cover tree ties, fertilisers, labour and watering. That is an amazing result for the member's community. I am sure he got the gloves and spade out and helped to plant some of those plants! It is terrific that we achieved this, with our state and local governments working together.

Results from round 2 of the grant program were issued last month, and in doing so we have awarded a further \$1.2 million for planting across 14 local government areas in locations spanning from Wanneroo all the way down to Serpentine–Jarrahdale. Planting will take place in winter next year. To date, this grant program has funded the delivery of 27 000 trees and more than 122 000 understorey plants. I can also advise the member that round 3 of the Urban Greening grants program has recently closed, and I look forward to announcing the result of this program shortly so more local governments can get the spades out and get to work.

This grants program is just one element of this government's approach to increasing urban canopy; we are doing other things. We are also responding to the impacts of the polyphagous shot-hole borer outbreak through investment of \$7.2 million into a new tree recovery package, and funding will be made available to replace impacted trees both on public and private lands. In partnership with the Minister for Planning, we are leading a collaborative whole-of-government approach to develop a Perth and Peel urban greening strategy. We are looking at the big picture and taking a strategic approach to this issue. The strategy will set the scene for positive change in how government-owned and managed lands are managed for the benefit of the people, communities and our natural ecosystems. This will include exploring initiatives to support and enhance leafy tree canopy in urban areas that will contribute to beneficial outcomes, including climate change adaption, as we spoke about, population health, and making our cities much more liveable.

Finally, I also make the point that increased urban canopy is important for native wildlife to support greater habitat. It is an issue close to my heart. There is nothing better than planting a native species, particularly a beautiful gum tree, that will be there for many years ahead. We are dealing with challenges in Western Australia all the time, and sometimes we have vegetation clearing. We want a long-term approach to deal with this issue to ensure that Perth becomes a garden city, a city of urban canopy, and I thank the member for his grievance.

PROCEDURE AND PRIVILEGES COMMITTEE

Sixth Report — Review of e-petitions — Tabling

MR S.J. PRICE (Forrestfield) [10.04 am]: I present for tabling the sixth report of the Procedure and Privileges Committee of the forty-first Parliament, titled *Review of e-petitions*.

[See paper [3303](#).]

Mr S.J. PRICE: As members may recall, on 9 November 2023, I tabled the committee's fifth report, which recommended the introduction of a trial for e-petitions in the Legislative Assembly. Following that recommendation, on 29 November 2023, the Assembly resolved to implement a temporary order permitting e-petitions for a trial period of six months, commencing on Tuesday, 13 February 2024, and concluding on Friday, 16 August 2024. In addition to approving the trial, the house requested the Procedure and Privileges Committee review the operation of this temporary order. The report I am tabling today fulfills that request, providing an assessment of the e-petitions trial and the committee's recommendation for the future.

The findings in this report make it clear that the trial of e-petitions was a success. Over the six-month period, eight e-petitions were facilitated and presented in this house, gathering a total of 13 769 signatures from members of the public. This is over 10 000 more signatures than were presented to the house in the previous calendar year. This level of engagement highlights the value of e-petitions as an accessible and effective mechanism for citizens to raise concerns with their elected representatives. Looking at the e-petitions presented, the Leader of the Opposition was the first member to facilitate an e-petition, which was presented on 23 May 2024. Other members, including the members for Thornlie, Pilbara, Roe, Victoria Park and Vasse, also took part in the process, with a couple of members facilitating multiple e-petitions. The member for Victoria Park facilitated the e-petition with the highest number of signatures, coming in at 10 529 petitioners.

Given the success of the trial, the report makes a single, clear recommendation: that the temporary order on e-petitions be incorporated into the standing orders, thereby formalising e-petitions as a permanent feature of the Legislative Assembly's processes. By doing so, the Assembly would not only enhance the accessibility of petitions, but also modernise the way in which the public interacts with the house.

In reviewing e-petitions, the PPC had the benefit of the information contained in the seventy-third report of the Legislative Council's Standing Committee on Procedure and Privileges, presented in September this year. The Legislative Council has been the forerunner of e-petitions in the WA Parliament, having commenced a trial of them in January 2022. The seventy-third report was a similar review of e-petitions, and it was useful for the PPC to consider the findings and recommendations made by the PPC in the other place.

In thinking about how e-petitions should look for the Assembly, the committee's view is that the public interface for e-petitions on the Parliament's website should be consistent between the houses, so as not to confuse the public. For example, the PPC notes that the Legislative Council recently introduced two-factor authentication to sign e-petitions. This is a very sensible step that significantly cuts down on duplicate signatures, and also prevents people signing e-petitions with fake email addresses. If the house resolves to make e-petitions permanent, two-factor authentication should apply for Assembly e-petitions as well.

One interesting question arose during the trial of e-petitions, concerning inducements to sign an e-petition. In May 2023, the Speaker became aware of a promotion running for an e-petition of the Assembly. The promotion offered a discount on shoes at a local sporting shop if persons signed the e-petition. This was later amended to a discount for sharing the petition via social networks. Offering incentives for signing petitions is not expressly forbidden under the standing orders, nor do incentives for signing petitions fall in any recognised category of contempt of Parliament. However, this is not to say that this behaviour is not contemptuous. It is established that any abuse of the right to petition may be treated as a contempt. There is a line between genuine civic engagement on the one hand and improper interference with parliamentary forms on another. The Procedure and Privileges Committee does not hold a firm view on where this conduct falls; however, it notes that this as an emerging issue.

Another matter the PPC considered in the report is the status of e-petitions once a term of Parliament finishes. Given that the Assembly gets dissolved, there will be no members to facilitate e-petitions. This is not the case with traditional petitions, as they do not require a facilitating member and can gather signatures at any time. The PPC is of the view that a new e-petition could not be started until the Assembly has its new members after an election; however, one started in the previous Parliament could be presented in the next one. If the facilitating member is returned, no changes will be required. If they are not returned, the principal petitioner will need to find a new facilitating member.

The report sets out in appendix 1 a draft of how the standing orders chapter on petitions might look when the temporary order is incorporated. I note a couple of things regarding this draft. The first is that it fits the requirements for e-petitions around the existing standing orders on petitions. There should be as little difference between the processes for e-petitions and traditional petitions as possible as they are all petitions. Further, some of the technical language in the draft temporary order has been reframed to be consistent with the drafting of the existing standing orders. Only the roles, rules and responsibilities necessary for e-petitions should be set out, such as the name of the principal petitioner and facilitating member and the posted period. Similarly, the requirement that only Western Australian residents can sign e-petitions needs to be expressly stated. Similar to the Legislative Council, the PPC is of the view that the administrative matters featured in the temporary order need not be expressly built into the standing orders. For example, matters concerning data privacy can be dealt with in the e-petitions conditions of use.

In conclusion, this report reflects the committee's desire to ensure that our parliamentary processes evolve in line with contemporary expectations while maintaining the integrity of our democratic systems. E-petitions are a well-established parliamentary process. The trial in this house was a great success and it is time to make them a permanent feature of our procedures. I commend the report to the house.

Visitors — Shenton College

The ACTING SPEAKER (Ms M.M. Quirk): Before the member for Cottesloe speaks, I welcome the students from Shenton College in the gallery.

Debate Resumed

DR D.J. HONEY (Cottesloe) [10.12 am]: I rise to make a brief contribution in support of the recommendation outlined by the Deputy Speaker in presenting the sixth report of the Procedure and Privileges Committee. Petitions are an important part of our democracy. However, the signing of papers, the receipt of letters and so on are almost a thing of the past. I note that written petitions can sometimes be found in supermarkets. Post-COVID, people are hesitant to touch something that has been touched by many other people, so I think the advent of e-petitions for this chamber is a very positive move.

E-petitions also allow members to go out and get support for a particular cause to illustrate the importance of that cause to this Parliament. The recommendation in the report is worthy of support. I am certain that the government will take that recommendation on board and we will see this in the standing orders.

I want to recognise, in particular, the good work done by the Sergeant-at-Arms, Mr Thomas Moorhead, in analysing this situation. He has done excellent, wideranging work on the whole issue of e-petitions in not just our own Legislative Council, but also other Parliaments, first of all when we first considered this matter and then in his review of this matter. I have said in this place before and I will say it until my last day in this chamber, which is not so far away, that we are blessed by the calibre of staff who support our activities. Mr Moorhead is an exemplar of the calibre of staff that we have in our Parliament, and I thank him very much. I commend the recommendation and the report to the chamber.

PUBLIC ACCOUNTS COMMITTEE*Twelfth Report — Annual report 2023–2024 — Tabling*

MRS L.M. O'MALLEY (Bicton) [10.14 am]: I present for tabling the twelfth report of the Public Accounts Committee entitled *Annual report 2023–2024*.

[See paper [3304](#).]

Mrs L.M. O'MALLEY: We commenced this reporting period with our primary focus on the continuation of our inquiry into how the Western Australian government's progress towards achieving environmental, social and governance outcomes is assisting to secure international investment. This inquiry received 18 submissions from a wide variety of interested parties, including state government entities, advocacy groups and individuals. In addition to receiving submissions, the committee held 11 public hearings throughout the inquiry. Further, to gain an understanding of what was happening in other Australian jurisdictions, the committee conducted investigative travel to Victoria, New South Wales and Queensland in October 2023. We held 13 interstate briefings, hearing from 35 individuals. The information we gathered greatly informed our understanding of the issues and our consideration in the report.

Other activities of the committee during this time included co-hosting the Australasian Council of Public Accounts Committees' mid-term meeting and biennial conference, tabling two reports, holding 23 deliberative meetings and undertaking 12 public hearings during which we heard from 25 witnesses. We also continued our important work of following up state government agency responses to recommendations made by the Auditor General of Western Australia in their audit reports. The committee's tenth report, titled *Review of selected Auditor General reports 2018–2023*, was tabled in November 2023. This report included a summary of the committee's consideration of 39 Auditor General reports tabled between October 2018 and March 2023.

Finally, as we conclude this term of government, I would like to sincerely thank the other members of the committee—Ms Libby Mettam, the member for Vasse; Ms Kim Giddens, the member for Bateman; Ms Lara Dalton, the member for Geraldton; and Mr Hugh Jones, the member for Darling Range—for their dedication, commitment and comradery during their time on the committee. It has been an honour and a great privilege to serve as chair of the Public Accounts Committee in the forty-first Parliament.

LOCAL GOVERNMENT AMENDMENT BILL 2024*Consideration in Detail*

Resumed from 16 October.

Debate was adjourned after clause 61 had been agreed to.

Clause 62 put and passed.**Clause 63: Sections 5.99B to 5.99E inserted —**

Mr R.S. LOVE: These are the provisions for superannuation matters and the like for council members. Can the minister explain how this will work and how local governments will decide to pay superannuation? Will that option be open to all local governments or will it be determined by the band of the local government?

Ms H.M. BEAZLEY: The ability to pay superannuation will be available to all local governments.

Mr R.S. LOVE: Will it be an option rather than be compulsory? Will the payment be compulsory for some local governments or will it be an option for each local government?

Ms H.M. BEAZLEY: Whether or not it is compulsory is not legislated for. That will come under the regulatory framework. My intention for the regulatory framework is to develop regulations that consider the proposal that bands 1 and 2 local governments will be required to pay superannuation and for it to be optional for bands 3 and 4.

Mr R.S. LOVE: Proposed section 5.99C is titled "Superannuation for council members: opt outs". Can the minister give me reasons that a council member might opt out of superannuation? In the discussions around the development of this proposed section, has the minister come across the need for some to opt out, and can the minister explain what those reasons might be?

Ms H.M. BEAZLEY: In my second reading speech I gave the example of a council member who was retired and had closed out their superannuation account and might not like to reopen one to receive superannuation. It is a personal choice and they would have their own reasons to opt out if they wished.

Mr R.S. LOVE: Going back to proposed section 5.99B, I note that the regulations may make provision for the amount of a superannuation contribution payment for a council member. Is the expectation that most councils will pay the standard contribution rate of an employer, or is there an expectation that councils will set their own rate of superannuation at a level that they believe is appropriate?

Ms H.M. BEAZLEY: As per proposed section 5.99B(8), the expectation is that local governments will be required to contribute to the superannuation guarantee in line with the Superannuation Guarantee (Administration) Act 1992, which is the commonwealth act that legislates the commonwealth rate of superannuation.

Mr R.S. LOVE: What, then, is the purpose of proposed sections 5.99B(5)(a) and (b)?

Ms H.M. BEAZLEY: That ensures that we will have the flexibility to adjust in the future if the commonwealth changes the rates in its act and that can be easily reflected in the administration of the Local Government Act.

Mr R.S. LOVE: Will this put councils in the same position as any other employer with an obligation to make superannuation payments under the commonwealth law? If, for whatever reason, a contribution was not made to someone, would no penalty apply and would there be no provision to take action as there would be if it was a normal employer–employee relationship?

Ms H.M. BEAZLEY: It is a separate payment system. Any noncompliance would be dealt with as a matter of noncompliance through the act.

Mr R.S. LOVE: Is that noncompliance with the Local Government Act, not noncompliance with the commonwealth act?

Ms H.M. BEAZLEY: That is correct.

Clause put and passed.

Clause 64 put and passed.

Clause 65: Part 5 Division 8A inserted —

Mr R.S. LOVE: I would like a brief explanation of proposed section 5.102AD. It is titled “Use of official titles”. Proposed subsection (1) states —

A person who is a mayor or president, a deputy mayor or president or a councillor must observe the principle that they should not use that title except when acting in their capacity as mayor or president, as deputy mayor or president or as councillor.

I think it is pretty well accepted that most people would not use the title Councillor John Smith when going about their everyday life. Can I get an understanding of why it was thought necessary to put this in place, especially for mayors? I think at that level they probably are referred to as mayor and use that title on a daily basis. I want an understanding of how that could be problematic for some insofar as it represents something that could contravene a model code of conduct. I think we need some explanation around some of these matters in the house.

Ms H.M. BEAZLEY: As the member rightly stated, this clause inserts the principle that the title of the council member should be used only when they are acting in their official capacity. The amendments align with the intent of recommendation 87 of the *Report of the inquiry into the City of Perth*. An example of inappropriate use was detailed in the report whereby a former City of Perth councillor used their position as a councillor to secure a meeting with the state Treasurer on behalf of a private business interest.

Clause put and passed.

Clauses 66 to 68 put and passed.

Clause 69: Section 5.105 replaced —

Mr R.S. LOVE: This clause encapsulates much of the discussion around the new system of dealing with behavioural complaints. We have already spoken about the inspector in some other provisions of the legislation. Proposed section 5.105(3) states —

Regulations may set out circumstances in which a complaint made to a local government alleging a behavioural breach under the local government’s code of conduct must be referred by the local government to the Inspector to be dealt with under section 8A.12(1).

Can the minister give me an idea of what that might look like? What circumstances does the government have in mind that would be included in the regulations?

Ms H.M. BEAZLEY: Proposed section 8A.12(2)(a)(ii) will allow an inspector to treat some cases of behavioural breaches as a conduct breach when there are repeated instances of offending. A behavioural breach will be referred to an inspector upon repeat behavioural breaches. A complaint escalation procedure will need to be detailed in associated regulations. For example, after three behavioural breaches, a local government could refer the matter to the inspector to investigate as a conduct breach.

Clause put and passed.

Clauses 70 to 73 put and passed.

Clause 74: Part 5 Division 11 inserted —

Mr R.S. LOVE: This clause relates to the insertion of proposed division 11, “Restricting communication about complaints”. There are several components to it. Proposed section 5.130 is titled “CEO may restrict communication about complaints”. Does that mean that all information about a complaint is not allowed to be communicated or does it mean that only some level of information cannot be communicated?

Ms H.M. BEAZLEY: A complainant can be restricted from communicating with a local government about the subject matter of their complaint to stop them from making a further complaint. For instance, if the complaint relates to a retaining wall and it is a repeat complaint, they cannot communicate anymore on that subject—that is, the retaining wall. The restriction will not prevent the person from exercising other rights or entitlements, such as lodging applications, participating in elections, inspecting documents or making complaints on other matters.

Mr R.S. LOVE: Can the minister give me an understanding of why this section is really necessary? I know there is a pretty famous retaining wall in the City of Melville, for instance. Is this issue seen as being so problematic to the sector that it needs to be addressed?

Ms H.M. BEAZLEY: This provision was advocated for by the sector. Unfortunately, some people in the community complain in unreasonable ways in unreasonable amounts. These people may be particularly persistent in their pursuit of a local government about their complaint and unfortunately create health and safety risks for the local government employees who deal with them. It is proposed that this reform will provide a statutory footing and a review mechanism for employees to cease dealing with complainants on the same subject matter that has previously been addressed with the complainant.

Mr R.S. LOVE: I turn to proposed section 5.131, “Guidelines for restricting communication”. Will the guidelines that will be produced be a form of regulation? What import will they have? We will talk about it further down the track and what will occur when the inspector might look at it. Will these be standardised guidelines for all local governments? Will there be some level of expectation that they will be made available in the same way as perhaps a regulation would be?

Ms H.M. BEAZLEY: Yes, the guidelines will be standardised across the local government sector. They will also be publicly available and published. That is covered under clause 143. It is my intent that these guidelines will be based on the Australian Standard guidelines for complaint management and the guidance of the Ombudsman’s office—in particular, the need for a person to be unreasonably persistent in their complaint in order to trigger the restriction of communication with the person.

Mr R.S. LOVE: I turn to proposed section 5.132, “Inspector may direct CEO to revoke decision”. That is the decision of the CEO, not a decision made by the council. How detailed does the CEO need to be when providing circumstances about which that decision has been made so that the inspector can make a decision?

Ms H.M. BEAZLEY: That will be covered in the regulations. It is intended that guidelines will be provided and the inspector will be able to prescribe other matters that must be included in the notice that a CEO would provide to justify their decision to stop communicating with the complainant.

Clause put and passed.

Clause 75: Section 6.14A inserted —

Mr R.S. LOVE: Clause 75 relates to prohibitions on certain payments connected with legal matters. Essentially, how is this different from the current situation and why is this amendment necessary?

Ms H.M. BEAZLEY: It is a necessary amendment. It is not appropriate for council members to use ratepayer funds to defend their misconduct. That is what this amendment deals with, as well as other matters. Ratepayers of a district should not pay for the bad behaviour of council members. I firmly believe that this lacks common sense. Consistent with the stronger penalties proposed in this bill, it is important to ensure that when a financial penalty is imposed against a council member, they are personally liable for the expense and cannot seek to have it covered by the ratepayers themselves.

Mr R.S. LOVE: Have there been examples of these sorts of payments being made in the past that have led to this situation; and, if so, what is the scale of costs and how many councils would be involved in such payments?

Ms H.M. BEAZLEY: Ultimately, every time a local government pays for a local council member’s misconduct, it needs to raise rates to fund the action and pay the insurance excess, and will potentially face higher insurance premiums in the future. Every time an elected local government member goes to the Local Government Insurance Scheme to claim that insurance, it is driving up the price for the local government to cover the excess.

In terms of looking at the future, there will be new penalties associated with that in this bill. Those new penalties will need to be paid for by the local member. They need to be personally liable for it and unable to rely on council funds to pay for the infringements against their misconduct. That is very much the essence of this amendment.

Mr R.S. LOVE: To be clear, a councillor may be facing some actions such as defamation or thereabouts from carrying out their role with good intent. Are those costs also precluded from being paid for by the local government?

Ms H.M. BEAZLEY: In essence, defamation is an exclusion matter. This amendment will ensure that a local government can insure and protect council members from civil litigation, such as defamation and negligence suits.

Clause put and passed.

Clause 76 put and passed.

Clause 77: Section 6.21 amended —

Mr R.S. LOVE: Clause 77 will enable local governments to borrow against their freehold property in addition to the general funds of the local government. I think there are some differences between regional subsidiaries and local governments. That may be spoken about in discussion of clause 78. Why is this seen to be important? Does it indicate that the state has some concern about borrowings from Treasury by local governments or is it simply to enable local governments to undertake more complex land development et cetera than what is currently able to be done?

Ms H.M. BEAZLEY: It is the latter. The Western Australian Local Government Association has long advocated to our government and previous governments to be able to mortgage property like local governments in other states can. This amendment is reflective of what happens in other states and territories across the country. It will provide local governments with the opportunity to raise funding through mortgages to access development opportunities for land in their district and to support community projects.

Mr R.S. LOVE: If, for instance, a local government has community assets that are on freehold land, there may be some issue in the operation of the fund if there is some contention over who has actually invested money into the land and any improvements that might be on it. Are there any processes in there to protect community organisations that might have already invested on freehold land owned by local governments?

Ms H.M. BEAZLEY: I thank the member for the question. Ultimately, the local government owns the land and is the landholder. The community organisation or what have you is the tenant, and the local government has freehold over that land.

Mr R.S. LOVE: Perhaps there is some contention in some places about that. Can the minister give me some clarity on the operation of proposed section 6.21(1A)?

Ms H.M. BEAZLEY: It is to ensure that under section 6.31, regional local governments cannot use the funds unless they are the beneficiary of the work being done. They cannot make the local government guarantee the loan unless that local government is part of the activity.

Mr R.S. LOVE: Can you just repeat that? There is a bit of thumping going on and I couldn't hear.

Ms H.M. BEAZLEY: Sure. The regional local government cannot make the local government guarantee the loan unless that local government is part of the activity.

Visitors — St John's School

The ACTING SPEAKER (Ms M.M. Quirk): Before I give you the call, Leader of the Opposition, I welcome the students from St John's School from Rangeway in the member for Geraldton's electorate. Welcome. Leader of the Opposition—sorry to interrupt.

Debate Resumed

Mr R.S. LOVE: The minister has said that the situation involves local governments. A local government may have a number of different arms of activity. If one of the local governments is not participating in the activities of the regional local government, it cannot have its assets used to guarantee that particular part of the operation. How will that be practicable in determining that that is the sole purpose of the finance that has been borrowed?

Ms H.M. BEAZLEY: The short answer to the first part of the member's question is yes. The answer to the second part is that there were already existing provisions in the act. They have been deleted and reinstated into proposed section 6.21(1A) in order to cover freehold land. That is now part of this amendment. Essentially, if Mindarie Regional Council, which is part of Victoria Park, were to undertake activities, it could not call on Victoria Park to repay the loan that it did not benefit from.

Clause put and passed.**Clause 78: Sections 6.21A and 6.21B inserted —**

Mr R.S. LOVE: This clause deals with regional subsidiaries. This is a new area that has been created. Earlier we discussed the regulations around subsidiaries. This provision seems almost contradictory in the sense that proposed section 6.21A(1) states that the charter can enable a regional subsidiary to —

- (a) borrow or re-borrow money;
- (b) obtain credit;
- (c) otherwise arrange for financial accommodation to be extended to the regional subsidiary.

But the very next proposed subsection (2) states that regulations may prohibit a regional subsidiary from doing those very same things. Why is that provision there? I understand that there may be circumstances in which we want to regulate how a regional subsidiary goes about things, but why would we allow it to have those powers in one instance, and in the very next make a regulation to say that it cannot undertake any of those things?

Ms H.M. BEAZLEY: Currently, regional subsidiaries are not allowed to borrow from anyone except their participants. These amendments will allow them to borrow from other sources, which is a very important development. Proposed section 6.21A(2) provides the government with powers to regulate when the operationalisation of those borrowing activities is not very good.

Mr R.S. LOVE: Proposed section 6.21A(2)(b) and (c) will support what the minister just said, but proposed paragraph (a) more or less contradicts the value of having the power and the charter in the first place, because we are making a regulation to prohibit regional subsidiaries from doing something that the act purports to allow them to do in their charter. Why is that necessary as opposed to having guidance and regulation around the operation of those powers?

Ms H.M. BEAZLEY: This provides some clarity around the regulatory framework and the instances of prohibition, which are very narrowly defined here.

Mr R.S. LOVE: Proposed subsection (3) states —

... regulations made for the purposes of that subsection may do any of the following —

(a) prescribe monetary limits on any of the following —

(i) amounts that a regional subsidiary may borrow or re-borrow;

It continues to list other things. I imagine that the subsidiaries themselves would have all sorts of different financial requirements and capacity, so how would a regulation be set to prescribe a monetary limit? Would that be an absolute limit or some sort of percentage? What could possibly be common across all regional subsidiaries, if they are ever developed, to provide such a limit? Why is there a need to have such a limit?

Ms H.M. BEAZLEY: It could be either one of those things, but those regulations will be established in consultation with Treasury on how best to implement them.

Mr R.S. LOVE: Proposed section 6.21B is titled, “Restrictions on security for borrowing by regional subsidiary”. Can the minister give me an understanding of proposed subsection (2)(d), especially subparagraph (ii)? Given that the activity of the subsidiary may pertain to local government land held by one of the participating local governments, why is it then impossible for the regional subsidiary to hold such callable security, as outlined in proposed subsection (d)?

Ms H.M. BEAZLEY: I will answer this by way of an example. Currently, the Catalina Regional Council wants to develop Tamala Park. Six local governments are involved in that development. If that was a regional subsidiary, this provision would allow for it to borrow against that freehold land in order to develop it.

Clause put and passed.

Clauses 79 to 84 put and passed.

Clause 85: Part 6 Division 7 inserted —

Mr R.S. LOVE: This clause contains proposed division 7, “Financing of environmental or heritage upgrade works”. Can the minister explain how this has come about through the consultation process et cetera? What has led to the introduction of this new division?

Ms H.M. BEAZLEY: This has been advocated for by the Western Australian Local Government Association and the City of Perth, amongst others, who indicated a desire to introduce building upgrade finance—BUF—opportunities. That is a scheme whereby a local government administers loans issued by finance providers to building owners for the purposes of building improvements. The local government imposes a levy on the building owner to recover the funds on behalf of the financier.

Mr R.S. LOVE: In effect, the local government becomes the financier of the upgrade work for the —

Ms H.M. Beazley: No.

Mr R.S. LOVE: With regard to the levy amount just mentioned by the minister, what will the local government charge the owner with?

Ms H.M. BEAZLEY: Essentially, it is the debt collector, member.

Mr R.S. LOVE: Can the minister explain how this would work in practice with the example of a building or an arrangement? As the minister just outlined, the City of Perth was one of those organisations that was keen to see this developed. Can the minister give us more clarity on how it will work in practice?

Ms H.M. BEAZLEY: Building upgrade finance has been in operation in other states for several years. It has been adopted in Victoria, South Australia and New South Wales as a mechanism to encourage non-residential property owners to invest in environmentally conscious heritage building upgrades. It is also important for environmental upgrades. By way of example, if a council owns a tower and wants to replace all the windows on that tower to make them more environmentally sustainable and energy efficient, it would be able to borrow against the tower to do so.

Visitors — Piara Waters Primary School

The ACTING SPEAKER (Ms M.M. Quirk): Before I give the Leader of the Opposition the call, I welcome students from Piara Waters Primary School, which is in the member for Jandakot's electorate. Welcome.

Debate Resumed

Mr R.S. LOVE: The building upgrade finance agreements are detailed under proposed section 6.84. The owner of the land will have to agree to carry out the upgrade work on the building. It cannot be ordered. The local government will not have the power to demand such work; rather, it will happen only with agreement of the owner. The finance provider will advance the funds and the local government will agree to impose the charge on the owner for the purpose of repaying the fund. Will that be in the form of a specified area rate? What will be the nature of the repayment?

Ms H.M. BEAZLEY: The member is right in that BUF involves those three key parts. The building owner will need to agree to undertake the work, the finance provider will need to agree to finance the works and the local government will need to agree to recoup the loan. That recoupment will be a building upgrade charge.

Mr R.S. LOVE: This could apply to an individual building. Could it apply to, for instance, a number of buildings in a location when there is agreement with the various owners for that upgrade? Would those arrangements be individual arrangements or would the arrangement be over that area?

Ms H.M. BEAZLEY: In theory, yes. There would need to be individual arrangements with each of the owners.

Mr R.S. LOVE: I refer to proposed section 6.85(5). It seems to me that if the owner does not make the payments, it would not become the issue of the local government and there would be no claim on the local government as such. How would a finance provider be able to recover the money and what involvement would the local government have in that? I can see that it could get a bit messy in litigation trying to resolve a situation in which the owner was unable to make those payments.

Ms H.M. BEAZLEY: Local governments will not be liable in the case of defaults. It will be similar to when an owner defaults on their rates and the matter ends up in court.

Mr R.S. LOVE: Could the local government take possession of the land and sell it?

Ms H.M. BEAZLEY: Yes.

Mr R.S. LOVE: Presumably, any charges still on the land from the financier would have to be repaid by the local government in that circumstance?

Ms H.M. BEAZLEY: The debt would be recouped through the process of the sale of the land. If there is not enough money, that would be a loss for the financier.

Mr R.S. LOVE: If 10 years of payment was left at the time and there was enough money to cover the 10 years of payments, would the expectation be that the agreement would have come to an end, the 10 years of payment would be credited to the finance provider and everybody would walk away with whatever is left? Is that how it will work?

Ms H.M. BEAZLEY: It will be the same as what happens when a house needs to be sold because of unpaid rates.

Mr R.S. LOVE: There are references to dates et cetera. I assume that all these agreements will have to have an end date because there will be a finance charge. If there is a variation in the interest rate et cetera, I imagine that would be problematic in trying to formulate a fixed charge over time. How would a local government be informed of any changes in that finance arrangement or would they have to be of a fixed term, a fixed loan, fixed interest et cetera?

Ms H.M. BEAZLEY: All those matters would be dealt with in the financial agreement itself.

Clause put and passed.**Clause 86: Section 7.1 amended —**

Mr R.S. LOVE: This clause will delete the definition of an "audit committee" and introduce the definition of an "audit, risk and improvement committee". Can the minister explain why this new terminology will be used?

Ms H.M. BEAZLEY: The member is absolutely right. Audit committees will become audit, risk and improvement committees, with a new requirement to have an independent chair. The new name reflects the strategic approach that local governments should be taking to their audit, risk and strategising for improvement in the future. The bill will enable local governments to share a committee. This will assist particularly smaller local governments in finding independent people to sit on a committee. The potential scope of an audit committee's functions will be widened to also include governance and improvement in addition to audits. The expanded scope of a committee's functions will be set out in regulations.

Mr R.S. LOVE: These provisions run through to proposed section 90 so I will talk around the matter of proposed division 1A, "Audit, risk and improvement committees". There is concern about local governments' ability to find people who are interested enough to take part and have the necessary skills in certain areas. What is the minister's

view about enabling and assisting local governments to meet the requirements of these new committees? One of the concerns raised in reports from local governments is being able to find sufficient people who have an interest. What will happen if a local government cannot find someone to sit on such a committee? Will a panel of some sort be provided? What will happen?

Ms H.M. BEAZLEY: I am particularly thinking, as I am sure the member is, of smaller regional local governments, and the department will provide support to help that local government find someone or resource the audit risk and improvement committee. With the implementation of this amendment and new legislation, the Western Australian Local Government Association may have a panel for those committee members; I would be surprised if it did not. I will continue to liaise with the association about that.

I turn to how audit risk and improvement committees—ARICs—will get together and share. How they will share those responsibilities will reflect what suits their needs. For example, two or three local governments may have their own members for their own ARICs, but share the one independent chair. Another option could be the suggested model by which there is one committee with a member from each participating local government. Ultimately, it will be up to local governance to decide how they choose to operationalise this amendment.

Mr R.S. LOVE: The minister spoke about the shared committee. The shared committees could have a different opinion about each of the local governments they are charged with administering or assisting—I am not sure of the correct terminology; perhaps the minister could advise on that—in the carriage of their activities. That is quite acceptable and it is not expected that they look at the three as a group; I refer to three councils, for instance, as the minister mentioned. Is there any thought about what would happen if a local government had a presiding officer who was unable to attend for any length of time? Would the local government be at risk of any sanction? I note that the presiding member cannot be a council member of any local government. It is not just their own local government; they cannot be a council member at all. What would happen in the event that a presiding officer was not available for a meeting for whatever reason? Could the meeting not happen? What would occur?

Ms H.M. BEAZLEY: It will also be incumbent on the committees to have a deputy position, so if the presiding member was not there, the deputy would step up. If they were not available either, the meeting could still go ahead. The department has some guidance available to advise and support local governments about the reforms to governance and committees.

Mr R.S. LOVE: What provisions will there be to ensure that in the case of a shared committee all the information the audit committee wishes to have is provided, and how would it be adjudicated if there was an issue?

Ms H.M. BEAZLEY: That will be set out in regulations.

Mr R.S. LOVE: Finally, to wrap up on this, what is the reason for the prohibition of a council member from anywhere? I assume it is in the state of Western Australia, but the bill does not specify. An audit committee member might be on some Victorian council. That is an interesting point if a person could be precluded if they happen to be on an interstate council. Why is that prohibition necessary?

Ms H.M. BEAZLEY: Firstly, a member of a council in another state or territory will not be precluded from being a presiding officer, although I think that would be highly unusual. The point of not having a local council member as a presiding officer is really to get independent focus on what is happening at these ARICs and the activities they undertake, and to build the strength and capacity of those ARICs and their local governments. Suitably qualified independent committee members will bring new perspectives, based on their skills and qualifications, to improve local government processes, controls and procedures. It really is an opportunity for local governments to bring in expertise in areas they may believe they lack skills in themselves.

Mr R.S. LOVE: The composition of the committee is such that they must have an independent chair and a deputy chair. Beyond that, is there no other requirement for independent representation on the committee? At one stage, the thought was that the committee would have a majority of independent members. Can the majority of committee members still be council members?

Ms H.M. BEAZLEY: Yes. In short, local governments will be encouraged to have an independent committee if they can. Having an independent presiding member will reflect modern governance practices for audit committees in the public sector. For example, it is required for state government agencies under the Treasurer's instructions. This will also reflect practices for companies whose audit committees are independently chaired by an independent director consistent with corporate governance principles.

Mr R.S. LOVE: There is another matter I quickly want to raise. What instruction or assistance will there be to give guidance for the interaction of senior employees of local governments with the audit risk and improvement committees?

Ms H.M. BEAZLEY: Those interactions will all be dealt with in the communications agreement, and departmental support can be sought for best practices.

Mr R.S. LOVE: Are those matters being considered at the moment?

Ms H.M. Beazley: Is that the communications agreements?

Mr R.S. LOVE: Yes. Where is that at the moment?

Ms H.M. BEAZLEY: They are currently being drafted by the Parliamentary Counsel's Office.

Clause put and passed.

Clauses 87 to 90 put and passed.

Clause 91: Part 8 Division 1 replaced —

Mr R.S. LOVE: This clause states —

Delete Part 8 Division 1 and insert:

Division 1 — Inquiry by Inspector

Proposed section 8.2(4) states —

Even though the Inspector is directed by the Minister to conduct an inquiry into a specific matter, the Inspector may inquire into any other matter that comes to the Inspector's attention during the inquiry if the Inspector considers it necessary or expedient to inquire into that matter.

I want to get to the nub of where the resources for the inspector to carry out this work will come from. We have not had any guidance about how this will be funded. That proposed section indicates that there will be quite an ability and discretion for the inspector to make decisions. Will that be met by the financial capacity to be able to carry out those investigations? We do not want a backlog of work piling up on the inspector's desk and an inability to clear it.

Ms H.M. BEAZLEY: Firstly, I agree with the member that the inspectorate and the office of the inspector need to be appropriately resourced. Options for the final structure of the office, including the resources required, are currently being considered and developed. The costs of the inspectorate will be included in future state budgets. I would also say that it is predicted that the inspector being able to deploy a monitor or a local government being able to bring in a monitor will greatly reduce the need for inquiries, which are very costly. Early intervention models save money overall in the sector.

Mr R.S. LOVE: If we look at this whole matter of the inspector coming in and doing some work on the situation in a particular local government, is there an expectation that the local government will have some financial contribution to make towards that process?

Ms H.M. BEAZLEY: Yes, this is covered in clause 91, "Part 8 Division 1 replaced", in proposed section 8.13, "Local government may have to meet inquiry costs". Under this proposed section, I or the minister of the day may —

... order a local government to pay to the State all or part of the costs of an inquiry if —

- (a) an Inspector's report contains findings adverse to the local government, or to its council or any member, or to any of its employees; or
- (b) the inquiry was instituted at the request of the local government.

Mr R.S. LOVE: Okay. I want to get clarity on proposed section 8.2(6), which states —

If the Electoral Commissioner is responsible for the conduct of an election (as defined in section 4.1) —

- (a) the validity of the election cannot be the subject of an inquiry;

Fair enough —

- (b) the Inspector must obtain the written agreement of the Electoral Commissioner before any other aspect of the election becomes the subject of an inquiry.

Can the minister speak to the nature of what the inquiry might look at with an election that the Electoral Commissioner would not be the best body to investigate?

Ms H.M. BEAZLEY: I appreciate that question; it is a good one. Currently, investigation of alleged electoral misconduct needs to be done by the returning officer or the Western Australian Electoral Commission. It has been recognised that the inspectorate, with its team of investigators, may be better placed to assist the WAEC and returning officers to deal with some electoral investigations. This is particularly the case when the conduct in question is by a candidate, council member, employee or other associated person. Importantly, however, the inspector will not investigate the conduct of the Electoral Commission. Those are matters for the Corruption and Crime Commission and the Public Sector Commission. These specific provisions exist to ensure that the inspector regulates the local government sector, not WAEC. Questions of electoral validity remain a matter for the Court of Disputed Returns; it is not dealt with here.

Mr R.S. LOVE: Proposed section 8.3, "Delegation by Inspector", provides —

- (1) The Inspector may delegate the power to conduct and report on an inquiry to an inspectorate officer, another public service officer or an employee as defined in the *Public Sector Management Act 1994* section 3(1).

...

(7) This section does not limit the power of the Inspector to perform a function through an officer or agent.

I want some idea of the circumstances that would constitute an agent of the inspector who is not one of those people named in proposed subsection (1).

Ms H.M. BEAZLEY: This terminology is standard drafting practice and is reflected throughout the Local Government Act. By example, section 5.45 outlines that the CEO of a local government can act through employees or agents. This is just standard drafting. Satisfactory?

Mr R.S. LOVE: No. The roles of the CEO and the inspector are quite different. The inspector really has the inquiry powers of a royal commission. I would like to know the circumstances in which an agent might be performing the functions of an inspector to conduct and report on an inquiry.

Ms H.M. BEAZLEY: In reference to the powers the member alludes to, an agent acting through the inspector does not have the inspector's powers. For instance, if an inspector needed to procure surveillance, the surveillance provider would be the agent of the inspector.

Mr R.S. LOVE: Okay. Proposed section 8.4 is headed "Report on inquiry". Proposed subsection (4) reads —

The Inspector can recommend that a council member be dismissed only if the Inspector is satisfied on reasonable grounds ...

A number of conditions follow. Will there be any responsibility for, first, an approach that is not necessarily dismissal? Is a warning system expected to be put in place or is this an open-ended power to enable the inspector to act forthwith?

Ms H.M. BEAZLEY: The inspector can recommend that a council member be dismissed only after an inquiry. By the time an issue reaches an inquiry level, it has already been through all escalations regarding breaches of the act. It is the last resort.

Mr R.S. LOVE: Proposed section 8.5 is titled "Copies of report to be given to local government and suspended council members". Proposed subsection (2) states —

Before giving the report as required under subsection (1), the Inspector may remove from the report anything that —

(a) could prejudice any legal action arising from the inquiry ...

It lists a number of other things.

I am interested in proposed paragraph (c)—anything that "could be considered defamatory". I would have thought that the report would contain established findings. Similar reports that, say, the Corruption and Crime Commission release might contain comment and even findings of misconduct against individuals that when tested later in a court action are unable to be sustained. Could the minister explain why that is necessary? Is that standard practice in other investigative bodies such as royal commissions, the CCC et cetera?

Ms H.M. BEAZLEY: This matter is covered in the current act; this is not a new provision. In terms of it being considered defamatory, if a report is not finalised and not subject to parliamentary privilege, it would be excluded.

Mr R.S. LOVE: Proposed section 8.6(2) states —

A council member who is suspended or who is a member of a council that is suspended may, within 21 days after receiving an Inspector's report or a longer period allowed by the Minister, give the Minister and the Inspector written advice setting out the member's comments on the recommendations.

We are seeing a similar situation at the moment with the Corruption and Crime Commission, with a report in the newspaper about a particular inquiry and report. Could the report that the council member receives have parts redacted under proposed section 8.5(2) and not necessarily be a full report? If a council member is not given full advice, how will they be able to respond appropriately to the report that they have been given?

Ms H.M. BEAZLEY: The short answer to the first part of the member's question is yes. Council members will be given all the information they need to provide a fulsome response. It will follow procedural fairness.

Mr R.S. LOVE: Proposed section 8.7 is headed "Minister may take action to ensure recommendations are put into effect". Under proposed section 8.7(3), the minister may, by order, suspend a council or a council member. Will there be any limit on the period of time that a suspension could be imposed; and, if so, how will that be structured? Will notice need to be given that the suspension will be for a certain period? Can the minister explain how that will operate?

Ms H.M. BEAZLEY: Provisions about suspensions and details around them can be found in part 8, division 3 of the act. The act specifies suspension of up to two years.

Mr R.S. LOVE: Proposed section 8.9 is headed “Minister may recommend that council be dismissed”. We can look at how that will be structured. Proposed subsection (2) states —

The Minister must decide whether to make a recommendation under subsection (4) in respect of the Inspector’s recommendation.

If the inspector recommends the dismissal of a council, the minister will then ponder that recommendation. Proposed subsection (4) states —

The Minister may recommend that the Governor dismiss the council, but the Minister does not have to make that recommendation.

Can the minister outline how that will be adjudicated by the minister? What possible reasons could there be for a minister to not follow the recommendation of the inspector? I am conscious that political reasons are sometimes involved. I am not having a go at anyone here by saying that, but if we are setting up a process by which the inspector undertakes an inquiry and comes up with a recommendation, what reasons might a minister give for not following that recommendation? It is a little like the environment law in which the Environmental Protection Authority makes a recommendation and it is up to the minister to decide, but here we are talking about something that could be much more politically charged. I want to know that this will not be a get-out-of-jail card for councillors who happen to be political allies of certain ministers. I am not making any comments about the current minister or any other person by saying that.

Ms H.M. BEAZLEY: It will be similar to what currently exists in the act in terms of an independent inquiry. If such an inquiry comes back with a recommendation for dismissal, it is still at the minister’s discretion. It may happen in circumstances in which an investigation occurs and the minister gets that information but also gets the 21-day response and, in adding that to the analysis of the situation, the minister may very well deem that the council does not need to be dismissed.

Mr R.S. LOVE: As the minister said, proposed section 8.13 sets out that the local government may have to meet the costs of the inquiry. Will there be a schedule of how that will be calculated or will whatever costs were incurred be charged?

Ms H.M. BEAZLEY: It will vary from investigation to investigation. The inspector will work out the amount of resources that were required and the number of hours dedicated to the investigation and will cost it accordingly. It will be unusual for any two investigations to be the same.

Clause put and passed.

Clause 92 put and passed.

Clause 93: Section 8.15CA inserted —

Mr R.S. LOVE: Proposed section 8.15CA is headed “Suspension of council may be extended while inquiry conducted”. Under such a scenario, a council will be suspended while an inquiry is conducted into a concern. Proposed subsection (2) states —

For the purposes of this Act, the extended suspension of a council the subject of an order under subsection (1) is taken to have effect under the original order.

Will there be some length of time or an assured timeline of how long it will take to conduct an inquiry when a council has been suspended? Will an indication be given of how long that suspension will be?

Ms H.M. BEAZLEY: There is a suspension period of six months and this amendment will allow for that to be extended beyond six months. There will be no limit on the timeframe associated with that; it will depend on the length and complexity of the inquiry itself.

Clause put and passed.

Clauses 94 to 97 put and passed.

Clause 98: Section 8.15J amended —

Mr R.S. LOVE: Clause 98 deals with proposed section 8.15J, “Council member must inform CEO if charged with disqualification offence”. I think I have asked similar questions before and I suspect the answer will be similar. Why was the insertion of a \$10 000 penalty for failing to advise the CEO deemed necessary?

Ms H.M. BEAZLEY: Similar to the answer I gave last night, this reflects the modern drafting standards whereby the penalty is put next to the offence rather than having to search through a general section on penalties. That occurs throughout this bill. The member may pick up on it every time, but it is just for that reason and to specify in plain sight what the offence is. Yes, the penalty has risen to \$10 000.

Clause put and passed.

Clauses 99 to 101 put and passed.

Clause 102: Sections 8.16A and 8.16B inserted —

Mr R.S. LOVE: This clause is to do with the membership of an independent inquiry. Proposed section 8.16B is titled “Procedures and remuneration”. Proposed subsection (2) states —

The members of an Independent Inquiry are entitled to the remuneration and allowances determined from time to time by the Minister on the recommendation of the Public Sector Commissioner.

I think we discussed the other night some rewards for CEOs et cetera that were determined by the State Administrative Tribunal. The minister will maintain the role of determining what those members should be paid. Can the minister provide some information on how the minister of the day would make that calculation?

Ms H.M. BEAZLEY: The minister of the day will base the decision on the recommendations of the Public Sector Commissioner. That is the information that will come through. That advice is usually provided by senior lawyers.

Clause put and passed.**Clauses 103 to 106 put and passed.****Clause 107: Section 8.20 replaced —**

Mr R.S. LOVE: This clause will delete section 8.20. That section is “Powers of Inquiry Panel”. We are moving from an Inquiry Panel to an Independent Inquiry. I probably could have asked this question earlier because there was a definitional change that deleted one term to another. What is the need for this change in the definition, or the structure and the name, from Inquiry Panel to Independent Inquiry?

Ms H.M. BEAZLEY: The changes we are making are to the naming of it. Currently, it is called the Inquiry Panel. That could be somewhat misleading because oftentimes an inquiry panel was conducted by one person not a panel of people. Many panel inquiries recommended changing the name of such an inquiry to reflect the independent nature of the inquiry and that it does not always involve a panel of people.

Mr R.S. LOVE: The independent inquiry will have the powers of a royal commission. They are similar powers that the current body has. Proposed section 8.20(4) states —

Without limiting subsection (3), an Independent Inquiry is not limited by any other provision of this Act in respect of the exercise of its powers under the *Royal Commissions Act 1968* and may exercise those powers in relation to the following:

- (a) the Inspector;
- (b) inspectorate officers;
- (c) the Departmental CEO;
- (d) officers and employees of the Department.

I do not think the Inquiry Panel had those powers in its provisions. Perhaps the minister could talk to the need to define those powers for those officers.

Ms H.M. BEAZLEY: In various parts of the bill, we are creating a privilege and secrecy over the work of the inspector. This clause will ensure that the inquiry can access the work of the inspector. Proposed section 8.20(4) is necessary without limiting proposed section 8.20(3) to provide clarity around the scope of an investigation.

Clause put and passed.**Clauses 108 to 124 put and passed.****Clause 125: Parts 8A and 8B inserted —**

Mr R.S. LOVE: Part 8A is for the new breach complaints, general complaints procedures and other matters. I turn to proposed section 8A.1 titled “Terms used”, which states in part —

dealt with by infringement notice ...

- (a) an infringement notice has been issued under this Act or another written law in relation to the matter the subject of the complaint; and
- (b) the matter has been dealt with by the payment of an amount in accordance with the infringement notice;

Has thought been given to what that infringement notice will contain? Is this similar to something that is already used by the department in other areas?

Ms H.M. BEAZLEY: The form of the infringement notice will be dealt with in the regulations.

Mr R.S. LOVE: Proposed section 8A.2 is titled “Behavioural breaches”. Proposed subsection (1) states —

In this section —

adopted code of conduct, of a local government, means the code of conduct adopted by the local government under section 5.104.

Further down we can see that the code of conduct captures a candidate for a council election as well as a council member. What will be the sanction for an unsuccessful candidate who has contravened the code of conduct?

Ms H.M. BEAZLEY: In that scenario, there will be no sanction; a breach can be found only if the candidate is elected.

Mr R.S. LOVE: So they will get a penalty for winning. That is a bit unfair!

Proposed section 8A.3 states —

- (1) A council member commits a *conduct breach* if the member —
 - (a) contravenes a rule of conduct ...

Is that the adopted code of conduct of the local government?

Ms H.M. BEAZLEY: The rules of conduct are dealt with in division 4 of the model code of conduct, which is regulated. Local governments cannot change that model code of conduct.

Mr R.S. LOVE: Proposed section 8A.3(4) states —

A conduct breach is a *recurrent breach* if it occurs after the council member has been found under this Part to have committed 2 or more other conduct breaches.

I would have thought that a recurrent breach would mean that someone had done the same thing two or three times, but this provision implies that if someone contravenes the code of conduct in any way three times, they are subject to a recurrent breach. Is that correct?

Ms H.M. BEAZLEY: A breach is only seen as a conduct breach if it contravenes a rule of conduct, not necessarily a behavioural breach. In essence, the member is correct in that it means two or more, so three, conduct breaches. Those conduct breaches may vary; they do not have to be the same conduct breach. Conduct breaches have the same level of severity. Again, it is the same as the current act.

Mr R.S. LOVE: Proposed section 8A.6, “Acknowledgement of breach complaint”, states —

The Inspector must, within 14 days after the day on which the Inspector receives a breach complaint, give the complainant an acknowledgement in writing that the complaint has been received.

Is that all that will have to be given? Will there be a requirement to provide a process or any other information?

Ms H.M. BEAZLEY: The process that will be undertaken when dealing with a complaint and information that may be available for a breach complainant to the complainant will be set out on the inspector’s website.

Mr R.S. LOVE: I turn to proposed section 8A.14, “Dealing with recurrent breach”. We have already spoken a little about recurrent breaches. Can the minister explain how proposed section 1(a) and (b) will operate and the interaction of the State Administrative Tribunal?

Ms H.M. BEAZLEY: As stated in the proposed section, the inspector will have the discretion to either refer the conduct breach as another conduct breach to the adjudicator or refer the matter to the State Administrative Tribunal to be treated as a specified breach. The State Administrative Tribunal will be able to sanction a recurrent breach like a specified breach, including potential suspension and disqualification. This reflects the existing system for dealing with potential recurrent breaches, but no referral by the standards panel is required.

Mr R.S. LOVE: What would guide the inspector in their choice between proposed subparagraphs (a) and (b)? What factors will determine which path may be taken?

Ms H.M. BEAZLEY: It will depend on the severity of the breach, how many times it has occurred, the level of public interest and its effect on the community. The pathway that the inspector deems fit will be based on the nature of the investigation.

Mr R.S. LOVE: I turn to proposed section 8A.15, “Mediation”, which states —

- (1) An adjudicator may —
 - (a) request the complainant and the respondent to participate in mediation ...
 - ...
 - (2) Regulations may provide for ...
 - ...
 - (d) payment and recovery of the costs of mediation.

Can the minister explain how that will work in practice? Will there be a set fee for the mediation? I suppose it could only be judged by the length of time the mediation took. Perhaps the minister can help me to understand how it is anticipated that those matters will be dealt with.

Ms H.M. BEAZLEY: As the member hinted at, it will be subject to the regulatory framework but is intended to generally follow a similar procedure to that followed by the State Administrative Tribunal.

Mr R.S. LOVE: Exactly how will the mediation occur? For instance, will a mediator have to be present in the same room as the parties? Will they have to come to the head office? Can the mediation be conducted in a council chamber? How is it anticipated that this mediation process will work in practice?

Ms H.M. BEAZLEY: Those details will be set out in the regulations, which are yet to be developed.

Mr R.S. LOVE: I turn to proposed section 8A.19, “Costs of adjudication”, which states that to the extent that an adjudicator’s remuneration and allowances relate to a particular breach complaint, an amount equal to the amount of the remuneration and allowances, as certified by the principal adjudicator, must be paid to the state by the local government or the council member who is the subject of the complaint. As we know from the earlier discussion we had about members’ legal expenses, the council member would have to pay and could not insure against the risk of that payment. Is that correct?

Ms H.M. BEAZLEY: I wish to point out that when the member quoted the proposed subsection, he said “paid to the state by the local government or the council member who is the subject of the payment”. The proposed subsection actually states “by the local government of the council member who is the subject of the complaint”.

Mr R.S. LOVE: Sorry; I misread it. That provision flows down to proposed subsection (2), which states that the adjudicator may order that the respondent pay to the local government. The respondent could be a council member but it will not be the member who is the subject of the complaint. Will it be the person who brought the complaint? Can the minister explain who we are talking about?

Ms H.M. BEAZLEY: In the first instance, the local government of the council member who is the subject of the complaint will need to pay. The adjudicator may, which is covered in the proposed subsection, determine that it is not appropriate for the local government to pay but indeed that the local member who is the subject of that complaint will be required to pay. We then get into the financial coverage that we spoke about previously.

Mr R.S. LOVE: Proposed section 8A.22, “Review of adjudicator decision”, states —

- (1) A complainant or respondent may apply to the State Administrative Tribunal for a review of a decision of an adjudicator to make an order under section 8A.18(4).
- (2) The application may be made, and the review carried out, irrespective of whether the complainant or respondent is a council member.

Could they both be council members? Does one have to be a council member or employee or somehow tied into the act to have an action at this time?

Ms H.M. BEAZLEY: It is to deal with the timing. It might be that a council member was subject to a complaint whilst they were a council member but has since lost office. This is so that they will still be able to access the system.

Mr R.S. LOVE: That explains it. I could not quite work out when the council would be involved otherwise. This is quite a monster of a section, is it not? Can the minister give us some explanation about what types of situations proposed section 8A.28, “General complaint”, will encompass?

Ms H.M. BEAZLEY: The creation of a system of general complaints is to provide clear jurisdiction to the inspector to deal with instances of noncompliance with the act or the failure of a local government to provide good government for its district. The system of general complaints will enable the inspector to take action to address noncompliance or a failure to provide good government. However, based upon the current sorts of things that are sent to my office and the department, it is not expected that many of these complaints will be investigated. Many of these matters will be referred back to the local government to deal with. For example, a complaint about a failure to deal with rubbish left on verges is a matter for local government to address.

Mr R.S. LOVE: I am very glad that we have a general complaints division so that we can send people off somewhere else to complain about local government because it seems to be a very common pastime. I am a little unsure about the distinction between a local government that is not carrying out its functions to provide for the amenity in an area by taking away rubbish and a local government that is not making proper decisions. Are those both not generally required of a local government?

Ms H.M. BEAZLEY: This section is really about noncompliance with the act. The example of the rubbish bin left on the verge would be referred to the local government to address. By contrast, a complaint about a local government that is failing to put contracts out to tender may be a matter that the inspector may wish to investigate. There is delineation in terms of the seriousness of the complaints that come forward.

Mr R.S. LOVE: If a person is contracted to a council or has a financial relationship with a council—perhaps they lease a property from it—would a decision made that affected their ability to carry out business be something that would fall under the area of general complaints because it is of a financial nature, or would that not necessarily be so?

Ms H.M. BEAZLEY: This is a subjective part of the complaints handling process. As such, it would be subjective to the complaint itself. The complaint needs to be about noncompliance with the act. For instance, if it is a complaint about a decision made at a council meeting that may have affected their business, a complaint could be raised if there was a fear of noncompliance with the act.

Mr R.S. LOVE: Will noncompliance be things like not following the proper tender process or someone not declaring an interest in a matter, even if it is not necessarily financial, that might have affected their decision?

Ms H.M. BEAZLEY: The short answer is yes.

Mr R.S. LOVE: I will move to proposed part 8B, “Local Government Inspector, adjudicators and authorised officers”. Proposed section 8B.1 states —

Local Government Inspector

The office of Local Government Inspector is established.

We know that there was talk at some point of the Local Government Inspector being much more closely tied to the department. My understanding is that the sector did not want that, and it wanted a fully standalone inspectorate. Can the minister explain the structure that has been arrived at and how the independence of the inspector will be maintained under that arrangement even though it is not a standalone office as such?

Ms H.M. BEAZLEY: I am very happy to talk to the independent nature of the inspector. The inspector will be a statutory appointment of the Governor, and the inspector will be supported by the Office of the Local Government Inspector, which will include skilled investigators, data analysis and government specialists, as well as supporting administrative staff. The office of the inspector will be a separate office within the Department of Local Government, Sport and Cultural Industries and the inspector and their staff will be independent of the minister expect in relation to the minister’s ability to direct the inspector to conduct an inquiry or to give written directions on the performance of the inspector’s functions generally, access information held by the inspector or consult with the inspector regarding the inspector’s functions generally.

The minister will not be able to direct the inspector on a particular matter that they are dealing with. Officers will be appointed under part 3 of the Public Sector Management Act 1994.

Mr R.S. LOVE: Is the office that the inspector holds expected to be the only office they will hold? Will they be employed in any other way? I know that one of the options for removal from office is if the inspector engages in paid employment outside the duties of the office, unless they have the minister’s approval. Does that imply that this is a standalone job, that this is their position, and they cannot job-share with other leadership roles?

Ms H.M. BEAZLEY: In short, that is the intent. I will just clarify that the inspector will be established as an independent statutory officer.

Mr R.S. LOVE: I will move to proposed section 8B.11, “Conflict of interest”. What sorts of matters will be covered in those conflict-of-interest situations? Is there some guidance on what would constitute a conflict of interest for the inspector? I know that this may be roughly similar to a judicial officer, but I am not sure. Can the minister explain the nature of those conflicts?

Ms H.M. BEAZLEY: This is a necessary clause. The Local Government Inspector is an independent statutory officer and will not fall under the Public Sector Management Act, which would otherwise cover all conflict-of-interest areas. That is why this needs to be detailed in this provision. We do not expect the inspector to have an abundance of conflicts of interest, but, from time to time, they may have a personal friendship with someone in a council who they might need to work with and that should be declared.

Mr R.S. LOVE: Proposed section 8B.12, “Independence of Inspector and inspectorate officers”, states that they “are not subject to direction by the Minister or any other person in the performance of their functions”. But the very next section states that the minister may give the inspector directions. Can the minister explain the nature of the directions that she would be contemplating giving to the inspector?

Ms H.M. BEAZLEY: They will be very much of a general nature. Similar provisions exist in the Inspector of Custodial Services Act 2003 and the Commissioner for Children and Young People Act 2006. The intent is to honour the independence of the inspector as a statutory appointment by the Governor.

Mr R.S. LOVE: I refer to the type of written directions that might be given. Is it expected that something akin to a statement of expectation of what the minister would expect to see from the inspector in a particular work period will be issued? What will be the nature of some of those written directions?

Ms H.M. BEAZLEY: Proposed section 8B.13(1) states —

The Minister may give written directions to the Inspector as to the general policy to be followed in the performance of the Inspector’s functions.

If it falls within that scope then, yes, it will be general guidance.

Mr R.S. LOVE: Under proposed subsection (5) will those directions have to be tabled in Parliament?

Ms H.M. BEAZLEY: Yes.

Mr R.S. LOVE: Under proposed section 8B.14, “Minister may request information”, subsection (2) states —
Subject to this section, the Minister is entitled —

- (a) to have information in the possession of the Inspector; and
- (b) where the information is in or on a document, to have, and make and retain copies of, that document.

We know that the inspector will have pretty wide powers and will gain a lot of information. Will there be any limits to the information that the minister can have in terms of something that might be commercially or professionally damaging to somebody et cetera?

Ms H.M. BEAZLEY: There will be two limits. One is found under proposed section 8B.14(3) when something is secret by nature. The other is found under proposed subsection (5) when, in the inspector’s opinion, it is not in the public interest to release that information to the minister or anybody else.

Mr R.S. LOVE: It will be entirely up to the inspector to determine. Will there be no further ability for the minister to question that decision or re-request that information in a different way?

Ms H.M. BEAZLEY: The minister of the day will be always able re-request or find other pieces of information that are available and request those to assist them to get to the bottom of the matter with which they are dealing.

Mr R.S. LOVE: Proposed section 8B.20, “Terms and conditions of appointment”, will limit the adjudicator’s appointment to a period not exceeding four years and allow them to be reappointed more than once. Will there be a limit to the length of time an adjudicator can continue on in the role?

Ms H.M. BEAZLEY: As the member has rightly pointed out, the appointment will be for up to four years in the first instance, but there will be no limit in terms of reappointment.

Mr R.S. LOVE: In proposed section 8B.31, the principal adjudicator will have to provide to the minister a report on breach complaints dealt with by all the adjudicators in the previous financial year. Will that include just those complaints that have been received and completed, or will it also include those that are still under consideration?

Ms H.M. BEAZLEY: This will replace the previous Local Government Standards Panel annual report. It is intended to be similar to the standards panel report that states how many cases have come in and how many have been closed.

Mr R.S. LOVE: I turn to proposed division 5, “Monitors”. I am interested to get an idea of the types of functions of the monitors. There appear to be different views on how many monitors there will be, how they will be appointed and their function. Can the minister outline the reason for having the monitors and their functions?

Ms H.M. BEAZLEY: Monitors, as has been repeatedly pointed out, will be a key early intervention tool that is intended to reduce the need for lengthy and costly inquiries. They will generally be external to the public sector and drawn from a list prepared by the inspector. However, it may be appropriate in some situations for a public service officer to carry out the duties of the monitor. Monitors’ qualifications will be based on the specifics of their assignment. For example, when a local government is experiencing financial management issues, the monitor will be a person with relevant financial qualifications and experience. I can also see this happening with interpersonal relations experts and governance experts. It will be based on the needs of the sector.

Mr R.S. LOVE: What will be the requirement in terms of their local government experience?

Ms H.M. BEAZLEY: There will be no specific requirement for them to have local government experience. They will be subject matter experts in their fields. The work they do will be designed to complement the work of the inspector.

Mr R.S. LOVE: Under proposed section 8B.37 the inspector may appoint a monitor for a local government. How will the functions of the monitor be carried out within the local government? Will the expectation be that they are in the office in the way that perhaps an auditor might be? Can the minister give me an idea of how the monitor will go about their work, depending on the nature of the matter that they are monitoring?

Ms H.M. BEAZLEY: Each instance of a monitor’s appointment will include associated terms of reference that will set up the scope of the work that will be undertaken. The monitor will be required to report the happenings at a local government to the inspector and directly deal and consult with the local government during their work.

Mr R.S. LOVE: The general function of a monitor will not be so much to monitor, but to mentor. It is a little bit misleading because they will be there to not only monitor what is going on, but also improve the governance and conduct of the local government. The decision to use the term “monitor” is interesting.

Ms H.M. BEAZLEY: The member is absolutely right; a hopeful function of the monitor will be to mentor and build capability within the sector. That is certainly my desire for this role. However, we cannot ignore the fact that often there is no positive early intervention. A mentor could deal with some severe issues and “monitoring” is a much more appropriate term to use. That is one of the reasons the term “monitor” was selected. Certainly, in socialising this with the sector, it has been promoted as not only an early intervention tool, but also a mentoring tool to build capacity and capability within the sector.

Mr R.S. LOVE: Will a local government be able to request such an intervention; and, if so, would that request go to the inspector in the first instance or the department?

Ms H.M. BEAZLEY: The member is spot on. Local governments will be able to request the appointment of a monitor to assist with the resolution of emerging or longstanding issues. That request will go straight to the inspector.

Mr R.S. LOVE: What interaction will a local government have in setting up the terms of an appointment of a monitor? How much influence will a local government have? Will the CEO discuss the matter with the inspector? Can the minister explain how that will work so that local governments and monitors are clear about what will happen in an appointment?

Ms H.M. BEAZLEY: It will depend on the nature of the issue and the way in which a monitor is appointed. If it comes at the request of a CEO, that request may include necessary areas in the terms of reference. However, if it is a situation in which the inspector deems it necessary to appoint a monitor, the communication may look slightly different. It will be on a case-by-case basis and dependent on not only the situation that will be dealt with, but also who initiated the appointment of a monitor.

Mr R.S. LOVE: The CEO will be able to request a monitor. Will the council be able to request a monitor without the CEO's support?

Ms H.M. BEAZLEY: Yes.

Mr R.S. LOVE: I move to division 6, "Powers of authorised officers". I note that an authorised officer will be the inspector, an investigator or, subject to a monitor's terms of appointment, a monitor. What circumstances will require a monitor to have the powers of an authorised officer?

Ms H.M. BEAZLEY: This will apply in situations in which a person is being investigated—I should say monitored in this circumstance because it would not be an investigation. If that monitor requests to meet with an elected member or the CEO and that person refuses, the monitor needs the power to compel that meeting and the gathering of information. If certain players are being deliberately obstructive and causing the council issues, the monitor will need the ability to instruct.

Mr R.S. LOVE: Proposed section 8B.58 deals with a referral to other public officers or bodies. Proposed subsection (1) states —

The Inspector may —

- (a) refer any relevant matter to a public officer or body of the State, the Commonwealth, another State or a Territory that has authority or responsibility under a law to investigate, or take action in relation to, the relevant matter or any similar matter ...

Is the expectation a "must" or a "may"? If it becomes apparent that there has been a breach of an area that is administered by another body—a regulatory area or a criminal area—will that referral need to be made?

Ms H.M. BEAZLEY: As it is drafted in the bill, it is a "may" but that will not preclude any other legal requirements in terms of mandatory reporting.

Clause put and passed.

Clauses 126 to 132 put and passed.

Clause 133: Part 9 Division 2 Subdivision 2A inserted —

Mr R.S. LOVE: This proposed section deals with infringement notices issued by an authorised officer. In some ways, this is a new provision. Can the minister explain how this will differ from infringements given under past bodies?

Ms H.M. BEAZLEY: There is currently no ability for the department to infringe. This provision will create the ability to infringe.

Mr R.S. LOVE: I understood that local councils could be infringed on certain matters—anyway, never mind. I refer to the proposed section on prescribed offences and modified penalties. Have the penalties that will potentially be given been decided at this stage or are some waiting to be developed?

Ms H.M. BEAZLEY: It is at a minimum intended to prescribe failure to lodge a primary or annual return as an infringeable offence, and the government will also consider other offences for potential infringements.

Mr R.S. LOVE: So at the moment it is a pretty narrow list of matters that may be subject to such a sanction. In that case, I ask when the minister would expect those matters would commence. Will any regulations need to be built up for that to occur?

Ms H.M. BEAZLEY: Those matters will begin when the inspector is installed.

Mr R.S. LOVE: Proposed section 9.22G is headed "Withdrawal of notice". Proposed section 9.22G(1) states —

The Inspector may withdraw an infringement notice.

In what circumstances would the minister envisage there would be a withdrawal of a notice of infringement when a finding had accompanied the original application?

Ms H.M. BEAZLEY: This is about providing flexibility and fairness. It is like if someone got a parking infringement and they sent back evidence that it was wrong; the infringement would be withdrawn.

Clause put and passed.

Clauses 134 to 139 put and passed.

Clause 140: Section 9.65A inserted —

Mr R.S. LOVE: Proposed section 9.65A(1) states —

The Minister or Departmental CEO may in a written notice require a local government, a member of a council, a CEO or an employee to provide information of a kind specified in the notice concerning the local government or its operations or affairs.

Why does the minister need to have the ability to require that information of a member of a council rather than all the other people listed who will have such extraordinary powers under this legislation?

Ms H.M. BEAZLEY: This clause will provide a residual power for the minister or director general to seek information from local governments. That power currently exists in section 8.2 of the act, which is being repealed. The power is used for more than just investigations. For example, it was used during the previous government's local government amalgamation process to obtain information about matters such as staffing from uncooperative local governments.

Mr R.S. LOVE: Will it not necessarily be for a matter to do with an infringement of the act, but something more akin to being able to find information pertaining to a policy of the government going forward?

Ms H.M. BEAZLEY: That is correct.

Mr R.S. LOVE: Apart from the fact that the matter must concern the local government's operations or affairs, will there be there any limits on the information that the minister can apply for? I know the minister said that in the past uncooperative councils had been asked to provide information, but I am particularly thinking of individuals here. Would it be of a general nature of information for all council members or could it be a particular council member? What is the limit on that information request?

Ms H.M. BEAZLEY: The written-in limitation is that the matter needs to concern the local government, its operations or its affairs. That is the framework in which those requests can be made. Other existing limitations sit within legal professional privilege limitations.

Mr R.S. LOVE: Will the types of matters that the investigators, adjudicators and monitors go through preclude the minister from seeking information that might pertain to investigation? Will the minister still be able to request that information and penalise somebody if that information is not given?

Ms H.M. BEAZLEY: This will cover the departmental CEO as well, and it will be likely that an investigator or the inspector will liaise with the departmental CEO. It is likely that there will not be a need to double-up requests for information. If the matter regards the inspector's investigation, clauses cover what will be able to remain secret to an investigation, as we have previously discussed.

Mr R.S. LOVE: If an inquiry was going on, could the information requested by the inspector not be able to be requested by the minister?

Ms H.M. BEAZLEY: Yes, the information could be requested. It would also be possible to state that the information was subject to a non-disclosure disclaimer and not able to be given to the minister during the time it was under investigation.

Mr R.S. LOVE: Will the penalties under this proposed section be different from the previous section—that is, the penalty of imprisonment for 12 months and a fine of \$12 000?

Ms H.M. BEAZLEY: Yes, the penalty has changed. The previous penalty was \$5 000. That will now be increased to \$12 000 and imprisonment of up to 12 months because these requests should be complied with.

Mr R.S. LOVE: Will a time period have to elapse before an infringement or a fine for a failure to comply is issued?

Ms H.M. BEAZLEY: A reasonable period of time will need to be given. I point out that because this will be an imprisonable offence; the matter will be prosecuted in a court and not dealt with directly by the inspector. It will be handed over to the court system or the minister.

Mr R.S. LOVE: Presumably, it would then be open for the court to determine whether the information requested fell within the provisions of proposed section 9.65A(1).

Ms H.M. BEAZLEY: Yes, that is precisely right. That is where this would be tested.

Mr R.S. LOVE: If a written notice was given to a local government and there was then provision for imprisonment for 12 months, which person in local government would put their hand up for the 12-month sentence? The CEO and the council are mentioned separately. If the local government did not provide information, would that be considered a determination that it did not provide information through the council with the support of the CEO? If the CEO did not want to comply, would they be doing it on their own power or on behalf of the local government?

Ms H.M. BEAZLEY: Requests are always made to the responsible person, which is the CEO. It would be very unusual for the request to be made to elected members. This will apply to the CEO and not to elected members. If it were to apply to members for some reason, the Sentencing Act would prevail, and if a penalty were applied, it would be five times the financial penalty listed here rather than imprisonment.

Clause put and passed.

Clauses 141 and 142 put and passed.

Clause 143: Section 9.69AA inserted —

Mr R.S. LOVE: Proposed section 9.69AA is headed “Good practice guidelines”. Have some good practice guidelines already been written? Could the minister give me an example of the type of activity that might be covered by these good practice guidelines?

Ms H.M. BEAZLEY: These guidelines are intended to address the various topics around how local governments should carry out their functions. The bill will provide the impetus for the updating of historic local government guidelines. In other words, the current local government guidelines will be updated through this mechanism.

Mr R.S. LOVE: In effect, the guidelines are not completely novel; things that are already familiar to the sector will be updated. When can we expect to see them introduced and what effect will they have on determining some of the matters that we spoke about before, such as the general complaint provisions? Will the minister consider whether the good practice guidelines were followed when looking at whether a complaint is substantiated?

Ms H.M. BEAZLEY: A series of operational guidelines are on the department’s website. Through this process, we envision the first guideline to be updated will be the one on dealing with unreasonable complaints.

Mr R.S. LOVE: Will these include guidelines on the conduct of council members’ roles and responsibilities? I am looking at the time and I think we are getting close.

Ms H.M. BEAZLEY: Yes, there is the potential for the guidelines to cover matters like that for local members.

Mr R.S. LOVE: We have one minute to go. Will the updated guidelines be communicated to local members through training modules or a circular? How does the minister expect local members to be aware of those good practice guidelines?

Ms H.M. BEAZLEY: We will adopt the current standard of what are called LG alerts, which are deployed by the department to keep local governments updated on what is happening in the sector.

Mr R.S. LOVE: Is there any formal role for the Western Australian Local Government Association in the development of these guidelines?

Ms H.M. BEAZLEY: We may well consult with WALGA, as well as other players in the sector, during the development of the guidelines. I also point out that proposed section 9.69AA(2) states —

The Departmental CEO must ensure that up-to-date versions of all guidelines are publicly available on a website maintained by or on behalf of the Department.

That will be in addition to the LG alerts.

Debate interrupted, pursuant to standing orders.

[Continued on page 5343.]

CARNAMAH — BIG TRACTOR

Statement by Member for Moore

MR R.S. LOVE (Moore — Leader of the Opposition) [12.45 pm]: The unveiling of the world’s biggest tractor in Carnamah on 5 October was the realisation of a 30-year dream. It was a fantastic day, with about 2 000 visitors in town. The big tractor was the vision of Bob Lukins, a retired farmer and founding member of the Vintage Tractor and Machinery Association of WA, otherwise known as Tracmach. The big tractor is an exact replica of a Chamberlain 40K, built to five times the scale of the original. Engineer Frank Kidman painstakingly drew the plans for the scaled-up tractor.

The Big Tractor Committee, led by president Brendan Haeusler, raised \$600 000 with minimal government help, and was at the helm to see the project through. It is an incredible achievement and a fitting addition to Carnamah, which is also home to Hal Walton’s Tractor Museum, which is considered to be one of the best vintage tractor collections in the world.

The big orange tractor will join the list of Australia's big things. It stands 11.5 metres high and is 16 metres long. A farm ute can easily pass underneath. DIAB Engineering in Geraldton manufactured the big tractor using 42 tonnes of steel. Once constructed, it was then disassembled and moved to Carnamah by the truckload.

The Chamberlain 40K was the first commercially produced tractor in Western Australia and was manufactured in a former munitions factory in Welshpool from 1949, with tractor manufacturing continuing until the 1980s. It holds a special place in WA's farming history. Carnamah's big tractor stands as a monument to the resilience of the generations of farming families who developed and grew the agricultural industry in WA, the blood, sweat and tears involved, and their perseverance despite the elements.

Congratulations to Tracmach and the Big Tactor Committee for bringing the big tractor to life and putting Carnamah on the "big things" map.

SCARBOROUGH ELECTORATE — LIGHTING UPGRADES

Statement by Member for Scarborough

MR S.N. AUBREY (Scarborough) [12.47 pm]: The stronger our clubs, the stronger our community. In my inaugural speech to this Parliament, I said —

As Scarborough's new local member and an active community member, I aim to support all clubs to the best of my ability, to increase participation and integration with the wider community and with each other. By supporting each other, we can be stronger together as a community.

My first grievance to this Parliament fought for lighting upgrades in my community and highlighted the importance of lighting in opening up much needed playing spaces, especially for winter sports such as AFL and soccer. However, they are also important for summer sports like tennis and bowls as they allow members to play at night when heat limits daytime usage.

It is with great pride that I report back to Parliament on the progress made on lighting upgrades in my community, both through election commitments and the community sporting and recreation facilities fund's club night lights program. I will begin with my 2021 election commitment, which was delivered in August this year through the installation of lighting upgrades at Millington Reserve, affectionately known as "the Mill", the home of Scarborough Football Club. North Beach Soccer Club, based at Charles Riley Memorial Reserve, has had lighting upgrades in place since the end of 2021, and the club has been able to welcome around 200 new members since that time. North Coast Raiders Hockey Club has also benefited from this upgrade and shares the same space.

Across in Scarborough, Wembley Downs Soccer Club, based at Butlers Reserve, had lighting upgrades undertaken late last year and has gone from being able to train at night on two pitches to being able to play and train on four full pitches. Scarborough Tennis Club, based at Abbett Park in Scarborough, has had several courts lit up through the CSRFF club night lights program. Doubleview Bowling Club, which was recently listed by Perth is OK! as one of Perth's top bowling clubs, has had lighting on four bowling greens upgraded since mid-last year.

I would like to acknowledge that all these upgrades have been done in conjunction with the City of Stirling, and I thank it for its support of our local clubs. I stand here proudly as the local member for Scarborough who has delivered on these upgrades and on my promise to support our local sporting clubs, which do so much to improve the wellbeing of the Scarborough community.

ROAD TRAUMA SUPPORT — HEART HUB SOUTH WEST — TARRYN SANFORD

Statement by Member for Vasse

MS L. METTAM (Vasse — Leader of the Liberal Party) [12.49 pm]: I am forever inspired by the people I meet through my job, sometimes in tragic circumstances. I would like to recognise Tarryn Sanford for her dedication to the legacy of her son, Jack, who she lost in a preventable car crash in Collie on 14 April 2017.

With the tragic rise of road fatalities, especially in regional areas, it is timely to hear about the hard work and dedication it has taken to provide a unique and valued regional service. After the death of her son, life stood still for Tarryn. Navigating life without her son was proving very difficult and emotionally exhausting, and with no regional support services. Tarryn wanted to fill that gap and provide a compassionate, welcoming place in the south west for victims of road trauma, their families and anyone adversely affected.

Tarryn shared her vision with key figures in road safety who provided her with the courage to make her vision a reality—Heart Hub South West. This organisation provides free professional counselling, peer support and mindfulness workshops in a safe space. Heart Hub South West includes community outreach programs and meeting places in regional towns, where families and individuals can be provided with peer support without having to travel. Heart Hub South West survives on fundraising events and generous donations to provide the free support that has proved so valuable to so many.

Tarryn, your dedication and service to the south west community is such a credit to you and a compassionate legacy to Jack, forever 18 years old.

BELMONT SQUASH AND SPORTS CENTRE*Statement by Member for Belmont*

MS C.M. ROWE (Belmont) [12.51 pm]: I yesterday had the pleasure of meeting with the Minister for Sport and Recreation at the newly upgraded Belmont Squash and Sports Centre. I am delighted that our state government is providing \$1.6 million in funding towards the centre's upgrade. The centre, located in the heart of our community right across the road from Belmont Oasis, was built in the 1970s and is absolutely booming. Yesterday morning, I was so pleased to see the centre packed with senior citizens working up a sweat on the courts, many of whom travel each and every week from across the metropolitan area to compete on our courts. One of these senior citizens is 85 years young—proving that squash is a sport for life.

Every week, the Belmont Squash and Sports Centre has more than 75 school students play, 35 junior program members compete, over 100 competition players and approximately 120 casual players visit and use the facilities. The Belmont Saints Club, which has its home at the squash centre, has seven players who have made it into the WA junior team. The centre is lucky to have Sue Hillier coach the younger players. She has won four squash world championship titles, the most recent in Amsterdam.

Squash WA manages the works and has so far demolished much of the interior of the facility and made upgrades through installing new flooring on their courts, Australian standard LED lights, remodelled and upgraded change rooms, glass front and rear walls, re-roofing, greater environmental sustainability and disability accessibility—just to name some of the upgrades done already.

By upgrading the interior of the courts, the centre was able to qualify to host the squash 2024 Australian National Championships earlier this year in June. Some members of the Belmont Saints Squash Club aspire to represent at a national level, so it is really valuable to offer them contemporary facilities and encourage the breadth of community support to continue to participate in this wonderful sport. I also acknowledge Katy Scott for her advocacy, Leigh Kaye for her hard work and Michelle Chandler, the local manager, and all the volunteers.

MERREDIN WHEATBELT ART PRIZE*Statement by Member for Central Wheatbelt*

MS M.J. DAVIES (Central Wheatbelt) [12.53 pm]: I rise to speak about the *Merredin Wheatbelt Art Prize*, an art exhibition I have hosted as the member for Central Wheatbelt since 2013. We gathered last weekend in Merredin's historic Cummins Theatre to celebrate the creativity and talent of local wheatbelt artists for the final time in my capacity as the member for Central Wheatbelt. The award was started by former member of Parliament Brendon Grylls and the Merredin and Bruce Rock art groups, and it has continued to gather momentum at every staging since. It attracts painting, drawing, multimedia art, photography and sculpture of a high very calibre, and it has been a delight to create a platform for local artists to exhibit and sell their works.

Whether it be through the *Merredin Wheatbelt Art Prize* or sponsoring existing shows in the electorate, it has been a personal passion of mine to create more opportunities for local exhibitions for the very talented artistic community throughout the Avon Valley and wheatbelt. I thank the sponsors who joined me in supporting the event and also to this year's judge, Stephen Castledine, of Castledine + Castledine, which is based in Kalamunda.

This year's wheatbelt art prize winner was Fiona Sharp, who was sponsored by McKenzie Family Funerals, RSM Australia and me. The runner-up, who was sponsored by Collgar Renewables, was Jo Millington. The youth award, which was sponsored by Hon Martin Aldridge and Lachlan Hunter, was Jada Moore. The photography award was sponsored by CBH Group and went to Kate Caughey. The Shire of Merredin's acquisition prize, which was valued at a very generous \$1 000, was awarded for a painting by Rosemary Lambert. The people's choice award went to the very talented Jada Moore. I hope she continues on her artistic journey as a young person in our electorate.

Finally, I pay special tribute to Kath Brown, who has been the driving force behind the success of the *Merredin Wheatbelt Art Prize* over the years. She is quite simply the best and has my deepest gratitude for her dedication to the event. I also pay tribute to Robert McCaffrey, who is our artistic director, and assisted with unhangings and overseeing the art prize over the duration. You are a wonderful, talented artist and the wheatbelt is very lucky to have you.

ANIMAL PROTECTION SOCIETY — SOUTHERN RIVER*Statement by Member for Southern River*

MR T.J. HEALY (Southern River — Parliamentary Secretary) [12.55 pm]: I rise to inform members of the Parliament of Western Australia of the fiftieth anniversary of the Animal Protection Society in Southern River. I stand alongside my neighbouring colleagues, MLAs Hugh Jones from Darling Range and Byford, and Tony Buti in Armadale, in commemorating 50 years of the Animal Protection Society in our community. The society has been in operation as a shelter for homeless cats and dogs since October 1974. For half a century, the not-for-profit volunteer-run society has worked with local pounds, councils, other rescue organisations and private surrenders to provide a safe and loving shelter for homeless cats and dogs of all ages, sizes and breeds.

The society's onsite veterinary clinic provides medical care for those animals in need and ensures that every animal committed to it is sterilised, microchipped and vaccinated while also continuing to provide education for potential adopters on the responsibilities and costs of caring for a cat and/or dog. In 2021, Hugh Jones, Tony Buti and I delivered on our promise to provide funding to the Animal Protection Society that it has used to purchase a van to transport the animals to and from their vet appointments. It is donations like those, big or small, that have allowed the Animal Protection Society to reach its 50-year milestone. Donations like those will allow the Animal Protection Society to provide its crucial services for another 50 years and beyond.

I commend the Animal Protection Society and its volunteers, past and present, for their "suppawt"—that is with a "P-A-W" inside the word. I commend it for its extraordinary work over the last 50 years to help make Western Australia a kinder and more compassionate place for our cats and dogs in need. Thank you.

HYDROGEN DAY

Statement by Member for Cottesloe

DR D.J. HONEY (Cottesloe) [12.57 pm]: I rise today to recognise the sixth Hydrogen Day event in Western Australia, hosted by the Hydrogen Society of Australia's H2E group and Murdoch University, which I had the pleasure of attending last week. Hydrogen Day is a global day of celebration for the role that hydrogen can play for energy storage and as an important industrial chemical, especially in relation to the renewable energy transition. Hydrogen Day is an international celebration held around the world on 8 October each year. Some who remember their high school chemistry may know that the atomic weight of hydrogen is 1.008 grams, and that that number corresponds with the American date format of 8 October, being 1008. This event has grown significantly since its inception in 2019 and it highlights the vital role that hydrogen will play in WA's energy future.

I would like to acknowledge the participation of my fellow parliamentarians, Hon Dr Brad Pettitt, MLC, and the member for Swan Hills, Ms Jessica Shaw, MLA, who both spoke at the event. Our collective presence demonstrates the broad cross-party support for the development of WA's hydrogen industry. The renewable energy transition debate is dominated by ideological views both for and against the transition, which confounds sensible debate on the topic. This is especially true in the case of the role that hydrogen has to play. Although there are several challenges facing the economic development of hydrogen as a key fuel for this transition, it is clear that it has a pivotal role to play in the future. In particular, there is nowhere in the world better placed than Western Australia to succeed in this challenge.

I extend my thanks to Murdoch University for hosting the event and the event organisers. I especially thank Dr Furat Dawood, the Western Australian chapter leader of the Hydrogen Society of Australia. His dedication and commitment has been instrumental in driving awareness and collaboration between government, industry and academia in advancing the hydrogen sector. Hydrogen Day serves as a reminder of the exciting opportunities that hydrogen presents for sustainable growth and job creation in our state.

PREGNANCY AND INFANT LOSS REMEMBRANCE DAY

Statement by Member for Nedlands

DR K. STRATTON (Nedlands) [12.59 pm]: Tuesday, 15 October marked Pregnancy and Infant Loss Remembrance Day, which is a difficult but important day for those who have experienced the loss of a pregnancy and a baby. It is a loss so common that it is likely to have impacted everyone in this place in some way. An annual service is held in the King Edward Memorial Hospital for Women's Peace Memorial Rose Garden, which holds the ashes and memories of thousands of babies lost. It is a beautiful and moving ceremony at which people's loss is held with compassion and care. The day is a special opportunity to reflect upon, honour and remember those babies who were lovingly anticipated and remain forever in the hearts of their families. As we do this, we also break the stigma and silence that remains around pregnancy loss.

Having experienced pregnancy loss myself as a mother, friend and sister, I know that it is a unique and painful loss. It is the loss of hope, anticipation and the excitement of an imagined future and family with that unique love we have for our children long before they are born. The memorial rose garden project at King Edward began in 1989 and has become a very special place for many Western Australians. Whatever else happens around it, the garden itself will be protected.

There are a number of important acknowledgements to make on this day, including Rotary Club of Matilda Bay for its long and meaningful history of tending the garden and the staff and specialists at King Edward for their compassionate work supporting families experiencing loss. Having served that role myself as a social worker there, I know that it is indeed an honour. I thank Hon Donna Faragher, MLC, who continues to work with families to ensure that the day is recognised. I especially thank John and Kate De'Laney who, with their daughter Mary-Jane, join us today. Their driving force behind the event on 15 October has officially been recognised. Their advocacy has also seen the progressive introduction into public sector enterprise bargaining agreements of access to bereavement leave at any stage of pregnancy loss.

I pay my respects and deepest sympathy to all the families who have lost a baby on Pregnancy and Infant Loss Remembrance Day.

Sitting suspended from 1.01 to 2.00 pm

**VISITORS — GURUDEV SRI SRI RAVI SHANKAR,
MINDARIE SENIORS AND BELDON PRIMARY SCHOOL**

Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.00 pm]: I have a few acknowledgements. I would like to acknowledge Gurudev Sri Sri Ravi Shankar. Welcome to the Western Australian Parliament today. We are very honoured to have your presence and the presence of those in your delegation.

On behalf of the member for Riverton, I would like to welcome the Mindarie Seniors to Parliament today.

Also, on behalf of the member for Hillarys, I welcome the year 6 Beldon Primary School students. You are very welcome to sit in my gallery. Welcome to Parliament today.

QUESTIONS WITHOUT NOTICE

NICHELIVING — APARTMENT DEVELOPMENTS

689. Mr R.S. LOVE to the Premier:

Before I ask my question to the Premier, Madam Speaker, I was not here yesterday so I would like to acknowledge you and your announcement. I congratulate you on your career and service to the people of Western Australia and wish you all the very best in the next phase.

I refer to the state government's \$40 million taxpayer-funded bailout of Nicheliving and note that its directors will face no financial consequences for the damage they have inflicted on hundreds of Western Australian families.

- (1) Noting that dozens of Nicheliving apartment buyers in developments like the Sky Homes project in Inglewood have been left with nothing, how does his government justify leaving these buyers without access to the same protections offered to other customers?
- (2) Will the government provide any relief or assistance to these apartment buyers who have been left stranded?

Mr R.H. COOK replied:

- (1)–(2) I thank the member for the question. It was not that long ago that the member was in this place asking when we were going to do something about the customers of Nicheliving, when we would get on with it and, "Goodness me! I am very concerned about these Nicheliving customers!" We did that not because of the member's urgings, but because we considered getting those Nicheliving customers a roof over their heads as our highest priority. We acted. We moved. As a result of that, we now have a resolution that will benefit those customers and see them access the home indemnity insurance scheme much sooner than if we had sat by and allowed the legal processes that were on foot to take their course. We believe that this is the appropriate action.

Nicheliving is no longer in existence as a builder. It will not be able to lay a single brick for another 10 years. The penalties are severe. I find it odd that the member would actually suggest that somehow a company, which was likely in high financial stress anyway, being completely put out of business and operation is a get-out-of-jail-free card. We were focused on making sure that those people got into their homes as soon as possible. This is all part of our comprehensive approach to housing.

The disruptions to our housing industry in the post-COVID pandemic period are like none we have seen before; it is a once-in-a-generation thing. We are starting to now see balance coming back into the market and our housing policies starting to work. As a result of that, we are starting to see some relief in sight. However, there are some people for whom a resolution was not able to be made in the course that we would like, so we acted. We acted on behalf of those people because we wanted them to get a roof over their heads and that is why I will continue to make sure that we work in that way.

NICHELIVING — APARTMENT DEVELOPMENTS

690. Mr R.S. LOVE to the Premier:

I have a supplementary question. Once again, what actions will the Premier's government take to provide relief or compensation for apartment buyers left stranded by this failed project?

Mr R.H. COOK replied:

It is good that the member highlighted the fact that we are taking action because if it was left to those on the other side, we would not have seen anything. We would have seen absolutely nothing. We are seeing that when it comes to housing policy, those opposite have no ideas, no policies, no solutions and cannot be trusted. One part of the so-called coalition has one policy, and another part of the so-called coalition has another.

Ms L. Mettam interjected.

The SPEAKER: Order, please.

Mr R.H. COOK: No-one in the Western Australian public knows what these people actually stand for. The only alternative to a WA Labor government—perish the thought—is the combination of those two groups opposite, the Liberals and Nationals. That is the only way they could govern in this state, and they cannot even agree with each other!

Ms L. Mettam interjected.

The SPEAKER: Just pause for a moment, Premier. Member for Vasse, this is not your question. You did not ask it. I have allowed some latitude from the Leader of the Opposition, but I am not allowing latitude from you.

Mr R.H. COOK: On the weekend, we saw the unedifying situation of the Liberal Party making its big housing policy pitch. The National Party was out there running it down and actually contradicting it by saying, “Their policies won’t work! They should be our policies.” At some point, they are going to have to agree because that is the only way that they will find their way into government. But what are the people of Western Australia to make of these contradictions?

I know that the Minister for Housing is working on all these issues and that the people of Western Australia will be able to look at our housing policies and the work that we have done to rebalance the housing market. However, on the weekend, we saw the Leader of the Liberal Party going out with her party’s key housing policy option to address the issue of stamp duty. It will raise the concessions and the exemptions under the stamp duty rebate for first homebuyers. It sounded scarily similar to the very same budget announcement that we made just a few months earlier. Nevertheless, she went out there and made her big pitch. This is the Liberal Party’s solution to the housing issues in our community.

I have cause to reflect on the comments from Hon Dr Steve Thomas when this policy was put before the Parliament by way of the budget. At that time, on the policy to increase the threshold for the first homebuyer stamp duty exemptions and concessions, Hon Dr Steve Thomas said —

Turning to the greater debate around housing, this will not fix the price of housing or access to housing. This is not the solution to a housing crisis.

It is almost as if he is commentating on the member for Vasse’s media statement on the weekend. Back in August, Hon Dr Steve Thomas went even further. He said —

Those solutions are ... more difficult.

He acknowledged that our comprehensive housing policies are the actual solution to the housing challenges. He went on to say —

Anybody who thinks they have an easy and simple solution to the housing crisis is probably an idiot.

Maybe once again he is referring to —

Several members interjected.

Point of Order

The SPEAKER: Order, please! Members, I remind you that points of order are heard in silence.

Mr R.S. LOVE: I asked quite a specific question about apartment buyers and the Premier has refused to give a relevant reply. I ask that he be brought back to the question I asked.

The SPEAKER: I was thinking of asking him not to continue given that it is an answer to a supplementary question. If you could briefly bring it to a conclusion, that would be great.

Questions without Notice Resumed

Mr R.H. COOK: Thank you, Madam Speaker. I thank you for your guidance. I will finish very quickly with some advice by Hon Dr Steve Thomas to the people of Western Australia. He said —

Do not listen to them and walk away as quickly as possible.

Hon Dr Steve Thomas is right. We should walk away from those opposite and their simplistic ideas about addressing housing issues. We have a comprehensive set of policies and, in relation to Nicheliving, we see action. We see action to get roofs over people’s heads. We see action to make sure those people get access to the home indemnity insurance scheme, and action by the Minister for Housing to ensure that all Nicheliving customers get a level of support and assistance.

COLLIE JUST TRANSITION PLAN

691. Mrs R.M.J. CLARKE to the Premier:

Before I ask my question, I would also like to congratulate you, Madam Speaker, on your outstanding career and thank you for your guidance during my eight years in this place.

I refer to the Cook Labor government's commitment to retiring the Western Australian state-owned coal-fired power stations and sensibly transitioning to the greater use of renewables.

- (1) Can the Premier outline to the house how the Cook Labor government is creating opportunities for workers in Collie's coal industry to transition to new industries?
- (2) Can the Premier advise the house how Collie will remain integral to Western Australia's ongoing energy transition?

Mr R.H. COOK replied:

- (1)–(2) I thank the member for the question; it is a very important one. What we see in Collie is a transformation of the Western Australian industrial landscape. It is a transformation of our electricity grid and a transformation of the lives of people in Collie as part of our just transition package. As we know, Collie is a special place. It is steeped in traditions. It has powered the state for the past 130 years and we owe a great deal to the generations of coalminers and power station workers who have toiled there. Their hard work propelled the development of our state; however, for many years now the electricity system has been evolving. The uptake of solar and wind increases week by week and coal-fired generation has become increasingly expensive, unreliable and, most importantly, carbon intensive. The writing is on the wall for coal, so for the last seven years we have been pursuing a plan: firstly, to attract new industries and major projects for Collie; secondly, to provide the training necessary for new industries; and, thirdly, the transition to more renewable energy sources.

The transition plan for Collie is working. There has been real progress on the ground and it was great to be there last week with the Minister for Energy, Hon Reece Whitby, and the member for Collie–Preston, Jodie Hanns. While in Collie, we announced a \$134 million investment in Collie's Coolangatta industrial estate. We are seeing significant interest from major industrial players in areas such as green steel and magnesium processing plant projects. These industrial projects will work with the great progress we have seen in tourism in the town. The projects will join other emerging businesses, including emergency vehicle fit-outs, medicinal cannabis, graphite processing, the WesTrac Technology Training Centre—and we have the skill centre to back them up with training. It means workers can retrain and it means kids in Collie can train locally and get a good long-term job.

In Collie we see the first battery units put in place. The \$1.6 billion battery is part of the single biggest investment into the energy transition. It will be one of the biggest batteries in the country once completed and it will have enough capacity to power 785 000 homes for four hours. It will work with our existing batteries in Kwinana to soak up excess solar and wind during the day to discharge that electricity into the grid during peak hours between five and nine in the evening. Importantly, it keeps Collie at the heart of our distributed integrated system.

Since 2017 we have more than doubled the amount of renewable energy in our main energy grid from 14 per cent to more than 34 per cent in 2023. If we stick to the plan and we continue with the right investments, we can double it again to 70 per cent in the next five years. The transition is gathering pace. It is exciting to see it happening on the ground, particularly under the leadership of the local member. I add that we would be going backwards and we would see a pause to all this work if, as Hon Dr Steve Thomas as the Liberal representative says—I love Hon Dr Steve Thomas!—the Liberal Party is not interested in retiring coal. We know why. It is because to support its national leader, it needs coal to keep going for decades more to make sure it can bring nuclear power into the system. I hear Peter Dutton is heading to Collie soon. We hope he gets there, because last time he was in Perth he said he was headed “up to Collie”. Hopefully he finds it and I hope he looks at the people of Collie in the eye. I hope he looks them in the eye and says, “This is the home of nuclear power in WA if I am elected as Prime Minister of Australia.” Perish the thought, because what it will see is our energy system going backwards. It will see coal and pollution being pumped into the air for decades to come and it will see Australia as a renewable energy powerhouse in the future relinquish this great ambition that we have. I commend all the people of Collie and the great work that they are doing as part of this transition. The future for Collie is bright and we are all incredibly excited about the opportunities ahead.

EATING DISORDER FACILITY — MANDURAH

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

I refer to the release of a tender last week for the design and fit-out of a building at 50 Montsalvat Drive, Greenfields as an eating disorder facility in Mandurah.

- (1) How many residential rehabilitation beds will be part of this new facility?
- (2) Has the eating disorders framework announced by the minister last week provided guidance on the services that will be offered at this new facility or is this just policy on the run?

Ms A. SANDERSON replied:

(1)–(2) I am surprised that the member for Vasse would raise an issue in Mandurah —
Several members interjected.

The SPEAKER: Order, please!

Ms A. SANDERSON: — where the Liberal Party has just lost a candidate because of some incredibly unsavoury comments that were made by an endorsed Liberal Party candidate. We all saw yesterday that the Leader of the Liberal Party missed an opportunity to show some leadership. She really missed the opportunity to show some leadership. In a press conference, she backed him in 10 times. She repeated the same line 10 times backing in that candidate. He showed more leadership than she did by resigning, so I am surprised that she asked a question relating to Mandurah.

Ms L. Mettam: Answer it!

Ms A. SANDERSON: I will answer it.

It is going to be a fantastic development for the Peel and Mandurah community.

The SPEAKER: Order!

Ms A. SANDERSON: It will be a dedicated eating disorder service that was committed to by the state government.

Ms L. Mettam interjected.

The SPEAKER: Order! Member for Vasse, if you want the opportunity to ask a supplementary question, please do not continuously interject.

Ms A. SANDERSON: This is funded by the state government with a small contribution from the commonwealth—I will get to that in a minute—to support people living with long-term eating disorders in the community. That is the most effective and appropriate setting. When people, women in particular, with eating disorders require hospitalisation, we have opened 75 beds at Cockburn as a women’s facility to accommodate those women in a medical setting in an inpatient unit. We have also opened a fantastic service in Cockburn, Kara Maar. It is a really good multidisciplinary service, which has many clients being supported to live better lives and recover from their eating disorders. We have similar services in the east metropolitan area and the north metropolitan area. The Peel location will operate as a Peel hub of the South Metropolitan Health Service. Community-based services are the most effective services for treating these conditions so that people are not locked away in a hospital bed; they are not locked away on a medical ward. They are learning to rehabilitate their eating and recover from that incredibly difficult episode and it will help them to stay recovered and to stay well and live well.

The former Liberal federal government provided a last-minute rushed election commitment in the seat of Canning because it was worried about losing the seat. The member there, Andrew Hastie, and Greg Hunt promised a whole \$4 million with no consultation with the state government to provide a whole residential facility at Peel Health Campus. We know that in Western Australia \$4 million will not buy a car park, let alone a residential eating disorder facility.

We have been in ongoing discussions with the commonwealth, which has not been willing to increase that amount, on how it can meet its obligation to the community with that very small contribution and how the state can support it to do that. That is how we are doing it. We are supporting people in their long-term recovery from eating disorders. That will be a permanent facility for the community down in Peel and Mandurah. It was very much advocated for by the member for Mandurah, and I am sure whoever is the next Labor member for Mandurah will continue to be a fantastic advocate and champion for the facility.

EATING DISORDER FACILITY — MANDURAH

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

I have a supplementary question.

Ms M.M. Quirk interjected.

The SPEAKER: Member for Landsdale, please do not interject.

Ms L. METTAM: Will it be a residential rehabilitation centre and how many beds will it have, or is it just another clinic?

Ms A. SANDERSON replied:

Just another clinic! Just another clinic that you never opened when you were in government. I have opened four. Just another clinic that the Liberal Party in government never ever opened. Do not dismiss the need for this clinic and the support it will provide. I would happily facilitate the Leader of the Liberal Party visiting Kara Maar in Cockburn. She has never asked to visit one of these facilities. I am more than happy to facilitate a visit for the member to see how these multidisciplinary services really work. They wrap around the family. They have psychologists,

social workers and dietitians. People do not have to spend months and months in an inpatient facility and they are supported to work and earn a living and participate in the community. This is a long-term mental illness and it is deadly. All of the evidence shows that the best way to treat it and get the best results is to support people with really intensive support in the community, and that is what this government is delivering.

STATE ECONOMY

694. Ms M.J. HAMMAT to the Treasurer:

I refer to the Cook Labor government's efforts to create new opportunities for Western Australians. Can the Treasurer update the house on recent economic and financial results that show Western Australia continues to be the envy of the nation and advise the house if she is aware of any threats to our state's future?

Ms R. SAFFIOTI replied:

I thank the member for Mirrabooka for that question.

Some very pleasing results were released today—that is, the latest state unemployment figures. WA's unemployment rate fell to 3.6 per cent in September. It is again the lowest of all states and below the national rate of 4.1 per cent. Importantly, it means that WA has now equalled the longest period of sustained low unemployment in the 46 years of data reported by the Australian Bureau of Statistics. It means that the unemployment rate has been at or below four per cent for 35 of the last 36 months. It is an incredible number given global uncertainty and the issues we are facing. The last time these sorts of figures were recorded was from 2006 to 2009. Importantly, there is new record employment, with 1.62 million people employed in September, growing by 8 000 jobs. Again, it shows that the WA economy is on track and there is a lot of confidence out in the community. Importantly, again, more than 321 000 jobs have been created since 2017. As we know, there are pressures out there, but the best way we can support families dealing with cost-of-living pressures is to make sure we create jobs, and that is what we are doing. We are creating jobs at a rate of knots.

Consumer sentiment increased by 15.4 per cent in October to 102.6 index points. It is only the third time the index has risen to positive over the past three years. Again, it is one of the strongest results. We also saw a lift in consumer sentiment. Private new capital expenditure is increasing and, of course, there was growth of 14 per cent over the last financial year. Business confidence is also increasing. Members, this is a state on the rise, and that means there will be enormous opportunities for Western Australians. The unemployment figures show that Western Australians are working harder than ever, making sure that they contribute to the state's economy.

From the government's perspective, we want to continue to facilitate housing investment, private sector investment and, of course, our direct investment with our pipeline of works. We have finishing works on Metronet, Westport, record capital works for our hospital system, regional road upgrades and port developments. They all present a pipeline of works for business and industry to give them the confidence to continue to invest in WA.

The only shock that can happen to our economy is the election of a Liberal–National government, members. That is the biggest risk to the state economy. What is the opposition's policy on infrastructure? Has anyone seen anything? I remember a year before—over a year, actually 18 months before the 2017 election we were doing consultation on Metronet. We were out there consulting with the community. We outlined our plans for a number of different major infrastructure spends. There are absolutely no policies from the other side. When they do announce a policy, they criticise it themselves. When the Liberal Party announced a policy on Sunday, the Nationals WA attacked it. Are you guys still in an alliance?

Mr R.S. Love: Yes.

Ms R. SAFFIOTI: So, whose stamp duty policy exists? Is it the Liberal Party's or the National Party's stamp duty policy, which one?

The SPEAKER: Deputy Premier, this is the time for members to ask ministers questions, so if you could draw your answer to a conclusion, please.

Ms R. SAFFIOTI: It is chaotic and shambolic. There are only six of them in this house and they cannot agree on one policy.

Ms S. Winton interjected.

Ms R. SAFFIOTI: There are only six elected members in this place and they cannot agree on policy. The only risk to the state economy is the potential election of a Liberal–National government.

CORRECTIVE SERVICES — DEATHS IN CUSTODY

695. Mr R.S. LOVE to the Minister for Corrective Services:

I refer to the tragic death of Conrad Allum while in custody on remand at Hakea Prison on 2 September 2024. I raise this matter on behalf of his parents, Peter and Thelma Allum.

- (1) Were corrective services staff aware of Conrad's documented mental health issues; and, if so, why were additional steps not put in place to provide him with adequate supervision or support?

- (2) Will the minister commit to improving communication and information sharing with families following such incidents so that families like the Allums do not feel forgotten in the aftermath of losing a loved one in custody?

Mr P. PAPALIA replied:

- (1)–(2) Member, sadly, it is a tragedy when anyone dies in custody. Beyond that, it is very sad but I cannot provide any comment because every death in custody is subject to a coronial inquest, and that is the case in this matter.

CORRECTIVE SERVICES — DEATHS IN CUSTODY

696. Mr R.S. LOVE to the Minister for Corrective Services:

I have a supplementary question. Minister, the second part of my question does not at all pertain to an inquiry; it is about the level of information provided to the family in the aftermath. I ask again: will the minister commit to improving communication and information sharing with families following such incidents?

Mr P. PAPALIA replied:

I will just repeat what I said. This incident is a tragedy. Any death in custody is subject to a coronial inquest. It is not appropriate that the member ask me about those sorts of things. It is also definitely not appropriate that I respond.

NURSE-TO-PATIENT RATIOS

697. Mr H.T. JONES to the Minister for Health:

I refer to the Cook Labor government's commitment to implement nurse-to-patient ratios in Western Australian public hospitals. Can the minister update the house on the implementation of this program, which supports both patients and health workers and advise the house whether she is aware of any alternative proposals to implement nurse-to-patient ratios?

Ms A. SANDERSON replied:

I thank the member for Darling Range for his question.

The Cook government has a proud record when it comes to our public healthcare workforce in Western Australia since coming to government in 2017. We work as much as possible in partnership with our public sector workforce, in particular the public sector unions and all those who represent the incredible healthcare workers. We do that for through a range of forums by meaningfully listening to our workforce, taking up their ideas, funding them and implementing them. People would have seen that around emergency access and the emergency reforms that are underway.

The first time a state government implemented a genuine work management tool for our nursing staff in public hospitals was under Bob Kucera, a former Labor health minister. It was a Labor government that introduced the nursing hours per patient day ratios. It is this government that has delivered permanency for Western Australian doctors in our public health system. Last year, Perth Children's Hospital became the first WA hospital to implement nurse-to-patient ratios in the emergency department. The rollout was incredibly successful, because it was in partnership with the Australian Nursing Federation and with nursing staff on the ground. Nurse-to-patient ratios are now rolling out across our hospitals in the north metropolitan area. We are rolling those out now at Osborne Park and Sir Charles Gairdner Hospitals. Delivering those ratios is a key measure of support for our nursing and midwifery staff.

We are also supporting our junior doctors. The new Australian Medical Association industrial agreement delivers more for junior doctors than any agreement previously, including reducing the maximum length of shift from 14 hours to 10 hours, which will make a huge difference for those doctors; a 10-hour break between shifts; better access to leave entitlements; a junior doctor support payment of \$4 000 per year to help them with college fees and all the costs associated with training in their postgraduate era; and removing restrictions on professional development leave.

In the support workers agreement, we have seen wage increases of \$65 per week over the next three years for those low-paid workers in our health system. We are maximising access to permanent hours. Existing staff will have the first right to access any leave backfill to increase their weekly wage and bring more money into the household, giving them a fair go, letting them get more hours and more money, which is a very, very reasonable ask, and I am very happy that we are able to support them to do that. For the first time, we have introduced the regional incentive payment in the great southern, wheatbelt and south west; access to pro rata long service leave after seven years; and expanded access to study leave for support workers to enable them to study and upskill. We are currently in the process of bargaining with the Health Services Union.

We have not heard a peep from the opposition on whether it will stop the rollout of ratios. What is the opposition's view on ratios? We are at that point of the election cycle. What is the opposition's view, both the Nationals WA

and the Liberal Party, on whether it will continue the rollout of ratios or stop it. Will the opposition honour the implementation framework and plan that has been agreed with the ANF? We know that the opposition does not listen to the healthcare workforce. After eight and a half years of the Liberal–National government —

Ms L. Mettam interjected.

The SPEAKER: Order, please!

Ms A. SANDERSON: — the total increase of staff was under 1 000. That was over eight years. That is going backwards. That is less staff for more patients. The former government moved to cut staff in the south metropolitan region. That is less staff for more patients. We know that a Liberal government will privatise and you will not tell them.

It is fair to say that healthcare workers do not like any government.

Ms L. Mettam interjected.

The SPEAKER: Order, please!

Ms A. SANDERSON: I think it is fair to say that most healthcare workers do not love any government. They are tough, they are dedicated and they are focused on their patients and the system they work in. They are some of the most powerful advocates I have ever come across in my entire career. They are incredible advocates, but they know that Labor governments ensure better wages, better conditions and better funding for our system. Labor governments are where public healthcare flourishes—where it grows. We deliver. We value the healthcare workforce. A Liberal coalition government will deliver disarray, risk and privatisation.

SIR CHARLES GAIRDNER HOSPITAL — INCIDENTS

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

I refer to the emergency department at Sir Charles Gairdner Hospital and claims that incident numbers are the highest they have ever been and that the ED can no longer deliver safe care in its current situation due to overcrowding.

- (1) Can the minister confirm that the ED has had six Australian Nursing Federation workplace grievances in two weeks; and, if so, what was the nature of those grievances?
- (2) Can the minister confirm that the proposed redevelopment of the emergency department will provide only an additional six beds that will split the triage area, making it dangerous and unsafe, according to local staff?

Ms A. SANDERSON replied:

- (1)–(2) It seems that the Leader of the Liberal Party has seen plans that do not even exist yet, and is jumping at shadows —

Ms L. Mettam interjected.

The SPEAKER: Order, please!

Ms A. SANDERSON:— and making a whole range of assumptions and stretching the truth. We know that she does not understand —

Ms L. Mettam interjected.

The SPEAKER: Order, please!

Ms L. Mettam interjected.

The SPEAKER: Sorry, you have asked the question. Please give the minister the opportunity to answer it.

Ms A. SANDERSON: Thank you, Madam Speaker.

We know that the Leader of the Liberal Party does not understand the data and she does not understand how the system works. She regularly puts out dangerous misinformation. She regularly makes dangerous claims and puts out dangerous misinformation, like the claims she made yesterday and earlier this week that 85 deaths were caused in our health system by healthcare workers.

Ms L. Mettam interjected.

The SPEAKER: Order, please!

Ms A. SANDERSON: The Leader of the Liberal Party claimed that 85 deaths were caused by clinicians in our health system because there were 85 severity assessment code 1 incidents. If someone should die because of actions in the health system, it is not a SAC-1, it is a sentinel event, and that is absolutely serious. Some of her misinformation on ABC radio yesterday was so extreme that the president of the AMA had to come on after her and correct it. He had to come on after her, correct her information and clean it up. We know that the Leader of the Liberal Party does not use accurate information. All she does is peddle misinformation. She is dangerous to the health system, and even the president of the AMA had to clean up her mess yesterday.

SIR CHARLES GAIRDNER HOSPITAL — INCIDENTS

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

I have a supplementary question. How, as the Minister for Health, can the minister possibly not know how many additional beds will be in this emergency department redevelopment after eight years in government?

Ms A. SANDERSON replied:

It is this government that has a record infrastructure build. It is this government that has committed to and is delivering the biggest record infrastructure build. The final design and bed plan —

Ms L. Mettam interjected.

The SPEAKER: Order, please!

Ms A. SANDERSON: The final design is being done in consultation with the clinicians, and that is absolutely appropriate. The Leader of the Liberal Party wants us to send it out for design with no consultation and no engagement with clinicians, and I will not do that. The way the process works in government is that we put out a tender and seek expressions of interest for the tender, and then we engage with the proponent. I will give you a little lesson: you engage with the proponent —

Ms L. Mettam interjected.

The SPEAKER: Order, please.

Ms A. SANDERSON: The Department of Finance is at arms-length from the minister, who engages with the proponents on the design, the clinical consultation and the clinical input, and all of that is fed in. Where we are in that process is the tender. We will engage with those proponents who are deemed fit to go through to the final stages. The final design will then be determined when the final tender is determined. That is absolutely the appropriate process. We will have infinite opportunity for clinicians, in particular, consumers and, of course, mental health consumers, who are very important in this piece and often get left off some of these design plans that are done with medical patients in mind, not necessarily mental health patients. There is a range of consultation to occur that will determine the final footprint, the final bed space and which areas need to be separated from the busy ED so we can support clients and patients who come in with mental health and drug and alcohol issues.

COERCIVE CONTROL — AWARENESS CAMPAIGN

700. Ms K.E. GIDDENS to the Minister for Prevention of Family and Domestic Violence:

I refer to the Cook Labor government's commitment to preventing all forms of family and domestic violence.

- (1) Can the minister update the house on the phased approach to criminalising coercive control?
- (2) Can the minister advise the house how this government is working collaboratively with stakeholders to improve public awareness of family and domestic violence?

Ms S.E. WINTON replied:

Madam Speaker, this is my first opportunity to recognise your long, long service in this place. You are truly a giant, and we walk on your shoulders. Thank you.

The SPEAKER: Thank you.

Ms S.E. WINTON: I respond to the question.

- (1)–(2) I thank the member for Bateman for her question and her continued advocacy for the prevention of family and domestic violence. We know that coercive control is a particularly insidious form of abuse. It is often marked by very subtle persistent patterns of control and manipulation, and it is really difficult to recognise. Let us be clear: it is often these behaviours that ultimately, although seeming normal, can escalate and result in fatal consequences.

Our Cook government has been clear and consistent. We are taking a phased approach to the criminalisation of coercive control. We are doing that because that is what the experts are telling us to do. It is on the advice of our sector partners and, of course, also from the report of the Commissioner for Victims of Crime, who told us that we need a phased approach.

Of course, one of the recommendations from the commissioner was that there needed to be an education campaign to increase public awareness to ensure that the community as well as our systems recognise and understand coercive control before the criminalisation of a standalone offence can be successful. That is why I am proud that the Premier and I recently launched a \$5 million two-year education campaign that focuses on helping the public to understand what coercive control looks like. The tagline is “It doesn't have to be physical. Coercive control is family and domestic violence.”

At the launch, we were joined by victim-survivor Sheree Schonian, who shared her story of her 16-year relationship with her abusive ex-partner. At first, many of his behaviours seemed normal—something

a loving, protective partner would do, like ask her where she was going and when she was coming home—but, over time, the behaviours escalated. She was told what to wear, which friends she could see, when she could go out and what she could eat and drink. Many of these behaviours are demonstrated in our ad campaign that is running across print, online ads and radio. We have also created online resources, which are very important, so that further supports are available to people so that they can identify those toxic behaviours and where to get help. The campaign approach has been informed by key organisations and individuals who have all welcomed our government's approach.

Unusually, though, there is one group that has failed to welcome the campaign—just one group—and that is those on the other side of the house. One would expect that, given that the Liberals made a 2021 election commitment to run a public awareness campaign on family and domestic violence, they would be supportive of this important measure, but they have been silent. We know that as a coalition government, the Liberals and Nationals cannot even agree on key family and domestic violence policies. The Nationals WA would reintroduce guns into our community, while the Liberals support our strict laws around guns that help to keep women and children safe. They have no policies, and they cannot even get right the little policy they have. What does the public really think will happen if a coalition government were ever contemplated?

The Cook government has a long history on investing in and prioritising the prevention of family and domestic violence. We are not going to be silent on this issue. We are going to take every opportunity to raise that awareness. It is a key part of breaking the silence. We will take every opportunity to continue to listen to the experts who know best, and our policies and investments will be guided by them.

ENVIRONMENTAL PROTECTION AGENCY — ALKINA HOLDINGS PROJECT — YORK

701. Ms M.J. DAVIES to the Minister for Environment:

I refer to the minister's recent decision to uphold the Environmental Protection Authority's assessment and conclusion for the proposed tip at the entrance of the historic York town site.

- (1) Will the minister please explain to this house and the community why he will not simply put an end to this 10-year saga?
- (2) If he is unable to, what is the final decision-making process for this proposal, and who is responsible?

Mr R.R. WHITBY replied:

- (1)–(2) I thank the member for the question. Sometimes I wonder whether it is a state member of Parliament asking the question or a federal candidate, but anyway.

Several members interjected.

The SPEAKER: Order, please!

Mr R.R. WHITBY: I hope that the member is completely honest in her forthcoming campaign about the process here, and also about the background of this particular site. I can advise the member that I have recently determined an appeal, which is part of the EPA Appeals Convenor process, in relation to the assessment of the proposed great southern landfill project at Allawuna Farm in York. In determining the appeal, I am required to make a decision based on the factors that sit within the Environmental Protection Authority's remit. This is a determination of the appeal; it is not the final decision. I am glad we are both on that page. This is not the final decision as minister.

As the member will be aware, there is a process whereby the EPA considers the issues that sit in terms of the environmental impact of this project, but then I am able to make a decision considering other factors. Those other factors could include the broader implications of approving the project, such as whether the proposal is consistent with the needs of the region and the state's overall aspiration to reduce reliance on the use of landfill, which is something that this government is dedicated to reducing. I will consider those issues. I will consult and consider the broader issues and implications of this project. That is the process. What has happened to date does not constitute approval of the project and the final decision in any way, so I will be very happy to consider this. I will not rush it; I will be careful in considering this issue. It has just come to me, and I will give it due respect in terms of process and consideration.

But I find it interesting that the member for Central Wheatbelt and the Nationals WA purport to be against this project, because it was Hon Albert Jacob, a minister under the former Liberal–National government, who first allowed this project to go ahead. In fact, the member for Central Wheatbelt was at the cabinet table. If she had an issue with this project, I wonder whether we will ever find out on the cabinet record—we will have to wait awhile—whether she raised an objection. We will wait to hear that.

It was also the McGowan Labor government in 2018 that actually overturned the Liberal Party's decision to let this project go through without proper assessment and called the project in for environmental authority review. The member's government approved it without an EPA process. We came into government and thought, "Hang on a minute; let's pull this back and have a proper look at it." That is where we are at. I will make a careful and considered judgement on this issue and give it the procedural fairness that I am obligated to as minister.

ENVIRONMENTAL PROTECTION AGENCY — ALKINA HOLDINGS PROJECT — YORK

702. Ms M.J. DAVIES to the Minister for Environment:

I have a supplementary question. I thank the minister for confirming that he is the decision-maker. Will he commit to making a final decision on this matter before the end of this calendar year?

Several members interjected.

The SPEAKER: Members! Order, please!

Several members interjected.

Ms M.J. Davies: It's been on your desk for eight years!

The SPEAKER: Order, please!

Mr R.R. WHITBY replied:

It has not been on my desk for eight years. I have not been a minister for eight years! I do not know whether it got sent down to the Baldivis office by mistake! Come on—this has just left the EPA Appeals Convenor's process.

Several members interjected.

The SPEAKER: Order, please!

Ms M.J. Davies: Why has it been sitting there for so long? You don't have enough resources.

The SPEAKER: Order!

Mr R.R. WHITBY: It is a bit cheeky —

The SPEAKER: Member for Central Wheatbelt, you have asked the question. Please just listen to the supplementary answer.

Mr R.R. WHITBY: I know that the member is keen to whip up a bit of hysteria here—a bit of anxiety. It is what she does; it is what the National Party is brilliant at.

Ms M.J. Davies: I don't need to; they are very anxious. They are very concerned.

Mr R.R. WHITBY: I am sure they are. After you have been in their ear, I am sure they are incredibly anxious, but that is unfair. That is inappropriate. Your colleagues do this all the time with the south coast marine park; they whip up hysteria and cause a divide in the community. They cause division and anxiety.

Several members interjected.

Mr R.R. WHITBY: This is what you do. Member, take a chill pill. I will look at it and consider it in an appropriate manner. I will look at this and consider all the other issues, apart from the environmental impact, and I will make the right decision.

DEFENCE INDUSTRY — HENDERSON DEFENCE PRECINCT

703. Mr G. BAKER to the Minister Assisting the Minister for Training and Workforce Development:

I would like to congratulate you, Speaker, on a wonderful career. I had little idea when I was doorknocking for you in Glendalough in 1994 that this would be where it ended up!

Mr D.A. Templeman interjected.

The SPEAKER: You were there too, Leader!

Mr G. BAKER: I refer to the decision to build a consolidated defence precinct in Perth's south, supporting 10 000 new local jobs.

- (1) Can the minister advise the house how this government is investing in the development and upskilling of WA's defence industry workforce?
- (2) Can the minister inform the house how Western Australians can benefit from the significant defence opportunities available at our TAFEs?

Ms H.M. BEAZLEY replied:

I thank the member for his question. I, too, would like to take a moment to acknowledge you, Speaker, and the immense contribution you have made to our state. Through your hard work you have truly left a mark on our state, and I thank you personally for your support and mentorship of me over many years.

- (1)–(2) Yesterday's historic milestone in the Albanese and Cook Labor governments' plan for Western Australia to be a defence powerhouse will provide historic investment and unmatched opportunities for our economy, our defence industry and jobs. The defence precinct will play a pivotal role in submarine and

shipbuilding projects, with new opportunities for blue, white and grey-collar workers. Generations of Western Australians will benefit from secure jobs and careers in this sector. As the Premier said, they will be well paid, highly skilled jobs. Our government has been working tirelessly for years towards this extraordinary outcome, and I particularly acknowledge the absolute and unwavering persistence of the Minister for Defence Industry.

That work includes planning to develop and upskill our defence industry workforce. The aim of our \$35 million investment in defence industry training and workforce initiatives, supported by our Western Australian defence industry workforce development plan, is to provide a pipeline of skilled workers to meet the demands of our defence industry, now and into the future. It includes \$8.5 million in funding for defence employer incentives; funding for veterans to train in high-demand defence careers, and to help them to transition from their Australian Defence Force careers; defence internship and graduate scholarship programs; and the Women in Defence Industry Scholarship program. This will include promoting the trade, paraprofessional and professional opportunities in the sector to our school, TAFE and university students.

South Metropolitan TAFE is at the heart of this work and is the best naval technology training organisation in the nation. We established the Western Australian Defence Industry Workforce Office, which oversees our workforce development plan. That office and our universities will be backed to provide more state government-funded training programs to prepare the defence industry skilled workforce of the future. We also launched a new website, theotherforce.wa.gov.au, which showcases the rewarding careers and supports available and profiles 21 of the many in-demand jobs needed by the defence industry. As the Premier said yesterday, the ripple effect on other industries of the defence precinct at Henderson, including \$8 billion to expand HMAS *Stirling*, cannot be overstated. It will significantly diversify our economy and workforce.

Our Labor government understands the importance of investing in training and workforce development in the jobs needed today, tomorrow and decades into the future. We back vocational training. We invest in it, in free and low-fee courses and in new and upgraded infrastructure across our TAFE colleges, with our record \$250 million investment. That is in such stark contrast to the record of the previous Liberal–National government. It did not invest in and it did not support vocational training, and it increased fees. Some TAFE fees went up fivefold, and apprentice and trainee commitments fell by nearly 10 500. The number of people in training fell by more than 10 000. It is not a stretch to say that members opposite undermined vocational training and the life-changing benefits it provides to working people. They ripped the heart out of our TAFEs.

The Cook government will ensure that Western Australians will continue to have the training opportunities necessary to access the multigenerational benefits of Western Australia becoming home to the biggest naval maintenance hub in the Southern Hemisphere.

The SPEAKER: The member for Cottesloe, with the last question.

FREMANTLE PORT AUTHORITY — KWINANA BULK TERMINAL JETTY

704. Dr D.J. HONEY to the Minister for Ports:

I refer to reports that companies are paying up to \$900 000 in demurrage fees due to capacity restrictions at the Kwinana bulk jetty, and an answer given by Hon Matthew Swinbourn in a committee hearing yesterday that there is no timeline for repairs and upgrades on the jetty.

- (1) Why are importers and exporters experiencing such lengthy delays at the Kwinana bulk jetty?
- (2) What plans does the government have to fix these issues, and when will that work be completed?

Mr D.R. MICHAEL replied:

Speaker, congratulations from me, as someone who represents a little portion of the former electorate of Glendalough. You were my local member when I was in year 9!

Several members interjected.

The SPEAKER: What about your family history in Midland? We could deal with that as well!

Mr D.R. MICHAEL: I thank the member for the question.

- (1)–(2) The member is correct: there are delays at the Kwinana bulk jetty. The member will recall that in February this year, a fire knocked out a large portion of the conveyor system and a large number of some of our customers' sheds. That was obviously unforeseen. It did a significant amount of damage and is one of the main reasons for the congestion at the jetty.

The government has done a few things. Firstly, the berth itself does not need any sort of repair, but we obviously need to replace the portion of the conveyor system that was destroyed in the fire. Those repairs

are underway, and we are hoping that they can be completed by mid-2025. Down in Kwinana a few months ago, the Premier and I announced that the government has provided \$20 million in funding to acquire a land lot behind Kwinana bulk jetty as an important first step in trying to improve some of the logistics behind the jetty so we can get goods in and out—mainly in—more quickly. The third bit of work we are doing is to progress work on an upgrade of the jetty to increase its capacity. There are two berths there at the moment and it has been getting congested, year on year, for some time now, so there is a need to look at expansion of the Kwinana jetty. The Fremantle Port Authority is continuing to work hard to complete the business case so that it can be dealt with in the ordinary course of government decision-making.

FREMANTLE PORT AUTHORITY — KWINANA BULK TERMINAL JETTY

705. Dr D.J. HONEY to the Minister for Ports:

I have a supplementary question. Given that these restrictions have existed for many months, the fire was eight months ago and the importance of this facility to our state economy, why has the minister not insisted on a clear plan and timeline for repairs, which is what I asked?

Mr D.R. MICHAEL replied:

I think I just gave a clear plan. We are working on a business case to expand Kwinana bulk jetty, and that will be dealt with in the ordinary course of business. I am glad I got a supplementary question, because we know what the Liberal Party and Nationals WA plan for Fremantle port is. We have some green *Hansard* books up the back there. If the member has a look at what happened in this chamber on 18 May 2016, he will see that the then-government introduced a bill to sell Fremantle port. That is the opposition's plan, supported by —

Several members interjected.

Mr D.R. MICHAEL: The previous government spent \$25 million on that plan, and the introduction of that legislation to sell Fremantle port was supported by the Nationals WA and the Liberal Party. That included three members here. Three members in this chamber today supported the first reading of the bill to sell Fremantle port. Check *Hansard*. We know what the Liberal Party's plan is.

We have a plan for the Fremantle Port Authority and we have a plan for the Fremantle port itself, the inner harbour. Amazing work is being done on the Westport plan, and I will have more to say about that as we go forward. Again, we have a plan to upgrade Kwinana bulk jetty.

The SPEAKER: That concludes question time.

DEPARTMENT OF TRANSPORT: 2022–23 ANNUAL REPORT

Correction — Statement by Speaker

THE SPEAKER (Mrs M.H. Roberts) [2.59 pm]: I have received a letter from the Minister for Transport requesting that an erratum be added to correct an error in the *Department of Transport: 2022–23 Annual report*, tabled on 11 October 2023. The change relates to the value of subsidies for transport-related costs for pensioners, students and other concession cardholders. Under the provisions of standing order 156, I authorise the correction to be attached as an erratum to the tabled paper.

[See paper [3306](#).]

CORRECTIVE SERVICES — DEATHS IN CUSTODY

Standing Orders Suspension — Motion

MR R.S. LOVE (Moore — Leader of the Opposition) [3.00 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be debated forthwith —

That this house condemns the Minister for Corrective Services, Paul Papalia, and the Cook Labor government for the ongoing chaos in the corrective services portfolio, which has resulted in tragic and preventable deaths in custody and plummeting staff morale.

I understand that there has been discussion with the government. I will let the Leader of the House speak.

Standing Orders Suspension — Amendment to Motion

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [3.00 pm]: I move —

To insert after “forthwith” —

, subject to the debate being limited to 10 minutes for government members and 10 minutes for non-government members

Amendment put and passed.

Standing Orders Suspension — Motion, as Amended

The SPEAKER: Members, as this is a motion without notice to suspend standing orders, it will require an absolute majority in order to succeed. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and passed with an absolute majority.

Motion

MR R.S. LOVE (Moore — Leader of the Opposition) [3.02 pm]: I move the motion.

In moving this motion, I wish to put on record, on behalf of the opposition, our sincere condolences to those families who have suffered the loss of loved ones who lost their lives while in custody in Western Australia, particularly the family of Conrad Allum, who contacted me and my office about their concerns over the circumstances of their loss and the treatment of the family since that loss occurred.

We know that under our system of government, we have a minister, and the minister is responsible for ensuring that his department is functioning correctly. We have a minister who has consistently failed to take any responsibility for the ongoing crisis in the corrective services portfolio. Whether it is in our prisons or the youth justice sector, the corrective services portfolio seems to be plunging further and further into chaos and a state of misery and dysfunction. If we thought it was woeful under the previous Premier and the previous Minister for Corrective Services, who I thought was a hapless Minister for Corrective Services, we have seen nothing but a deterioration since the changeover and the current minister taking over the role.

We know that our prison officers believe that they are understaffed and underpaid. They are paying the price for the government's poor management of our prison system. It is all happening under the watch of this Minister for Corrective Services. This is the person who is actually responsible to the Parliament to ensure that these matters are addressed in his department, and they are not.

We know that the number of tragic and preventable deaths in custody is rising under this minister. Western Australia has witnessed not only its first ever death in youth custody, but two deaths in the space of a year, yet the minister continually denies that there are any issues in that space or in the government's treatment of that sector. We have seen that situation unravel ever since the dramatic incidents at Banksia Hill Detention Centre that led to the damage there under the previous minister, as well as the inadequate responses from the current minister both in the immediate response to those events at Banksia Hill and the situation that has been unfolding ever since at unit 18.

We know that morale is plummeting for those corrective services staff. The Western Australian Prison Officers' Union secretary, Andy Smith, stated in a media release issued on 15 October —

“It is a fact that prisons across Western Australia are understaffed and over muster,” he said.

“This situation has been allowed to develop because the department has not done enough to recruit new prison officers and to retain those that are already working in the system. Instead, conditions have been allowed to worsen, making an already difficult job even more stressful for existing officers and even less attractive for those considering starting a career as a prison officer.”

That is a damning indictment of this minister and his handling of his portfolio. I repeat that conditions have instead been allowed to worsen, making an already difficult job even more stressful for existing officers and even less attractive for those considering starting a career as a prison officer.

We know that understaffing in the prison system leads to a downward spiral. We know that it leads to situations in which, for instance, there is increased use of lockdowns and such measures, which in turn leads to frustration and tension in the prison system and a greater number of serious incidents, including assaults on staff and other prisoners, self-harming, riots and, unfortunately and tragically, as we have seen, even deaths.

We know that our custodial workers are being subjected to violent assaults, with nearly 800 violent assaults recorded in the 12 months since June 2023. Of course, we know who has been in charge in that time. There have been 39 serious assaults, 216 assaults and 539 other assaults, for a total of 794 incidents in the span of a year. If we look back to 2014, we can see that the Office of the Inspector of Custodial Services reported 22 such serious assaults across a five-year period. We now see that has almost doubled in a single year. Nobody should face the threat of violence in those circumstances in their workplace. To record nearly 800 violent assaults in such a short timeframe demonstrates that this minister's corrective services portfolio is out of control. It is no wonder that we have these reports of plummeting morale and understaffing.

We know that in a single year, the state government has been responsible for a workers compensation bill of more than \$25 million across 183 physical injuries and eight psychological injury claims. That is almost 200 workers unable to attend work because of compromised physical and mental health safety. We are also experiencing a rise in self-harming and deaths. What will need to happen to convince this minister that he is not handling this portfolio? What will it take for the Premier to understand that he needs to take action? For the Premier to not take

action and leave this minister at the helm is inexcusable. In fact, I believe that ignoring this rising problem in the corrective services area is, frankly, dangerous to the staff, the people inside the prison and the community when people are released.

Western Australia has recorded five deaths in custody in the last 10 months. That includes the tragic death of Conrad Allum, who was in prison on remand. According to his family, despite prison staff being made aware of his significant mental health issues, he was left unsupervised, leading to his untimely death on 2 September this year as a result of a self-harming incident. I am told that since that time the family had one meeting at which they were informed of their son's passing and one letter from the Coroner's Court. I have a copy of the letter here that the family furnished me with, which is a very cold communication. I seek leave to lay that on the table for the remainder of the day.

[The paper was tabled for the information of members.]

Mr R.S. LOVE: Anybody who takes the time to read that will see that it is a communication that would be devastating for the family. In question time today, the Minister for Corrective Services tried to divert any responsibility for answering questions that were asked of him. He took the opportunity to claim that this was a matter of sub judice.

When the first death in juvenile detention occurred, the minister was very quick to comment on the circumstances around that death and to make comments that were, frankly, quite foolish and proved to be ridiculous in the end. The claim that he cannot make any comment at this point is completely wrong. He refuses to talk about the communications process and the support for a family that is going through such a shocking situation. I have found that virtually no support has been offered for that family of any sort, not even information. They have been trying to get someone to get back to them but nothing has come to them. That is just unacceptable; it is inhumane. I condemn the minister on that alone. To have processes like that in his department, and for grieving families to not even be offered the comfort of a phone call or a discussion when they need help, is in itself inexcusable, let alone the circumstances that led to the death of their loved one, to their son's passing, and the other many deaths that have occurred under this minister's watch. He should stand condemned for his lack of performance in this department.

Mr P. PAPALIA (Warnbro — Minister for Corrective Services) [3.14 pm]: I will preface what I am about to say by extending my condolences to the Allum family and repeat my observation that any death in custody is a tragedy. Beyond that, I reiterate my observation that every death in custody is subject to a coronial inquest. That is a fact; it is not something I have chosen to bring to the house as a shield against an inquisition by the opposition. At the outset, I have to make the observation that this is the most transparently disingenuous, false and fake suggestion of having any interest in the conditions of people in our prison system that I have witnessed in 18 years in Parliament. Here is a question. Opposition members can answer this because they are not subject to any sub judice: how many members of the opposition, from either the National Party or the Liberal Party, have visited a prison in Western Australia this year? I know the answer, so they do not even have to give it. It is zero. Not one member of the opposition—the Liberal Party or National Party—in either house of Parliament has shown the slightest bit of interest in the conditions confronting prisoners in our prison system to the extent that they have got off their backsides and bothered to visit anybody inside the prison system. They have received a letter from the Allum family and that is the extent of their engagement with people and their conditions in the prison system. No member of the Liberal Party or National Party has shown any interest. No member of the Liberal Party or National Party has visited a prison.

Dr D.J. Honey: So what?

Mr P. PAPALIA: The member for Cottesloe says, "So what?"

Several members interjected.

Point of Order

Mr D.A. TEMPLEMAN: The Leader of the Opposition in moving this motion was heard in silence and the minister is responding and should also be heard in silence.

The ACTING SPEAKER (Mrs L.A. Munday): Minister, are you taking interjections?

Mr P. PAPALIA: Actually, I do not mind that particular interjection because I would like recorded in *Hansard* the member for Cottesloe's response to me raising the point that no member of the Liberal Party or National Party in either house of Parliament—no shadow minister, nobody with any authority or any responsibility for the policies or public commentary by the Liberals and Nationals in Western Australia—has even bothered to visit any of our custodial facilities anywhere in Western Australia in the entire year of 2024.

Debate Resumed

Dr D.J. Honey: I'll say it again.

Mr P. PAPALIA: "So what?", says the member for Cottesloe.

Dr D.J. Honey interjected.

The ACTING SPEAKER: Thank you, member for Cottesloe.

Mr P. PAPALIA: I was in the prison that the member for Cottesloe referred to on 1 October. I visited unit 18, which is the unit that is confronting the challenge the most around overcrowding and the number of prisoners in each cell. I have been there with the Commissioner for Corrective Services and I spoke directly to the prisoners who were living three to a cell in that unit.

Ms L. Mettam: That is your job.

Mr P. PAPALIA: That is my job? What is the job of the shadow Minister for Corrective Services?

Several members interjected.

The ACTING SPEAKER: Thank you, members.

Mr P. PAPALIA: The Leader of the Liberal Party says that that is my job. Well, she is right. What is the job of the shadow Minister for Corrective Services? Does the National Party have anybody assigned to this role? The Leader of the National Party; Leader of the Opposition of Western Australia does not bother. He does not extend himself to the point at which he might witness the conditions and talk to prisoners, but he suggests that morale is poor among prison officers and he has suggested that somehow the minister, myself, has a role in that.

I have another question without notice to the opposition: when was the last time any member of the Liberal or National Parties met with the WA Prison Officers' Union? That might be of interest, noting their motion and noting the criticism that was levelled at me by the Leader of the Opposition. When was the last time any member of the Liberal or National Parties met with the WA Prison Officers' Union?

I think I can provide the answer because it is the same as the answer for the question, "When was the last time any of them visited prison or a juvenile detention facility?" None of them has met with the Prison Officers' Union in 2024. They based their entire motion today on a media release by the Prison Officers' Union, whom I met with on 7 October in my office. At that point, the union officers did not condemn me as the Minister for Corrective Services because they meet with me regularly and they know I care about their conditions. They know I care about their morale and they know the government is doing everything it can right now to grow the numbers of prison officers in our prison system. I can say that as of the start of September, there were 224 more prison officers in Western Australia than there were last year. By the end of the year, we are running back-to-back prison officer courses. I was at the last graduation.

Should I ask that question? Why not? When was the last time a member of the Liberal or National Parties attended a graduation of the prison officers' course? I do not think they have ever been.

Dr D.J. Honey: Send me the invitation.

Mr P. PAPALIA: Does the member for Cottesloe want to go? Would he like an invitation? I think the answer is that none of them has ever been to a graduation of the prison officers' course. I do not think they care. They are condemned by their lack of interest.

The Leader of the Opposition has not shown the slightest bit of interest in the welfare of our prisoners, our prison officers or our juvenile detention officers. He has shown no interest—zero interest—in the welfare of any of those people. He has received one letter from a grieving family and brought this motion to the house, which is extraordinary, given his lack of interest, his lack of engagement and his lack of work ethic.

This opposition is the most pathetic and underperforming opposition that I have witnessed in my almost two decades in Parliament. It is a sad indictment of the shallow talent pool of the Liberal and National Parties of Western Australia that he is the Leader of the Opposition. The performance of the Leader of the Liberal Party yesterday was self-explanatory. It was a great exposition. It became starkly evident that she, too, is lacking in moral fibre and capacity to exercise any degree of leadership.

It is extraordinary for the Leader of the Opposition to come in here and say what he said about me in this context, noting that he has shown no interest at all in the subject. There is no-one in his party who has shown any interest. Similarly, there is a person in the Liberal Party who is notionally designated as the shadow minister who has shown so little interest that he has not met with the WA Prison Officers' Union and he has not been to any of the prisons or juvenile detention facilities this year. He certainly has not been to any graduations of prison officers or youth custodial officers. It is incredible that he would walk in here given that background, given he has shown so little self-reflection, and that he would not bother to think about the circumstances that he is exposing himself to and the fact that he is exposing himself to public ridicule in light of how little interest he has shown prior to this moment.

I extend an invitation to the Allums. I ask that they please contact my office or write to me with their concerns and I will respond. I say that to the Allums now. I again offer my condolences for their loss. What the Leader of the Opposition did today is shameful and embarrassing.

Division

Question put and a division taken, the Acting Speaker (Mrs L.A. Munday) casting her vote with the noes, with the following result —

Ayes (4)

Dr D.J. Honey	Mr R.S. Love	Ms L. Mettam	Ms M.J. Davies (<i>Teller</i>)
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Noes (39)

Mr G. Baker	Ms M.J. Hammat	Mr D.R. Michael	Mr D.A.E. Scaife
Ms H.M. Beazley	Mr T.J. Healy	Mr S.A. Millman	Ms J.J. Shaw
Dr A.D. Buti	Mr M. Hughes	Ms L.A. Munday	Dr K. Stratton
Mr J.N. Carey	Mr W.J. Johnston	Mrs L.M. O'Malley	Mr C.J. Tallentire
Mrs R.M.J. Clarke	Mr H.T. Jones	Mr P. Papalia	Mr D.A. Templeman
Ms C.M. Collins	Mr D.J. Kelly	Mr S.J. Price	Mr P.C. Tinley
Mr R.H. Cook	Ms E.J. Kelsbie	Mr J.R. Quigley	Ms C.M. Tonkin
Mr M.J. Folkard	Ms A.E. Kent	Ms M.M. Quirk	Ms S.E. Winton
Ms K.E. Giddens	Dr J. Krishnan	Ms R. Saffioti	Ms C.M. Rowe (<i>Teller</i>)
Ms E.L. Hamilton	Ms S.F. McGurk	Ms A. Sanderson	

Pairs

Ms M. Beard	Mrs M.R. Marshall
Mr P.J. Rundle	Ms D.G. D'Anna

Question thus negatived.

LOCAL GOVERNMENT AMENDMENT BILL 2024*Consideration in Detail*

Resumed from an earlier stage of the sitting.

Clause 143: Section 9.69AA inserted —

Debate was adjourned after the clause had been partly considered.

Clause put and passed.**Clause 144: Section 9.69B inserted —**

Mr R.S. LOVE: As I pointed out to the minister in my contribution to the second reading debate, we will be opposing this clause. Before this bill goes to the Legislative Council, we will delve further into whether there are any other changes that need to be made around the function for the preparation of responsible authority reports. The thinking at the moment is that simply opposing this clause and not inserting proposed section 9.69B into the act would probably be enough to ensure that democracy remains at the heart of our planning system. We know that the measure the government wants to put through will mean that elected members of local government councils will not have a role in any oversight or have any function to do with the preparation and submission of responsible authority reports to development assessment panels.

Something was sent from the minister's office on what will be required. I mentioned this during the second reading debate. I asked whether there were examples of when councils have been responsible for or have influenced the report to a DAP. The answer was yes. I asked if the minister could please cite examples of such. The answer that we got back was —

The below information provides clear evidence that the submission of RARs is being delayed in order for the RAR to first be considered by Council prior to submission to DAP. It also provides evidence that where Councils are materially changing the recommendation in the RAR provided by the administration (the planning professionals), they are often not carrying out their duty to consider development applications in a quasi-judicial manner in accordance with the applicable planning legislation.

That basically says that any time a council makes a change to a report—or I would say any recommendation, really, if one were following this example—from a planning professional in its employ or in the organisation, it will not be carrying out its duties. The government might as well say that it wants to shut out councillors from decision-making altogether. Neither the Nationals WA nor the Liberal Party agree with that. We are both committed to ensuring that local communities will continue to have a voice on responsible area reports that are developed for development assessment panels. I will ask the minister a question about that. Will the minister reconsider her position that this is an appropriate measure and join with us in opposing the clause?

Ms H.M. BEAZLEY: No. This reform will not erode councillor input to planning decisions. That is the wrong lens to put over this reform. It will ensure that developments, including much-needed housing projects, will not be

unnecessarily delayed as a result of a responsible authority report being called in to full council before its submission to the DAP. Members should be aware that presenting a RAR to council prior to its submission to the DAP causes a delay of a minimum of one to two months in the determination of a project due to lead-in times for the finalisation of reports to council meeting agendas. That does not account for the potential loss of further time due to unnecessary appeals to the State Administrative Tribunal, and that loss of time places greater pressure on local government planners, who must complete their assessments of often complex applications in a compressed timeframe in addition to a report to council.

This will not, like I say, erode a council's planning functions and councillors' ability to give input. There are other avenues, including representation of council members on the DAP. The council can appoint two of the five members of the DAP and submit deputations to the DAP. We cannot forget the council's crucial role in shaping the relevant planning framework that RARs are assessed against. The framework makes a RAR compliant or not. It is responsible for the strategic overlay of council planning decisions.

Any ratepayer can also seek to make a deputation to the DAP, and it can hear directly from ratepayers and their council representatives. Additionally, councils will continue to have general competence powers to debate any motion provided that the motion's resolution does not direct the CEO to modify the RAR or otherwise conflicts with active regulations. For example, a council could initiate a motion to object to a proposed development; however, this reform will ensure that the submission of the RAR to the DAP is not delayed.

I think I will leave it there, thank you. I will not be joining the Leader of the Opposition.

Mr R.S. LOVE: The next matter is about an answer from the minister's office. The question was about whether a responsible authority report will be similar to the preparation of an agenda item for a council meeting whereby an officer may prepare the item and make a recommendation independent of council but for consideration as a decision-making body. The answer the minister's office returned states —

They are not equivalent. The key difference is that development applications are required to be considered in a quasi-judicial manner under the relevant planning legislation, such as the Local Planning Scheme and the *Planning and Development Act 2005*, whereas the head of power for the vast majority of Council decisions is the *Local Government Act 1995*.

If a local government is considering a planning matter that it has the competency to consider—one of those matters that would not go to a development assessment panel—in the minister's view, would it be appropriate for the council to change a recommendation given to it by a planning officer based on community sentiment and the feelings of people the councillor represents?

Ms H.M. BEAZLEY: Like I said, it is the council's job to establish the planning framework, including making and amending the local planning scheme, local planning strategy and local planning policies that administrative staff report on and make recommendations against. The roles reflect the function of the council as a strategic decision-making body. The involvement of the council in preparing a technical assessment of a development application is not consistent with this role, noting that it is an operational matter that should be undertaken by qualified and experienced planning officers. I again reinforce that it is the council that sets the planning framework.

Mr R.S. LOVE: I go back to the earlier point that the minister's office answered the question and it was considered relevant to provide us with the information. Does the minister think it is appropriate for a council to make a decision to change a planning recommendation on a planning application? If a council has a recommendation from its planning officer and it is a matter that it is considering as a decision-maker under the planning mechanisms, would it be appropriate for the council to change the decision on the recommendation that it had been presented with?

Ms H.M. BEAZLEY: We are in consideration in detail of this bill and the Leader of the Opposition is asking me a question that does not relate to this bill. He is asking me a question about a non-existent clause or an opinion. I have given the Leader of the Opposition answers to the questions that he has asked about the clause. If he would like to ask me a question about the bill before us during consideration in detail, please feel free.

Mr R.S. LOVE: Just for clarity, the issue was raised in a response from the minister's office, providing information for us to make a decision on this bill, so I want to get to the bottom of the minister's view, or sentiment, on a council not having a role in or any oversight of the responsible authority report. That is what we are discussing. Beneath that, I seek the reasons for the thinking that the minister and her department would apply to this scenario so that I can get an understanding of why she is putting forward that view. I put it to the minister one last time: does she believe that a council has any role whatsoever in making a decision on a development application that has been given in an officer's report? Does the minister think a council has any right to change that decision based upon the views of the community the council represents?

Ms H.M. BEAZLEY: Again, the member has asked a question that is not related to this bill and, again, I will say one last time that I have never said that councils do not have a role in planning. They are integral. They are the owners of their planning framework and strategic direction. That is their role, and it is an incredibly important one. It is what every development application has to comply with.

Mr R.S. LOVE: I thank the minister for that answer. Does she think that that answer is in any way still relevant given the changes that the government has made and continues to make to the planning structure with the new regional schemes for the metropolitan area?

Ms H.M. BEAZLEY: Yes.

Division

Clause put and a division taken, the Acting Speaker (Mrs L.A. Munday) casting her vote with the ayes, with the following result —

Ayes (38)

Mr G. Baker	Ms M.J. Hammat	Mr S.A. Millman	Ms J.J. Shaw
Ms H.M. Beazley	Mr T.J. Healy	Ms L.A. Munday	Dr K. Stratton
Dr A.D. Buti	Mr M. Hughes	Mrs L.M. O'Malley	Mr C.J. Tallentire
Mr J.N. Carey	Mr W.J. Johnston	Mr P. Papalia	Mr D.A. Templeman
Mrs R.M.J. Clarke	Mr H.T. Jones	Mr S.J. Price	Mr P.C. Tinley
Ms C.M. Collins	Mr D.J. Kelly	Mr J.R. Quigley	Ms C.M. Tonkin
Mr R.H. Cook	Ms E.J. Kelsbie	Ms M.M. Quirk	Ms S.E. Winton
Mr M.J. Folkard	Dr J. Krishnan	Ms R. Saffioti	Ms C.M. Rowe (<i>Teller</i>)
Ms K.E. Giddens	Ms S.F. McGurk	Ms A. Sanderson	
Ms E.L. Hamilton	Mr D.R. Michael	Mr D.A.E. Scaife	

Noes (4)

Dr D.J. Honey	Mr R.S. Love	Ms L. Mettam	Ms M.J. Davies (<i>Teller</i>)
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Pairs

Ms D.G. D'Anna	Ms M. Beard
Mrs M.R. Marshall	Mr P.J. Rundle

Clause thus passed.

Clauses 145 to 158 put and passed.

Clause 159: Schedule 9.3 Division 7 inserted —

Mr R.S. LOVE: I turn to a couple of matters on the transitional elements. I know we are running into time constraints now. I refer to proposed section 64, “Conviction for serious local government offence”. Can the minister explain how the transition for that will be handled?

Ms H.M. BEAZLEY: This clause provides for previous serious local government offences to continue to be considered as such following the amendments made by clause 10.

Mr R.S. LOVE: I have a similar question on proposed section 77, “Current inquiries by, or authorised by, Departmental CEO”. I think it says that current inquiries must be conducted in the manner provided for in former division 1 and its provisions will apply accordingly. Will that include any offences or sanctions that might come from that?

Ms H.M. BEAZLEY: Essentially, no; this will have to do with the inquiry as it stands and the preparation of the associated report.

Clause put and passed.

Clauses 160 to 176 put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MS H.M. BEAZLEY (Victoria Park — Minister for Local Government) [3.50 pm]: I move —

That the bill be now read a third time.

MR R.S. LOVE (Moore — Leader of the Opposition) [3.50 pm]: Firstly, I thank the advisers who have sat through the debate and were here fairly late last night and for a fair bit of today. I hope they have enjoyed the hospitality of the parliamentary strangers’ bar from time to time and the minister has made some accommodation of their needs. I thank the minister for her forbearance throughout the discussion and her wish to provide well-detailed information to questions that I posed to her. I got a bit combative only on clause 144 for a little while, but, otherwise, I think we went through it all with a good spirit.

I again put firmly on the record that the bulk of the bill is very well supported by the opposition. We can see the need for changes to happen. I outlined some of those areas of concern in my contribution to the second reading debate, and we were able to tease out some of those details in consideration in detail. I think we were running close to the deadline in the agreement that the Leader of the House made with the manager of opposition business, but we actually got through most of the key points that needed to be discussed. There will be another opportunity in the Legislative Council if any issues still remain unexplained. If people who are watching this debate—there are some—want to query further, that will be an opportunity for them to do so.

Once again, we support the bulk of the bill. We know that quite a bit of it is fairly new and novel. There will need to be careful restrictions on some of the tendencies of departments to over-regulate things sometimes, as I say, between regional subsidiaries et cetera. However, we are implacably opposed to clause 144 and the stripping away of council involvement in the responsible area reports. We will remain of that position and will take that as part of the platform going forward to the next election.

With that, I conclude my remarks and allow the minister to wrap up on the third reading.

The ACTING SPEAKER (Mrs L.A. Munday): The Minister for Local Government.

MS H.M. BEAZLEY (Victoria Park — Minister for Local Government) [3.53 pm] — in reply: Thank you, Acting Speaker, and thank you for providing me with the correct form of words just previously.

In reply, I rise to conclude the proceedings in this house for the Local Government Amendment Bill 2024. I thank the members for Roe, Churchlands, Cottesloe and Moore for their contributions to the debate. I thank the advisers at the table for their advice during the development and consideration of this bill, and I acknowledge the opposition for its general support of the bill, noting its unfortunate opposition to clause 144.

I emphasise that these are among the biggest and most exciting reforms to the system of local government since 1995. This bill has been shaped with input from the local government sector and the community to strengthen and enhance our system of oversight to achieve several important goals, including providing the greatest possible clarity on roles and responsibilities; ensuring that everyone who works in our structure of local government is able to contribute to making decisions and serving the community; ensuring that there is effective and tailored support available to local governments when problems might be emerging; supporting local governments to resolve problems at the earliest possible stage and responding to egregious cases of division and dysfunction, including by taking stronger action against council members who might bring local government into disrepute; and, most importantly, building public confidence in our local government system, which is both critical to and very effective at delivering key public services.

A key focus of this bill is early intervention to deal more effectively with emerging issues of concern in local governments, particularly issues related to dysfunction. This bill provides for a wider range of tools to be able to deal with issues before they escalate and become bigger problems. That is why there is strong support for an improved model for identifying and dealing with these issues at the earliest possible stage.

Given the opposition's position on the reforms to responsible authority reports, I restate that clause 144 further clarifies the roles and responsibilities of councils and CEOs in relation to the submission of a responsible authority report to a development assessment panel—a RAR to a DAP. When RARs are considered by council before submission to a DAP, it results in significant delays to projects being determined, including the delivery of housing projects. Two elected members of the relevant local government council will form part of the relevant five-member DAP and vote on a proposal before the DAP. In addition, any other elected member of council and any member of the public can seek to make a deputation to the DAP. This is a commonsense clarification that will support the delivery of much-needed housing.

This bill advances important reforms that aim to raise the standard of conduct in local government, which ultimately supports local governments to deliver higher standards of service for their communities.

Again, I thank all parties who have participated in this debate so far, and I look forward to the bill's passage through the other place.

Question put and passed.

Bill read a third time and transmitted to the Council.

STATUTES (REPEALS AND MINOR AMENDMENTS) BILL 2021

Second Reading

Resumed from 19 October 2023.

MS C.M. ROWE (Belmont) [3.57 pm]: I rise today to speak briefly on the Statutes (Repeals and Minor Amendments) Bill 2021. This bill is an omnibus bill. It will make a range of repeals and really minor amendments to quite a raft of bills. It is what is referred to as an umbrella, so it is basically a single bill in which we are trying to bring together really minor changes across a whole suite of bills. It is an avenue for making general housekeeping

amendments to legislation and it is designed to make only relatively minor and often very non-controversial amendments to various acts and to repeal acts that are no longer required. Omnibus bills assist in expediting the government's legislative program and parliamentary business by reducing the number of separate amendment bills that deal with minor amendments and repeals. They also help weed out redundant legislation from the statute book. Bills of this nature are a routine part of legislative review and ensure that the state's statute book is regularly updated and streamlined.

Matters will be included in an omnibus bill only if they satisfy particular criteria. A matter will not be included in an omnibus bill if it would affect an existing right, obligation, power or duty, or if it would change any process provided for in legislation or involve the insertion of multiple new sections into an act. As a matter of process, omnibus bills that seek to repeal obsolete legislation are usually introduced into the Council and, by motion, are referred directly to the Standing Committee on Uniform Legislation and Statutes Review. Omnibus bills are referred to the committee because one of the functions in the terms of reference under which it was established is to review the form and content of the statute book. The committee will then scrutinise the omnibus bill and consider whether any of its provisions are suitable and non-controversial. In the ordinary course of events, the committee will make a recommendation as to whether or not the omnibus bill ought to be passed. Referral to the committee serves as a really important time-saving function for both houses of Parliament in that the committee uses its time, resources and skills to thoroughly examine the bill.

The omnibus bill has a long history and some of the matters identified for repeal in the Statutes (Repeals and Minor Amendments) Bill 2021 date as far back as 2012. For example, some of the Imperial legislation being repealed in this bill was identified in the committee's seventy-ninth report, which was tabled in the Legislative Council on 15 November 2012. This omnibus bill also includes a substantial number of matters identified in the committee's 124th report of 2019. As some members may be aware, the bill was introduced in a very similar—almost identical—format in the previous Parliament, back in 2020. The 2020 omnibus bill was immediately referred to the relevant committee of the Legislative Council, in accordance with longstanding practice. The committee recommended that the bill be passed, and its observations were noted in the Legislative Council.

The 2021 omnibus bill is almost identical to the 2020 bill, apart from minor editorial drafting changes; two provisions of the Acts Amendment (ICWA) Act 1996 that the Parliamentary Counsel's Office identified as suitable for inclusion; part 2 of the Business Licensing Amendment Act 1995, which the Standing Committee on Uniform Legislation and Statutes Review identified in its 131st report; and section 50 of the State Superannuation (Transitional and Consequential Provisions) Act 2000, which the PCO identified for inclusion. This omnibus bill is the most substantial minor amendments repeal bill of its kind to be introduced into the Parliament in the last 20 years. At a glance, this substantial bill will provide for the repeal of seven Western Australian acts, six Imperial acts and one provision in each of two Imperial acts and the amendment of more than 70 Western Australian acts.

It is worth noting that some of these amendments are very, very minor; some are changes of just one word, so I do not really feel the need to discuss it any further, other than to say that it is important that we debate it. It is great to be able to make a contribution to debate on this important omnibus bill.

Debate adjourned, on motion by **Dr A.D. Buti (Minister for Education)**.

House adjourned at 4.03 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

PREMIER — PORTFOLIOS — WA HUB

1361. Ms L. Mettam to the Premier; Minister for State and Industry Development, Jobs and Trade; Public Sector Management; Federal-State Relations:

I refer to the “WA Hub” which was opened on March 27, 2024, and I ask:

- (a) Have any of the following individuals/entities (including individuals employed by such entities) conducted any meetings with any federal ministers since its opening:
 - (i) If yes, please provide the exact number of times the Minister did so and for each occasion, please provide the dates they did so and which Minister they met with on each occasion;
 - (ii) If yes, please provide the exact number of times that any such departmental staff did so and for each occasion, please provide the dates they did so and which Minister they met with on each occasion; and
 - (iii) If yes, please provide the exact number of times the Agency or Government Trading Entity did so and for each occasion, please provide the dates they did so and which Minister they met with on each occasion?

Mr R.H. Cook replied:

- (a) Refer to Legislative Assembly Question on Notice 1342.

PLANNING — WIND FARMS — ROE

1378. Mr P.J. Rundle to the Minister for Energy:

I refer to the discussion and planning of wind farms in the electorate of Roe, and I ask:

- (a) Is the WA Government setting aside funding for the manufacture and installation of wind turbines in WA;
- (b) Is the WA Government subsidising any wind turbines or intending to subsidise future wind turbines in WA;
- (c) If so, how much is the WA Government subsidising each turbine and where are these turbines located;
- (d) What is the future plan for any subsidisation of wind farms for WA;
- (e) Can you please provide any information regarding a plan of future wind farms and their locations;
- (f) Can you provide any information regarding upgrades or plans to build new transmission lines particularly within the Southwest Interconnected System; and
- (g) Can you provide the current regulations in relation to the placement of wind turbines pursuant to existing dwellings and farm boundaries?

Mr R.R. Whitby replied:

- (a) The State Government has set aside \$8 million to support the manufacturing of wind turbine componentry and installation in Western Australia, which will be delivered in collaboration with the Advanced Manufacturing Growth Centre.
- (b) No.
- (c) Not applicable.
- (d) Not applicable.
- (e) Synergy has committed to developing the King Rocks Wind farm in the Eastern Wheatbelt and Warradarge Stage 2 in the Mid West. Other wind farm developments underway in the South West Interconnected System (SWIS) are led by private proponents.
- (f) In November 2023, the State Government announced the development of Clean Energy Link – North, to upgrade and expand the existing network connecting the Mid West and Perth. In addition, the *SWIS Transmission Planning Update*, released in May 2024, outlines potential new transmission investments (Clean Energy Link projects) across the SWIS. Western Power received \$324 million in the 2024 State Budget to progress planning, design, procurement, and other key requirements to underpin the delivery of these projects.
- (g) Noise emissions from renewable energy facilities, including wind turbines, are required to meet the standards prescribed under the *Environmental Protection (Noise) Regulations 1997*, with the Western Australian Planning Commission’s Position Statement on Renewable Energy Facilities (March 2020) suggesting a minimum distance between noise-sensitive land uses (e.g. existing dwellings) of 1,500 metres.

FIREARMS — BUYBACK PROGRAM — MEDIA EVENT

1386. Mr R.S. Love to the Premier:

I refer to the media reports of photos published by Western Australia Police and Western Australia Labor on the 5th August 2024, “The WA Firearms Act Reform Voluntary Buyback Scheme”, and I ask:

- (a) Did the Premier or anyone in his office correspond with WA Police in regard to the preparation of this media event:
 - (i) If so, please provide all correspondence;
- (b) Did the Minister for Police and anyone in his offices correspond with WA Police regarding the preparation of this media event:
 - (i) If so, please provide all correspondence;
- (c) Did a member of the Department of the Premier and Cabinet take the images and videos that appear on WA Labor’s Instagram posted on the 7th of August of the firearms in a truck:
 - (i) If so, please outline the costs of media equipment used to produce the media event;
- (d) Did a member of the WA Police take the images and videos that appear on WA Labor’s Instagram posted on the 7th of August of the firearms in a truck:
 - (i) If so, please outline the costs of media equipment used to produce the media event;
- (e) Was the truck appearing in the images and video hired:
 - (i) If so, did the Western Australia Police hire the truck:
 - (A) If so, outline the cost of hiring the truck containing the surrendered firearms;
- (f) Outline the security required for the transportation of the surrendered firearms truck;
- (g) How many witches’ hats were used for the media event;
- (h) Where did the media event take place;
- (i) How many security personnel were required for the media event;
- (j) Was security of the media event provided by the WA Police:
 - (i) If so, outline the cost of the security;
- (k) Were any safety protocols waived by the Minister for Police to allow the media event;
- (l) Were any safety protocols waived by the Premier to allow the media event;
- (m) If normal safety protocols were waived, can the Western Australian public be confident the Government committed to upholding the Firearms Act 2024;
- (n) Were all guns photographed collected under the WA Firearms Act Reform Voluntary Buyback Scheme:
 - (i) If not, please provide how and from where the firearms were attained; and
- (o) How many of the pictured firearms were collected from regional areas?

Mr R.H. Cook replied:

- (a) The press conference, which was attended by the Premier, Minister for Police, and the Police Commissioner, was arranged through usual protocols.
- (b) This question should be directed to the Minister for Police, noting Standing Order 75(1).
- (c)–(d) Questions relating to social media posts by political parties should be directed to political parties.
- (e)–(o) Questions relating to logistics or the operation of the Voluntary Buyback Scheme, which the Member did not support, should be directed to the Minister for Police.

ATTORNEY GENERAL — ASHURST — MEETINGS

1388. Mr R.S. Love to the Premier:

I refer to the Office of the Auditor General report 27th June 2024, “Legal Services Provided to the State Solicitor’s Office”, and ask:

- (a) Outline the number of meetings between the Attorney General and Ashurst prior to contracting the agreement;
- (b) Outline the number of meetings between the Attorney General and Ashurst post contracting of the agreement:
 - (i) Where did the meetings take place; and
- (c) How often has the Government corresponded with Ashurst regarding Griffin Coal?

Mr R.H. Cook replied:

- (a)–(c) Refer to Legislative Assembly Question on Notice 1389.

ATTORNEY GENERAL — ASHURST — MEETINGS

1389. Mr R.S. Love to the Attorney General:

I refer to the Office of the Auditor General report 27th June 2024, “Legal Services Provided to the State Solicitor’s Office”, and ask:

- (a) Outline the number of meetings between the Attorney General and Ashurst prior to contracting the agreement;
- (b) Outline the number of meetings between the Attorney General and Ashurst post contracting of the agreement:
- (i) Where did the meetings take place; and
- (c) How often has the Attorney General, or anyone in his office corresponded with Ashurst regarding Griffin Coal?

Mr J.R. Quigley replied:

- (a) None.
- (b) None.
- (c) There is no record of the Attorney General, nor any current staff, having corresponded with Ashurst regarding Griffin Coal.

AGRICULTURE AND FOOD — PEST DENSITY DISTRIBUTION REPORTS

1391. Mr R.S. Love to the minister representing the Minister for Agriculture and Food:

I refer to the email correspondence by the Divisional Superintendent of the Firearm Reform Division on August 10th 2024 and ask:

- (a) Can the Minister for Agriculture and Food please confirm the “pest density distribution reports” exist:
- (i) If not, when will the Department of Primary Industries and Regional Department create these maps;
- (b) When will the “pest density distribution reports” be made available; and
- (c) Have Full Time Equivalent positions been employed for the oversight of maps, guidelines and written authority recommendations?

Mr D.T. Punch replied:

- (a)–(b) The Department of Primary Industries and Regional Development (DPIRD) provided WA Police with preliminary data on the distribution of animal pest species to inform the regulation for the firearms Act 2024 and will continue to work with WA Police on the most effective method of providing information on pest distribution.

I note that Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) and the Department of Agriculture, Fisheries and Forestry produce a Pest Animal and Weed Management Survey which includes publicly available interactive maps on pest animal distribution.

DPIRD encourages landholders and members of the public to report Category 3 (widespread and established) pests to the FeralScan website (<https://www.feralscan.org.au>), which is an online tool for mapping pest occurrence, damage, and control across the nation. These maps are publicly available.

DPIRD uses the Department of Biodiversity, Conservation and Attractions’ standard operating procedure “Use of firearms for the humane destruction of animals”, which is publicly available. [See tabled paper no [3305](#).]

- (c) N/A.

WESTERN AUSTRALIAN INSTITUTE OF SPORT — NETBALL WA

1394. Mr R.S. Love to the Minister for Sport and Recreation:

I refer to the the Minister for Sport and Recreation’s response to question without notice no. 596, and ask:

- (a) When did the Minister for Sport and Recreation’s office become aware of the Western Australian Institute of Sport cutting Netball funding; and
- (b) Has the Minister for Sport and Recreation office been briefed by the Western Australia Institute of Sport regarding the cutting of Netball funding?

Mr D.A. Templeman replied:

- (a)–(b) The Minister for Sport and Recreation’s office was informed and briefed on the decisions of the independent WAIS Board on Monday 16 September 2024 during the regularly scheduled meeting with WAIS Chair and Chief Executive Office.

FISHERIES — ARTIFICIAL REEF — CARNARVON

1395. Mr R.S. Love to the Minister for Fisheries:

I refer to the media release by Minister for Fisheries 1st May 2024 entitled Cook Government boost to build Carnarvon artificial reef, and ask:

- (a) Has a tender been awarded:
 - (i) If not, outline the reasons preventing awarding the tender; and
 - (ii) If so, outline the successful applicant;
- (b) Outline the expected end cost of the project; and
- (c) How many other tenders will be awarded?

Mr D.T. Punch replied:

- (a) No. No suitable tenders were identified in the procurement process.
 - (b) \$1.3 million.
 - (c) A new tender process with refined specifications will be undertaken for the design, construction and deployment of an artificial reef off Carnarvon.
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