



Parliamentary Debates

(HANSARD)

FORTY-FIRST PARLIAMENT
FIRST SESSION
2022

LEGISLATIVE COUNCIL

Thursday, 7 April 2022

Legislative Council

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

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Sixty-sixth Report — Person referred to in the Legislative Council: Submission not considered — Tabling

THE PRESIDENT (Hon Alanna Clohesy) [10.02 am]: I am directed to present for tabling the sixty-sixth report of the Standing Committee on Procedure and Privileges titled *Person referred to in the Legislative Council: Submission not considered*.

[See paper [1216](#).]

The PRESIDENT: This report arises as a result of two submissions received by me in October 2021. The submissions sought redress under standing order 113 for comments made during members' statements on 31 August 2021. The submissions were considered and referred to the Standing Committee on Procedure and Privileges. The committee met and, pursuant to standing order 113(2), reports that it decided not to consider the submissions referred to it as it considered that the subject of the submissions was not sufficiently serious and did not demonstrate that an adverse impact has been caused as a result of statements made in the house.

JOINT STANDING COMMITTEE ON THE COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE

*Inquiry into the most effective ways for Western Australia to address food insecurity
for children and young people affected by poverty — Terms of Reference — Statement by President*

THE PRESIDENT (Hon Alanna Clohesy) [10.03 am]: I have a letter from the Joint Standing Committee on the Commissioner for Children and Young People.

Dear President, the Joint Standing Committee on the Commissioner for Children and Young People has today resolved to inquire into the most effective ways for Western Australia to address food insecurity for children and young people affected by poverty.

The inquiry will consider —

- (1) The impact of poor nutrition on children and young people and the extent of the problem in Western Australia.
- (2) Challenges for children and young people in accessing enough nutritious food.
- (3) The extent to which food relief —
 - (a) is currently accessed by children and young people, including at school and in early childhood education and care settings; and
 - (b) is effective.
- (4) The extent to which food literacy programs aimed at children and young people and/or their parents/carers —
 - (a) are currently accessed; and
 - (b) are effective.
- (5) Government-funded school lunch programs.
- (6) Any other existing or potential initiatives.
- (7) Western Australia's obligations and responsibilities to monitor and address food insecurity as an aspect of child wellbeing.

We are particularly keen to hear about the experiences of Aboriginal and Torres Strait Islander children and the children of refugees and newly arrived migrants.

The committee will report by 30 April 2023.

Yours sincerely R.M.J. Clark, MLA

Chair

PARLIAMENTARY RESEARCH PROGRAM*Statement by President*

THE PRESIDENT (Hon Alanna Clohesy) [10.05 am]: I wish to provide information about the 2022 parliamentary research program, which is being coordinated by the Parliamentary Education Office. The program is a cooperative arrangement between the Parliament of Western Australia and Western Australian universities, and involves high-performing students undertaking research on topics nominated by members of Parliament. Each of you would have received an invitation yesterday via email to submit topics for research to the Parliamentary Education Office by tomorrow, Friday, 8 April. I have had personal experience both as a student in a similar program and hosting a number of students over the years. I can attest to the value of the program and encourage members to participate in this year's program.

MANNING PARK*Petition*

HON STEPHEN PRATT (South Metropolitan) [10.06 am]: I present a petition containing 2 525 signatures, couched in the following terms.

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

We, the undersigned, are very concerned about the adequacy of the care, control and management of the Manning Park section of the Beeliar Regional Park (Areas 30, 31 and 32 of the Beeliar Regional Park: Final Management Plan 2006 prepared for the Conservation Commission of Western Australia) given its status as Bush Forever Site containing rare and endangered species of flora and fauna, including matters listed as Endangered under the WA Biodiversity Act (2016) and/or the Federal EPBC Act (1999):

- significant areas of critical (foraging, roosting and breeding) habitat of the **Threatened Fauna Species** (Carnaby Black Cockatoo);
- the last intact occurrence in the Perth Metropolitan Region (south of Yanchep–Neerabup National Parks) of the Threatened Ecological Community (Limestone Ridges, **Threatened Ecological Community**—SWA FCT 26a: *Melaleuca huegelii* -*Melaleuca systema* shrublands on limestone ridges), and
- **Threatened Ecological Community**—Tuart (*Eucalyptus gomphocephala*) woodlands and forests of the Swan Coastal Plain

We therefore ask the Legislative Council **to review the management of the Manning Park section of the Beeliar Regional Park is to ensure that the conservation and preservation of its fauna and flora is the principal goal of any managing body.** This must include protecting the Bush Forever zones of the park from future non-passive recreational activities, including mountain biking, that are by their nature counter-productive to the conservation of this significant remnant of indigenous bushland.

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

[See paper 1217.]

PAPERS TABLED

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

**SHIRE OF CARNARVON PUBLIC PLACES AND LOCAL GOVERNMENT
PROPERTY LOCAL LAW 2021 — DISALLOWANCE***Notice of Motion*

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

FEDERAL BUDGET —AGED-CARE SECTOR*Notice of Motion*

Hon Dan Caddy gave notice that at the next sitting of the house he would move —

That this house condemns the Morrison government for its failure to provide any support for the aged-care sector in the recent federal budget.

NON-GOVERNMENT BUSINESS — SCHEDULE*Motion*

On motion without notice by **Hon Sue Ellery (Leader of the House)**, resolved —

That, pursuant to standing order 111(4), the revised schedule for non-government business tabled today by the President be adopted.

PRIVATE MEMBERS' BUSINESS — SCHEDULE*Motion*

On motion without notice by **Hon Sue Ellery (Leader of the House)**, resolved —

That, pursuant to standing order 112(4), the revised schedule for private members' business tabled today by the President be adopted.

CARBON EMISSIONS*Motion*

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

That this house notes —

- (a) the worthwhile work underway on Western Australia's Sectoral Emissions Reduction Strategies, expected to be released late 2023, and the longer term aspiration for net zero by 2050;
- (b) that Western Australia's current actions to reduce carbon emissions this decade are not consistent with the recommendations of the Intergovernmental Panel on Climate Change, the Paris Agreement and the latest climate science—all of which demonstrate emissions need to reduce by 50 per cent of 2005 levels by 2030;
- (c) that Western Australia has exceptional local and global economic opportunities that can be enabled by early actions to achieve a net zero economy; and

calls on this government to —

- (1) accelerate its ambition this decade on climate action so Western Australia's whole-of-economy carbon emissions reduction actions are consistent with the climate science;
- (2) as a priority, immediately increase investment in a range of climate actions at scale initiatives in renewable energy, clean energy storage, energy efficiency and electrified houses and transport that will reduce carbon emissions quickly and cost effectively in Western Australia;
- (3) identify funding opportunities to ensure that low and middle income households can access and benefit from these initiatives; and
- (4) commit to transparent and timely annual reporting on Western Australia's greenhouse gas emissions, including by sectors, consistent with IPCC reporting.

I have stood several times in this Parliament to talk about climate action and why we need to act with much greater ambition and urgency than we are. I will not repeat this because I have said it several times, but, without a doubt, as the motion says, WA's current actions on the climate are inconsistent with the science. In fact, as the only state with rising emissions and without either a 2030 emissions reduction target or a renewable energy target, we could say that WA is the worst performing state in a country that is the worst performing country on the planet on climate action. Whilst we do this, we continue to actively seek fossil fuel expansion, running directly against the climate science. Being the biggest fossil fuel exporter in the country is not something that we should aspire to, or be proud of, in light of the climate science.

This motion is about solutions and about how this state can do better. There are solutions that we can do now. There are solutions that can reduce emissions this year and every year this decade. There are solutions that will save Western Australians money and make our cities, suburbs and towns better and more livable. This is at the heart of the motion. Although WA is going to be one of the places hardest hit by climate change, it is one of the places that is best able to benefit from the low carbon transition before us. We are extraordinarily lucky. We have some of the best placed resources. We have land, sun, minerals and smart and skilled people—all which will help us make the transition that we need to make.

I bring this motion to the house in the context of an important report that came out this week. Members will be aware that the IPCC's working group III report focuses on mitigation and the solutions that we need to be in place if we are to have a safe climate and keep global warming as close as we can to 1.5 degrees or definitely under two degrees. The working group III report comes off the back of the working group I report that came out last year, which was about our current status. Last month, I talked about the working group II report, which was about climate impact, how bad it is, what we need to do to respond to it and what adaptation is required. This latest report is in many ways most interesting because it is about the solutions—the things we can do and the pace and scale at which those solutions need to happen. It is an amazing report and I encourage people to read it. It was developed by 278 authors in 65 countries. It has been called the last comprehensive assessment of climate science to be published while there is still time to avoid the worst ravages of climate breakdown. This report matters, and today I respond to the report and what it might mean for Western Australia.

The message at the heart of the report is that the world is not shifting quickly enough to a low carbon economy. However, it is also a report of optimism because it says that although we not shifting quickly enough, we finally have the technology and the tools that we need to do it, like we have never had before. In fact, responding to the climate challenge a decade ago was much harder than it is today because we have seen some incredible things happen over the last decade. We have seen the price of solar come down 85 per cent. The price of wind has come down 55 per cent. The price of batteries has come down 85 per cent. For the first time in human history, we have everything we need to move quickly to a sustainable economy that can give us a safe climate. But—and this is a very big but—we need to accelerate that action, and that is at the heart of this report. We need to accelerate that action, we need to do this at scale, and we need to invest now because this decade is the decade that matters.

Today I want to put in front of the house nine quick wins for our climate. They are quick wins for not only our climate, but also Western Australians because they will save Western Australians money and make Western Australia an even better place to live. It is a win-win. For me, the exciting thing this time is that we can do this. We are better placed than many to do it. We just have to get on and do it.

I will talk about transport, households and some of the infrastructure that sits in between them. I will start with transport with a good quote here from the IPCC. It states —

Electric vehicles powered by low-emissions electricity offer the largest decarbonisation potential for land-based transport.

Electric vehicles are where it is at. The first of nine quick ideas in nine minutes, is electric buses. I have talked about this several times before. Electric buses provide a huge opportunity. This state has moved slowly in this direction. We currently have one. I understand we will have four on trial by later this year, but at the same time the government has indicated we might order 900 diesel buses. We have to flip that, get on to ordering 900 electric buses and get them out there. We are seeing this happen all over the country. For example, Brisbane just got 60 new electric buses for its metropolitan network. Sydney has committed to replace all its buses—I think it has 8 000 in its fleet—with electric buses by 2030. It is not bothering with a trial, because it knows it works. That applies to cities from Madrid, to Mexico City, to Athens and beyond. This would save the state money. We currently spend \$40 million running 1 100 diesel buses and 500 gas buses. We could save that money by investing in the right technology, which, in this case, is electric buses.

The second idea is electric cars. I have talked about this a lot as well. Electric cars will play a key part in reducing emissions, especially for a car dependent city like Perth. We will need to transition our fleet as quickly as possible. WA is now the only jurisdiction in the country that is not offering any incentives for electric vehicles. There are a range of things we could do. Let me just pick the lowest hanging fruit possible, which is equalising stamp duty. Take a Hyundai Kona. If a person buys a petrol one, they will pay \$1 786 stamp duty. If they buy exactly the same car, with an electric drive train, they will pay \$4 420 stamp duty, because that car costs more up-front. The penalty for someone buying an identical car, a Hyundai Kona, is \$2 634 stamp duty, because they chose to do the right thing and start to transition. That has to be the lowest hanging fruit that this state could take right now. Of course I think we should go further. Most other states are offering incentives, around about \$3 000 incentives for the uptake of electric vehicles. It is proven globally as the best way to get that going. The Australian Capital Territory has gone further. In fact, the national Greens made a policy based on the ACT's incentives, because it was offering very low interest loans; it is about closing that gap. It has been pretty well documented now that owning an electric car is cheaper over the lifetime of that car than owning a petrol car. The problem is getting over the hurdle of that up-front cost. The role of the state is to help people get over that hurdle and make that transition quickly. I think we buy about 100 000 new cars a year here in Western Australia. Let us get on and help people buy an electric one. It is a huge opportunity.

The third idea is e-bikes; it is not all about cars. I am a big fan of bikes. Electric mobility generally is an absolute game changer. Most trips we do are actually pretty short, fewer than five kilometres, and electric mobility and bikes are a good way of doing that. We should incentivise that and help people get over that hurdle. Maybe we could reimburse people based on how many kilometres they have done on their e-bikes. It helps congestion, it helps health and it helps lower carbon emissions. We are seeing this again all over the world, with proven results.

After transport, there are some key things we can do in the energy efficiency space. LED streetlights is a really good one that the Western Australian Local Government Association has been keen on for a long time. WA has 280 000-odd street lights. Over half of these are some of the most inefficient streetlights we could imagine: mercury vapour. It is old technology that does not work particularly well. It dims over time. If we were to swap those out for LEDs, we would save around 95 000 tonnes of CO₂ a year. We would halve CO₂ emissions and see about a 50 000 tonne saving across the 113 local governments on the south west interconnected system. Local government wants to do this, but we have a perverse tariff system that discourages local governments from investing and doing this. This is when the government could step in, enable it and make it happen. A cost reflective tariff would mean a pay back of three to four years on a light that lasts 20 years. Again, it makes so much sense. Let us get on and help local governments do this for a very, very low cost to the state.

Again on our streets is the issue of urban canopy. This government started on a really good initiative that needs to be scaled up, not scaled down. That is how we grow our urban forest and get trees out there on our streets. We have

seen a major reduction in urban canopy in our area. I think 41 per cent of councils within Perth have seen major reductions in tree canopy. We need to reverse this if we are going to keep our suburbs cool, reverse the urban heat island effect and make our suburbs more livable. In fact, a great statistic shows that if a suburb has tree-lined streets, there is a \$17 000 uplift in property prices. There is a financial win here as well. It is a really important issue and state government can partner with local government to see that happen. A really good program was running, I think the Water Corporation was doing it, that I hear will be wound back. It should be going in the other direction; we need to be winding these programs up and helping local governments get out there, cool our cities, cool our suburbs and get street trees out there. It is a huge opportunity. I would not mind some clarification. I hope that program is not getting wound back.

On to houses, which are perhaps some of the best lowest hanging fruit to address carbon emissions and save households money. Take the simple example of heat pumps for hot water. They are amazing. It is one of the most extraordinary technologies. There is some good gas water heating at the moment, with efficiencies up to around 90 per cent, but an electric heat pump is extraordinarily up to 500 per cent efficient. That is five times more efficient than using gas to heat up water. Compare running a heat pump versus using gas to heat up water; it is about half the price running off mainstream electricity. If it is running off rooftop solar, it is pretty well free. In fact, it then operates as a giant battery during the day to soak up that excess solar. I know that some in this government are worried about the duck curve, the excess solar. Get heat pumps into houses, heating up water so that when people come home at night and have their showers, it is ready to go. There are so many wins in there and the best thing is that it saves households money. We need to encourage and incentivise getting them into households. It is an extraordinary thing to do.

Saul Griffith wrote one of the best books I have read around the process of how to start to electrify everything. He called electrification a vaccine for climate change. It occurred to me, just as with COVID, WA should go hard and go early around electrification. Our households are really good places to do this. That means it is time we stop putting gas into new buildings. Why are we putting gas into new buildings? If we are serious about net zero by 2050, we will just have to take it out. In fact, we are already seeing that in Esperance. It costs \$10 000-plus per household just to take gas out. This is a liability we will have across the state if we are serious about net zero. As I said before: we cannot make gas net zero. Let us electrify all new houses from now on. I think this is a huge win.

The City of Fremantle recently mandated no new gas in developments that use its sustainability density bonus. That is a really smart policy. Victoria is looking at this across the whole state, as is the ACT. It is happening around the world, from the Dutch government to New York. In fact, even our leading local developers, Hesperia, Yolk and even DevelopmentWA, the government's development agency, are doing no new gas. We need to mainstream this, scale it up and make it the new normal. This is a huge opportunity.

That leads me to the last point I want to talk about, which is about transitioning all our housing to net zero. The national construction code is under review. WA is part of that. It will go from six stars to seven stars. There is a huge opportunity to make sure WA is not the laggard on this. We have always been the state that wants to defer implementing this, and I hope we will not be doing that this time, because it comes in this year. When it comes in in September this year, we should grab it and grab those seven stars to push harder on the way to net zero. For every year we delay, WALGA has demonstrated it will lead to 84 000 tonnes of greenhouse gas emissions and cost residents an extra \$934 in energy bills for those new home owners who are not doing it. Again, let us get to net zero as quickly as we can. We build 20 000 homes a year. We want to make sure that they are net zero ready for 2050. The costs are minimal; the savings last a lifetime. This is the kind of action we should be doing.

The last point I want to talk about is housing retrofits because, of course, new homes are only a small part of the market. We need to start retrofitting old houses and retrofitting public housing stock is a really important way of doing this. I note that the Department of Communities is currently undertaking its Building Condition Assessment program of ageing public housing. I am told—this is a concern—that it is not doing energy assessments as part of that program, which is a wasted opportunity to draft-proof those houses and make them livable and lower the cost of energy for the people who live in those houses. It has been estimated that doing this would reduce household energy consumption by up to 80 per cent and save 277 000 tonnes a year, which is extraordinary. Importantly, that would save those income householders up to \$1 600 a year in their energy bills. This is a win-win if the government can get in front of it.

I have talked a lot about households because they are biggest chunk of our domestic emissions; indeed, 42 per cent of domestic emissions is linked to households. There are huge wins to be gained by saving households money and in how we do it. We have a really important role to play in terms of how we do this. As Saul Griffith said, we need to do the work now so that by 2025, the average Australian family can electrify its household with ease. This is a role for government to see the future and invest in it and it will be an investment because every one of the things that I have mentioned will result in lower emissions. The ideas that I have talked about are great ideas, but I cannot take credit for them. I want to thank the expert panel that assisted me and many of the key organisations, such as the Western Australian Local Government Association, Shelter WA, Clean State and others, which fed in their ideas. These are smart ideas from experts that we need to action today.

In closing, climate change is not a political problem that can be fixed with announcements, reports, studies or trials; it is simply a problem of physics. That problem can only be addressed by not burning fossil fuels in cars, houses and industry. Ultimately, we must leave fossil fuels in the ground—yes, this includes gas—and turn off our fossil fuel machines early. Leaving our fossil fuel machines on—I am talking about just the ones we currently have without buying or investing in new ones—results in 1.8 degrees of warming. The Intergovernmental Panel on Climate Change report is very clear that we need to get as close to 1.5 degrees as we can because every tenth of a degree above 1.5 has serious consequences for the planet, especially places like WA. We need to make sure that we get as close to 1.5 degrees as we can and that means that we very clearly need to act on these ideas now, not in two years' time when the sectoral emissions reduction strategies are finally done and released, and not in the vague future on our way to net zero, which we are scrambling to reach by 2050. We need to do it at ambition and at scale now in line with the IPCC report and what scientists are calling for. Anything less than that is a lost opportunity and we will not be doing our job.

I want to finish with a quote from Western Australian IPCC author Professor Peter Newman, who has done, along with many others, extraordinary work; indeed, he authored the “Transport” chapter in the last IPCC report. He said —

“We now have a cost effective set of solutions that can provide dramatic reductions. An exponential decline in fossil fuels is now on the cards because they are market ready, they are cost effective ...

We can make the changes now, working with the economy, and not against it. That’s a dramatic shift in what we are seeing in this IPCC report.”

This is a pivotal moment in history and one in which WA has an extraordinarily huge role to play. I hope we can grab this opportunity, this moment, and make it happen.

HON DR BRIAN WALKER (East Metropolitan) [10.34 am]: Thank you, Hon Dr Brad Pettitt. It gives me great pleasure to rise in support of this admirable motion. Hon Dr Brad Pettitt and I are not only fellow crossbenchers; we are committed in our bones to a better environment for not only our city—we both live in Fremantle—but also our state and nation and, indeed, the world. As a world, we are standing on the tracks of a train line and we can see the train approaching—it is getting closer and closer. We are standing on the lines wondering whether the train could be any lighter or whether it could take a side track to avoid us. We are on that line, the train is coming and action is required—now. The idea of net zero by 2050—no! I think 2030 is appropriate, perhaps even 2025 would be ideal because we do not have a day to waste. We are seeking solutions, not making a problem, but complaining that the train is coming closer and closer. No—let us find solutions. I agree with every word that has been said in this motion; there are other things that we can do, other solutions.

It will be of no surprise to members at all to hear that I am going to speak about hemp as a solution, because the second limb of the motion calls for action and we have a remedial suite of actions that we can put in place. Hon Dr Brad Pettitt mentioned a number of wonderful solutions to not only reduce carbon emissions, but also embrace carbon capture. What we are looking for is restorative action—something that will bring our world back into some measure of equilibrium, the way it was created in the first place. To do this, Hon Dr Brad Pettitt mentioned housing—I was very pleased to hear this—and reducing costs. Are members aware that in a house built from hemp—there are a number of excellent examples, of which the Department of Primary Industries and Regional Development is very well aware—the cost of air conditioning is almost zero and the cost of heating is almost zero because insulation is a given, as is soundproofing. It is an excellent medium of which we are making little use. We would save an enormous amount of energy if we simply adopted a new approach to building houses rather than building them the old-fashioned way, which we have been doing for 100 or 200 years. We can also look at trees—this idea just came to me; I did not prepare it—and ask why we are not planting more trees in our suburbs. Why do we not plant fruit trees so that the homeless and hungry can access fruit? What about verge-side gardens where food is grown for the homeless; would this be of benefit to us? It certainly would, and I think we would all approve of that.

I had a wonderful discussion about carbon capture with the Forest Products Commission—we are yet to debate this issue—and its knowledge on carbon capture is immense. We ought to continue this, and we will continue this. Cambridge University research shows that industrial hemp can capture atmospheric carbon dioxide two times more effectively than forests. We can look at hemp as being an ideal carbon sink. One hectare of hemp will absorb 22 tonnes of CO₂ while two crops of hemp per year would double that. One tonne of harvested hemp contains 0.445 tonnes of carbon from the atmosphere; these are United Kingdom statistics. Hemp needs lower fertiliser quantities and zero pesticide and herbicide. Of course, research is needed and research is ongoing. I am very thankful to the organisations within WA that are conducting this research. We can look at putting this into practice. Water requirements are reduced with the use of hemp. Hemp also helps with diverse soil types and improves soil quality. When the roots bind the soil, there is less erosion. Anyone who has been in the wheatbelt during a dust storm will have seen the topsoil blowing off into the west and heading out to sea. We need to do something about this because the nutrients and crop yields are going down. No-one can dispute that we do, in fact, have climate change; we can discuss the cause, but the problem is that we have climate change so what are we doing about it? The answer is that at the moment, we are wringing our hands in self-pity and not doing as much as we could or indeed as fast as we could.

One other aspect of hemp is that it can be used to remediate toxins from the soil. It is a hyper-accumulator because it soaks up large amounts of toxins. It has a fast-growth cycle and fast biomass with a high tolerance for heavy metals. Is this worthy of intensive research? Yes. Is research being done? Yes, it is, but we need it to happen faster because time is of a premium. Hemp was used in Russia to clean up radioactivity in the soil around Chernobyl. It has been used in Germany for managing heavy metal toxins and in Poland to fight or remediate copper in the soil. In New South Wales, it is being trialled to rehabilitate soil damaged by sewage. It helps to reverse acid changes in soil; it remediates the soil caused by acid rain. I believe that DPIRD is surely investigating this; I encourage it to do so. I give thanks to the experts we have here. I ask for more speed because we can reduce our pollution, conserve our water and improve our soil. I see no downside to that.

I have a number of papers here. One is from Poland. This Polish paper is by Jerzy Mańkowski and Jacek Kolodziej. My Russian is better! This paper was very interesting because of the possibility for phytoremediation, which brings me to the question: could we invest in a trial of hemp to remediate the soil in Wittenoom? I do not know. No-one knows. It is certainly something that we ought to be looking at. The University of Pennsylvania produced a paper that looks at revitalising the soil. I can only quote the source of that paper; I am obtaining it and I will present it. Again, that would be an intriguing thing for Wittenoom. The third paper here is by Placido and Lee. They are from the US Department of Agriculture's Agricultural Research Services in Albany, California. The paper looks at hemp as being a superior soil remediator. Those researchers are looking at genomic sequencing and bioengineering hemp to improve its already impressive capabilities for phytoremediation. We have in my office a repository of science research that I am very happy to share with members. At this moment, for the interest of members, I have two papers here, the one by Jerzy Mańkowski and the one by Dante Placido and Charles Lee, and I seek leave to table these papers.

[Leave granted. See paper [1218](#).]

Hon Dr BRIAN WALKER: This second paper from Placido and Lee goes a long way to pointing out the attractiveness of hemp as a substitute for a traditional form of soil remediation, which is costly and potentially damaging to land. This could remediate that soil much more efficiently. I would recommend that we do that. If we were to do that, we could look at Collie. I have personal experience with the regenerating of the mine site at Collie, which I believe is already being investigated. I would encourage people to go further into this—to restore the land to a sufficient quality to allow it to be given back to the Indigenous owners in a pristine condition. This is one of our obligations. It is the right thing to do and we can do this. It would help in so many ways. I do not have the time to talk about that, but there are so many ways to enhance Western Australia and Indigenous wellness.

Yesterday, I was talking with members from the Fitzroy water catchment area, who are active in encouraging us to think differently about water. We have a crop here that will require low irrigation, can be a financial bonanza for its owners and will result in carbon capture. Can we imagine what would happen in an area where, at the moment, cattle run riot? We all like to eat beef, unless we are vegan, but it causes damage to the land and takes an enormous amount of water to grow the fodder for the cattle. Even if we are not vegetarian, we know that the ecological cost of providing the fodder to feed the animals that we then eat is not economically or environmentally sustainable. We ought to think about this differently.

We have our obligations here under the Paris Agreement. I believe that we must have hemp to reach those goals. I put it to members that the scientific case is clear, and I suggest to my colleagues here that this would be a very important thing to do. We call on the government to redouble its already laudable efforts in investigating hemp as an industrial crop. We stress that it would not only help the environment, but also greatly increase the state's finances. As I said in my budget reply speech last year, it could provide a balance to our iron ore exports, which would greatly stabilise the security of Western Australia.

Members, there is no downside to this, there is only upside, and we need to grasp the opportunity now. I give thanks for this motion, to which I give my full support. Thanks for introducing it.

HON TJORN SIBMA (North Metropolitan) [10.43 am]: I think that this is an astoundingly comprehensive and ambitious motion. One might disagree with some of the assertions provided by both previous speakers, but I think what has been illustrated here is that the issue on which we are being asked to focus our minds is a comprehensive and intricate one—one that I think demands a degree of humility around the forces we are being enjoined to battle against and the urgency with which we are being asked to act.

Putting the challenge of human-induced climate change into its proper perspective is a difficult one. I am about to turn 45, but I remember that as a young person growing up, the greatest existential threat was one of mutually assured nuclear destruction. That was probably in the last decade of the Cold War. Nevertheless, I had a very—I use this term advisedly—bolshie year 4 teacher named Mrs Dodd, who I think almost on a daily basis instilled great fear among the cohort of about 31 or 32 students that the world was going to end. I did not think that was particularly pleasant, nor did I think it was particularly plausible. I did not have the—I will not necessarily say sophisticated—more developed framework to consider the arguments then that I do now. But it has minded me to accept challenges when they arise but attempt to put them into some proper perspective, which is not to diminish them and not to explain them away, because when we talk about issues of climate change, we inadvertently sometimes run two things together. I will disagree with Hon Dr Brian Walker about one aspect, although I do not think it was intended:

there has never been a homeostasis. There has never been a climate equilibrium. There has never been. We are dealing with a dynamic set of forces. We are only now attempting to understand what those natural forces are, what they mean, what their dynamics are and what the interplay is between those pre-existing forces and human-induced climate change.

I like debates like this because we step out of the rancour of Thursday morning, which is sometimes good for us. It is often good to be rancorous, but it is also very good to step back and keep a sense of proportion.

I came across a study from about a year ago in preparation for today, although I am not as prepared as I would like to be. I thought I would read it in. I think it is quite informative, and it is germane to the south west of Western Australia and its climate record. It is a paper published in a journal called “Climate Dynamics” in 2021, and it is called *Megadroughts and pluvials in southwest Australia: 1350–2017 CE*. I quote from the abstract —

Declining winter rainfall coupled with recent prolonged drought poses significant risks to water resources and agriculture across southern Australia. While rainfall declines over recent decades are largely consistent with modelled climate change scenarios, particularly for southwest Australia, the significance of these declines is yet to be assessed within the context of long-term hydroclimatic variability. Here, we present a new 668-year ... tree-ring reconstruction of autumn–winter rainfall over inland southwest Australia. This record reveals that a recent decline in rainfall over inland southwest Australia (since 2000 CE) is not unusual in terms of either magnitude or duration relative to rainfall variability over the last seven centuries. Drought periods of greater magnitude and duration than those in the instrumental record occurred prior to 1900 CE, including two ‘megadroughts’ of >30 years duration in the eighteenth and nineteenth centuries. By contrast, the wettest ... decadal periods of the last seven centuries occurred after 1900 CE, making the twentieth century the wettest of the last seven centuries.

Hon Alannah MacTiernan: Who’s your source there?

Hon TJORN SIBMA: I will seek leave to table it, because it is actually of use. It is published by two academics from the University of Western Australia as well as the Department of Biodiversity, Conservation and Attractions.

Hon Alannah MacTiernan: What are their names?

Hon TJORN SIBMA: O’Donnell, McCaw, Cook and Grierson.

[Leave granted. See paper [1219](#).]

Hon TJORN SIBMA: I think that is useful, because if we are going to talk about adaptation, we have to understand the parameter bounds. To do credit to the argument that was posed, I think the injunction here is to observe the precautionary principle that something anomalous is happening in addition to existing known climate dynamics that would seize the mind.

The issue then, of course, which I think was well put, is one of adaptation. Adaptation also infers a degree of disruption, including economic disruption, which I think is completely unavoidable, but Hon Dr Brad Pettitt put the argument that the economic cost of disruption is worth the benefit. In the main, I would probably concur with that, but I do not think that any means is as advantageous as any other means. We need to bear in mind the fact that uniformly across Western Australia and the Western Australian polity there is an understanding that climate change is real and that there is a personal and community desire to do something about it, but there are vast differences of opinion on how best to prosecute that and, frankly, there are great disparities in individual capacity to pay for that remediation.

My line of caution is that I am encouraged by the need to act swiftly, but I will not countenance, for example, the closure of the oil and gas industry in Western Australia. That is a red line I will absolutely not cross—ever. In fact, it is that abundance of energy and minerals that has created Western Australia as a viable socio-economic entity, and without it, there would be no community. Although I am not making the case necessarily for the glory of fossil fuels, we cannot but help observe the foundational quality of fossil fuels in human development because it is the only alternative that people, particularly in developing countries, have to make the social and economic advances that we take for granted in a community like Western Australia. Therefore, there needs to be a sense of proportion here.

The challenge posed by a motion like this, honourable member, is something on which we could spend weeks in a civilised and rational way. Although we do not have that opportunity very often, President, try as we might in this chamber, and certainly not on a Thursday morning, this is probably the exception that proves the rule.

I am interested, though, in paragraph (a) of the motion. I look forward genuinely to the response of the minister representing the Minister for Environment on this. I am keen to understand exactly how the sectorial emissions strategies being put together by the government will work and—I assume this is the case and I am here to ask the question—whether that logic and discipline will be applied to the government itself. I recall that in question time yesterday, Hon Dr Brad Pettitt asked for a point estimate of the government’s carbon footprint as of yesterday. I asked a similar question last year and there was no answer to it. It would be good to understand what that is because if we are going to start to apply discipline to other sectors, the government should lead by example, and it would be

easier for some parts of government to deliver on that than others, particularly when the Water Corporation intends to build a \$1 billion desalination plant in the northern suburbs, which is necessary but which will be exceptionally energy intensive. The capacity to run that on renewables is completely unproven so I look forward with interest to the minister providing the government's reply.

HON ALANNAH MacTIERNAN (South West — Minister for Regional Development) [10.54 pm]: I very genuinely commend Hon Dr Brad Pettitt for bringing this important motion to the house. He plays an important role in this house by continuing to ensure that these incredibly important issues are front and centre. He rightly has drawn our attention to the recent Intergovernmental Panel on Climate Change report. I assure the member that Minister Whitby and, indeed, all members of the ministerial task force on climate change are well aware of this report and absolutely understand the need to press forward on this matter.

I have to say that a lot of work is underway at the moment. The McGowan government recognises that it is not acceptable to have a target for just 2050, so it is working on establishing a realistic target for 2030. We note that the very unambitious target of the Morrison government is something between 28 to 30 per cent on 2005 emissions and we note with great enthusiasm that the likely people to replace the Morrison government, the federal Labor Party team, have committed to a 43 per cent target by 2030. We believe that it will be so much easier for us to work constructively and to be more ambitious if we have a change of federal government. I believe that very sincerely. Having a government of which half of its representatives do not believe in the whole issue of climate change challenges its engagement on climate projects. For example, the federal Minister for Industry, Energy and Emissions Reduction, Angus Taylor, and I have had some heavy conversations about the proposed Pilbara hydrogen hub. He wants the work of that hub to be diverted to look at opportunities for carbon capture and storage in blue hydrogen. We have made it very clear that although work has been done quite separately through the LNG task force on carbon capture and storage, we believe that when we talk about hydrogen, the government investment and focus has to be on renewable hydrogen. There are many other stories I could tell just from my experience, and the Minister for Energy and others, no doubt, have similar stories. If we are to get federal funding, all the funding that we want to put into climate change factors in building climate resilience must be seen through the lens of drought rather than through climate change resilience. Therefore, I think that we will be able to work more consistently and achieve much more with an aligned federal government.

As the member acknowledged, we are doing the sectorial emissions because we want a target that is ambitious, but with the real prospect to drive that. Minister Whitby is looking at not only targets but also reporting. Over the next six months, I think a number of issues that the member spoke about will be further addressed by our government. The member mentioned a lot of detailed mitigation measures, and most of them are worthy, but I think it is important—this did not necessarily seem to factor in the argument that the member put—to recognise the work this government is doing to transition out of coal. That will be a significant change as we replace coal with renewable energy projects.

I note that the member was talking about electrification. I was a bit surprised that he did not focus on discussing hydrogen and the role that it can play in transport. We currently have \$10 million on the table for expressions of interest for a hydrogen-fuelled transport program. We are looking at heavy haulage commercial vehicles because we think that hydrogen will potentially be more efficient in those vehicles than electricity as some very significant batteries would need to be carried, particularly for long distance travel. I urge the member to look more at the prospect of hydrogen. I know that he is a great fan of electrification. Some extraordinarily interesting work is being done on how hydrogen can replace natural gas. Things are changing but at the moment, for example, certain manufacturing processes cannot be accommodated with electricity. If the member is looking at manufacturing processes requiring energy in excess of 1 500 degrees Celsius, a thermal process is needed. Obviously, the government sees hydrogen as an important part of the process to ensure that even those processes can be turned into a used renewably generated product.

I would love to talk for a long time about the prospects of hydrogen but it is also important to understand that we are making progress on this front. Unfortunately, I do not have the data but we are working hard to accommodate this growth of renewable energy. Our investment in the big battery in Kwinana is important in making that transition to renewable energy. I note that just last week we announced a partnership with Sunshot Industries, the company led by Ross Garnaut. We are jointly investing \$1 million to investigate the development of a second large battery, this time down in Collie. Associated with that is the potential for a plant to develop renewable urea, so that the ammonia component of urea products can be generated from renewable hydrogen. This stuff is not all pie in the sky. I know that the member for Fremantle has a view about the Woodside H2 project in Kwinana. As I have said to him, the most interesting stage of that project is Woodside's commitment to a 250-megawatt electrolyser that will take renewable energy off the grid and generate renewable hydrogen that can feed into our transport aspirations.

When I was a mayor, I was personally involved with the move towards LED street lighting. Urban canopy is certainly a great interest of mine and Minister Whitby. We have a native vegetation policy. We will certainly be doing more work on this. I am investigating heat pumps for my own use in Albany. It is quite amazing technology, particularly those that capture energy from the air. A real education process can occur in Western Australia.

I say to Hon Dr Brian Walker that I have strongly supported the hemp industry by making legislative changes. I have invested in research and used regional economic development grants to fund two processing plants—one in Bridgetown and one in Margaret River. I say to the member that hemp is not a miracle crop but it certainly has value. The member does not want to sound like one of those potheads who are taking the industry backwards by sounding completely unrealistic. It is great that cannabis can be supplied by way of a plant, and it has a lot more potential. But it is not a miracle plant; it will not give us world peace, nuclear disarmament and all of that. It is a crop that takes a lot of nitrogen out of the soil. There seems to be the view that it is a nitrogen fixer. We do not have evidence of that. It is a positive plant. It has a contribution to make. I urge the member to be a little more measured during his presentations. We believe that cannabis crops can be used for fibres and in building materials. I have been into those hemp homes but it is not a miracle solution. As I think we all know, there will never be one single solution.

I was interested in the comments of Hon Tjorn Sibma, someone who grew up in the thrall of the possibility of nuclear war. I think Hon Tjorn Sibma's point was that it has not happened, so there was a lot of exaggeration. I suspect that over the last couple of months he might have been a bit premature in suggesting that is not a real and present danger to our community. I would not use that as an example to suggest that the sense of the need for climate action and the talk about a climate emergency is not real.

I probably part company from Hon Dr Brad Pettitt when I say that we need more ambition. We have to drive hard. These issues involve making that transformation. Although at one level we can say, for example, that we have battery technology and we know how to make renewable hydrogen, to do it on a large scale to see change in our manufacturing capability in the world, we would need to increase production by such a large quantum. Even with all the projects occurring in Western Australia over the next 10 years, our manufacturing capacity to build electrolyzers to service Western Australia does not exist in the entire world. Similarly, with battery production using critical minerals; we need to scale up but we have to be realistic about the transition time that that is going to take. That is why we have that difference of view. I think we can get there, unlike Hon Tjorn Sibma. I think we can have a gas industry that might not use fossil fuels. But we are not ready now. We will not be ready in 2025. It will probably be more like 2040 to 2045 before we can actually scale this up. I agree that it is important and our government agrees that it is important that we start that process, and we start it with a great deal of ambition and drive.

HON WILSON TUCKER (Mining and Pastoral) [11.08 am]: I rise to support this excellent motion. I thank Hon Dr Brad Pettitt for raising it today. I have not spoken often on the issue of climate change but it is a topic that I am passionate about. It is sometimes quite difficult to outgreen the Greens on the issue of climate change. In my inaugural speech, I was going to talk about climate change and quote the words of former Prime Minister Kevin Rudd that climate change is the greatest moral challenge facing our generation. I addressed a lot of other issues in my inaugural speech and decided to cut it a little short. It is an issue that I care about.

I was certainly compelled to speak today on my views on climate change and in support of the crossbench, but also the fact that it is quite pertinent that the Intergovernmental Panel on Climate Change's sixth assessment and third working group report has just come out. It has coincided quite nicely with the honourable member's non-government business motion. I want to acknowledge the Minister for Regional Development's comments about a potential 2030 target. In the words of my mother, and I am sure other mothers around the country, I was going to say that I am not angry but just disappointed about the silence from the government on this issue and its acknowledgement of the latest assessment report. But it was good to hear the Minister for Regional Development acknowledge that the report exists. To acknowledge this report is to acknowledge what it is saying. As the honourable member said, we need action now. This is the last major report that will come out before it is too late to make any decisions to limit global warming to below 1.5 degrees compared with preindustrial levels.

To put this report into real terms, chapter 11 talks about Australasia. In summary, it mentions that bushfires and flooding events will become more frequent. We have seen significant flooding events in Queensland and all of us in this room know that Western Australia is still susceptible to flooding and bushfires. We had some very tragic bushfires over the last summer period. We have also seen some of the highest temperatures on record during the summer period in Perth and up in the Kimberley and the Pilbara. Many temperature records were broken and for few days we had the hottest place on the planet. This report basically says that those temperatures and the severity and frequency of the significant weather events will continue into the future. The report also mentions the potential for crops to be impacted, certainly in the Esperance area and the south west. By 2050, crop yield in those areas will potentially reduce by 30 per cent, which should fill the agricultural members here with dread. Until today, the silence from this government has been heard federally as well. There has not been much acknowledgement —

Hon Alannah MacTiernan interjected.

Hon WILSON TUCKER: To clarify, minister, up until this point there has been silence from this government.

Hon Alannah MacTiernan interjected.

Hon WILSON TUCKER: I have not heard anything, member.

Hon Alannah MacTiernan interjected.

Hon WILSON TUCKER: From the Labor government; no, nothing.

Hon Alannah MacTiernan interjected.

Hon WILSON TUCKER: Where? From this report, member.

Hon Alannah MacTiernan: You mean in the last week.

Hon WILSON TUCKER: In the last week, since this report came out —

Hon Alannah MacTiernan interjected.

Hon WILSON TUCKER: Since this report came out on 4 April there has been no response from this government—that is my point—or federally. I will talk about the Libs —

Hon Alannah MacTiernan: What is the date today? So that's three or four days. Our minister has been in isolation with COVID and so —

Hon WILSON TUCKER: Minister, it would take five minutes for the climate minister to tweet. All I want from him is an acknowledgement of this report and to say that we are working on a target. I know that the Premier has acknowledged a previous sixth assessment report and that he was looking at a potential target, and I know that the honourable member tried to push a private member's bill to regulate a target, but that it was knocked back. I know that the Premier has made some concessions in that area and I also acknowledge the concessions made by the regional minister as well. I was going to say that until this point, the federal Liberal government has also been silent on this. When Scott Morrison was recently on Perth radio, he was asked about the report. He acknowledged cyclone Seroja that devastated Kalbarri. He acknowledged the report and the science conducted by the Bureau of Meteorology, which basically says that we will experience more frequent severe weather events and higher temperatures. He did not go so far as to say that the frequency would be likely to increase as a result of climate change, which was a little unfortunate. We will potentially see a change of government federally and hopefully the new federal government will work more closely with the state government on this issue. There has not been much federal commentary. Some acknowledgement was given by Labor members and the Greens, as would one fully expect. To date, WA has an aspirational target. To work towards a 2030 target, or any target, would be beneficial.

The silence in WA on this issue and for us to continue with the status quo contradicts the science in this report. The silence says to me that we care about climate in WA but not at the expense of profits for resource companies. It will be a long transition, but it needs to move quickly and I encourage this government to work on a target. The minister mentioned a climate workforce. Hopefully, we can see some output from that workforce sooner rather than later. I take this opportunity to remind the government that it certainly has the money and the means, with a double majority in this place, to push this issue of climate change and to make it less political and take some decisive action.

HON NEIL THOMSON (Mining and Pastoral) [11.16 am]: I approach this debate today in the spirit of the comments made by my colleagues on both sides of the house. Hon Dr Brad Pettitt has brought forward an excellent motion, I must say, in terms of its focus on solutions. I commend the honourable member. I like the way that the motion has been structured and those last four points are very useful, informative and helpful. I understand the politics of climate change. I have been in the public service for some time, and now in this place. I recall when I was in Treasury in the 1990s and early 2000s, when the debates were underway internally within the public service about the economics of mitigation measures and policies, carbon taxes, trading schemes and what was the most efficient and so forth. My personal observation has seen a level of disappointment over time. It does not really matter what side of politics one has come from as prime ministers of both colours have been shipwrecked, one could say, on the altar of trying to drive some meaningful policies on climate change. That is my personal view. I do not think that the Greens are particularly blameless in this space in terms of some of the federal movements when certain incremental changes could have been achieved. I understand, again, that the politics of it has meant that it is a game that has been played politically in Australia for at least 20 years where we have —

Hon Alannah MacTiernan: This is quite amazing that you're raising this because I deliberately didn't raise this out of deference to Hon Dr Brad Pettitt, but I'd have to agree with you.

Hon NEIL THOMSON: Thank you, minister. As I said, I will approach this debate today in the spirit in which the motion has been put because when things could have been locked in we did not do that and Australia has been the worse for it. But in saying that, I think one of the big changes that has occurred in recent times—I also commend Hon Alannah MacTiernan for her interest in and for driving the hydrogen space—is the massive change in technology. We are now seeing a real opportunity in Australia to reduce carbon emissions much more rapidly over time simply because of the investment in technology that has been occurring over the last 20 years. Rather than an artifice by some economist working out how to create a market for carbon and driving additional costs to the consumers and industry and so forth to provide an incentive to change, technology is now enabling change simply because it will be cheaper to achieve a carbon-free economy in the future. I think that is very exciting and encouraging.

I was also very excited and encouraged when I was in Leinster for the official opening of a new project at the Agnew mine that was supported by the federal government. It is easy to pile on the federal government, and people

like to do that, but the fact is that the Australian Renewable Energy Agency supported that tremendous project because it provides a technological opportunity to deliver 50 megawatts of mainly renewable energy into a sector that is probably quite difficult to break into. That brings me to the point about Western Australia being seen as the only jurisdiction in which carbon emissions have increased. I understand why and that our reliance on our resources sector has created that problem. In reference to the third parties, I assume that Gareth Parker is not politically motivated. On 17 November, he wrote in WAtoday —

Given the opprobrium that has been heaped on the Morrison government's record on and commitment to cutting carbon emissions both in the lead up to and aftermath of COP26 in Glasgow, it is noteworthy that criticism of the West Australian government has been comparatively mute.

They are not my words but the words of Gareth Parker.

Hon Alannah MacTiernan: Okay, so that was five years ago.

Hon NEIL THOMSON: No, this was on 17 November 2021, only a few months back. We can see the record and we can see that Western Australia is lagging behind. That is why I am here to commend the calls for this government to look at building a greater adaptive capacity and to accelerate the inclusion of adaptive planning, for example.

We can come in here and rage about other aspects of Australia and not take responsibility for the things that we can do here in this place, but I wrote an article in January presenting information on the issue of apartments not having charging stations for electric vehicles. That is a growing problem, particularly in older apartments. I will provide some advice to the government. I am always happy to provide advice. There is an opportunity for the Department of Jobs, Tourism, Science and Innovation to provide better information to strata bodies. I did some searching online and found that at the local level there are things we can do to improve and accelerate this. We can talk about the grand visions for hydrogen, and we know they are important, but let us not forget to focus on the things that the state is responsible for, particularly in the planning space, which is my shadow portfolio. We know there are real opportunities. The retrofitting of charging stations is going to be a big issue. Sometimes strata bodies include apartment owners who may not necessarily have expertise in the types of business decisions that need to be made on those types of investments. As part of a review into the planning sector, I encourage looking at how to provide better information. When we compare Western Australia with New South Wales, we can see that there is no comparison because New South Wales is providing better information to its strata bodies. That is my piece of advice to members opposite. There are things that we can do. Rather than grandstanding, get down to brass tacks.

I commend Hon Dr Brad Pettitt for his comments about gas in new homes. To be honest, I had not thought too hard about that issue but I think he made a worthy comment about how to deal with that issue going forward, because we do not want to have stranded assets. I think the Minister for Planning should ask the Western Australian Planning Commission to review the residential design codes and look at how we can embed some of these new technologies in the future. It is not just in planning; there are also real opportunities in transport. We can do a lot of things to achieve the outcomes we want to achieve. I certainly commend the motion today because we do not want to get into the argy-bargy, although we do expect some argy-bargy to continue.

HON DR BRAD PETTITT (South Metropolitan) [11.26 am] — in reply: I thank each member for their contribution. It has been a very constructive and civil conversation on an issue that, as Hon Neil Thomson indicated, has historically been quite partisan. I hope the takeaway from today is that this issue does not need to be partisan. We can all agree that there are solutions, and the Intergovernmental Panel on Climate Change report is at the heart of it. We have the solutions and can implement them now, but we need to scale up. I want to respond to a comment the Minister for Hydrogen Industry made about the issue of scale. Now is the time to scale up in a lot of areas. We are seeing extremely good work in the hydrogen space. I did not mention hydrogen, partly because I know that in many ways this government is onto it, and I congratulate it for that work. But all the evidence—again, there is some good work in the IPCC report—indicates that hydrogen is probably 20 per cent of the solution.

I know that the minister thinks I go on about electrification, but all the evidence I have seen is that electrification is the other 80 per cent in terms of getting fossil fuel use down. Electrification will be at the heart of it, but that is not what we are scaling up. It is time for the minister to change her job title to “Minister for Hydrogen and Electrification” and to be given more work in that space, because that is where a lot of the quick wins are. At the heart of this motion, the IPCC report and the examples I have given today are the quick wins. Hydrogen is not a quick win; it is for those areas that are hard to electrify. We would use hydrogen only for those things that we cannot electrify because it will never be as cheap or as efficient. I was pleased that there was a sense of agreement. I think that the science is very important and I do not feel—I know—that the science is extremely clear on what we need to do.

I remind members of the IPCC report, the earlier report and the work that has flowed since on the importance of an increase in the global temperature of between 1.5 degrees and two degrees. To give members an example, if the temperature kept warming as close as it could to 1.5 degrees, we would see a decline of about 70 per cent of our coral reefs. If we let it increase by two degrees, 99 per cent of our coral reefs will decline. In terms of extreme heat days, if we keep the global temperature to 1.5 degrees, 14 per cent of the global population will be exposed to severe heat. At two degrees that becomes 37 per cent, which is 2.5 times worse. That half a degree is important.

That half a degree is at the heart of the action that needs to happen this decade, and is why we need to go hard and go early. I have a sense that there is agreement that we need to do this. What I think there is no agreement on—therefore, there will be no action—is that we need to go much harder right now. I am not saying that; the IPCC is saying that. This is about scaling up immediately. The IPCC uses the word “accelerating” again and again. I hope we can accelerate in all the quick wins, be it, as Hon Dr Brian Walker talked about, in the space of hemp.

Another member’s point was that poorer countries need fossil fuels—sometimes they do. However, there is technology to leapfrog fossil fuels. We are at an amazing point, but we have to let our own communities invest in the right solutions that leapfrog fossil fuels. In many ways, the heart of this motion is that there is so much opportunity to do things differently and quickly. There is growing consensus globally, but we are missing the urgency and the funding to do it. In the budget that will come down in a month from now, I hope that we will see some major new funding to scale up and get us moving. If we do not see that, I offer one of my favourite quotes: it is not in the policies or aspirations that we see what a government stands for; it is in its budget. In this budget, we have to see real action and real commitment to scaling up low carbon solutions that we can do now and over the next couple of years. It is not about plans. It is not about vague targets. It is about budget projects right now.

I want to end by thanking the people who helped me write this motion. There was a second motion on adaptation that we did not get to, and I will leave it for another day. Of course, adaptation is an important pair to mitigation. We have to bring down emissions, but, regardless of that, there will be some adaptation to climate change that is already happening that we need to address. I want to thank the working group and expert panel that I had. It included multiple IPCC authors and many other experts from universities and industry, and I would like to acknowledge them in closing. That included Professor Bill Hare, Professor Peter Newman, Professor Petra Tschakert, Dr Martin Anda, Dr Hugh Finn, Dr Brad Hiller, Larissa Taylor, Tamara Smith, Chantal Caruso, Johanna Mitchell—all wonderfully facilitated by Meri Fatin—and my staff as well who worked really hard on this. We considered a lot of really great work that was done by the sector. I talked about examples from Shelter WA and the Western Australian Local Government Association. Even the Greens climate crisis working group did some really good work in this space. I have to acknowledge Clean State and the jobs report that it did a few years ago. It continues to do good work in this space.

In this chamber, I try to talk about evidence-based issues and issues based on best expert advice, and not just put up political partisan positions. I am always pleased that the Greens’ position on climate science is very much one that is aligned with the evidence, and, in this case, we worked very hard with these experts to ensure that we had the best possible motion before the house. With that, it was pleasing to hear such positive feedback and positive contributions from you all. Thank you, and I hope this leads to renewed energy and focus on, and less silence in, the climate space.

Motion lapsed, pursuant to standing orders.

FASHION INDUSTRY

Motion

HON AYOR MAKUR CHUOT (North Metropolitan) [11.34 am] — without notice: I move —

That this house —

- (a) recognises the valuable contribution of Western Australia’s fashion industry to the state in relation to culture and the arts, trade and tourism; and
- (b) commends the McGowan government’s ongoing commitment to Western Australian jobs, innovation and entrepreneurship, and encourages the further development of Western Australia’s fashion industry.

I rise today to talk about the valuable contribution of Western Australia’s fashion industry to our state in relation to culture and the arts, trade and tourism. We all come to this place offering our unique perspective, and the fashion industry is very close to my heart, as we all know. I have many positive things to talk about in fashion. Before becoming a member for the North Metropolitan Region, I enjoyed a successful modelling career. I won Face of Perth 2010 and was the first South Sudanese model to walk the traditional Perth Fashion Festival. I remember that when I used to be a model, my hair used to get shaved—that was my look. I have appeared in many local magazines. I have walked many runways in Australia and internationally. After my modelling career, I ran local fashion events and an agency that promoted women and diversity in the industry. I worked with WA’s brightest creatives and culture makers, hardworking fashion designers, models, stylists, photographers, event organisers and others who are amongst the best at what they do in Australia and in the world. On behalf of the McGowan government, I commend them all for their contributions to our society.

The Australian fashion and textile industry is large, diverse and globally connected. In 2020 and 2021, it contributed more than \$27.2 billion to the national economy—that is brilliant—\$7.2 billion in export revenue, and \$2.3 billion to the WA economy. From our state regional towns to Perth, the industry employs 41 000 people, 77 per cent of whom are women. The McGowan government has consistently supported women, culture and the arts, jobs and skills,

technology, innovation, manufacturing, responsible businesses and sustainability. It provides grants, funding and opportunities that benefit WA's fashion industry to ensure its future prosperity. I will speak more on that later. Designers, manufacturers, wholesalers, retailers, educators and businesses that benefit indirectly from fashion-like tourism and media events have faced big challenges during the COVID-19 pandemic. However, the industry is resilient and is now emerging with a new business model: local, sustainable and digital.

I would like to share with members a few examples from the community and some of the people I have visited recently. In February, I visited Denise Whitsed at her factory in West Leederville where she and her team manufacture for many WA designers. At Whitman Clothing, business is booming. In fact, Denise cannot keep up with demand. Every week she is knocking business back, even during the pandemic. Why is that? It is because more customers care about where their fashion comes from, how it is constructed, by whom and under what conditions. They want to buy local. Established designers prefer having their garments made locally as it is great for branding and logistics. Local means quality and reliability. Local means "Australian Made", and it sells. WA fashion designers are doing well online. I am proud to say that the McGowan government allocated grants for designers for their online businesses and brands, opening them to global markets. This online visibility has resulted in excellent sales during the pandemic, contributing to Whitman Clothing's success. With over 30 years' experience, Denise Whitsed is an expert in the industry. She has grown great networks, working with WA top designers including Morrison, One Fell Swoop, Ruby Watkins, Natalie Rolt, Bedtonic and others. She also made the iconic baggy green cap worn by the Australian test cricketers—which some of our honourable members might know—using 100 per cent Australian wool, and Australian military uniforms.

One of the best decisions Denise made was purchasing her own business premise 25 years ago. She divided it into two spaces. The front is leased to successful fashion retailer Out with Audrey, and Whitman Clothing occupies the back. You would not even know it is there, but once inside, the production at Whitman Clothing is colourful, dynamic and impressive. There is a lot involved in manufacturing clothing: pattern making, sampling, grading, costing, marking, cutting, pressing, folding, packaging and more, each requiring different skill sets. Denise is keen to see these skills taught in depth at high schools, TAFE and in apprenticeships. Currently, Whitman Clothing employees 15 full-time staff, yet has the capacity to double the size of its workforce overnight when skilled workers become available. To be specific, she would especially like more sewers. Like the McGowan government, Denise is passionate about WA jobs, keeping local manufacturing alive and sharing her expertise with our future entrepreneurs.

The second person I visited in March at her South Fremantle studio is the highly original designer Rebecca Paterson of label 33 POETS. Rebecca began her creative journey as an artist and moved into fashion. She has achieved wide acclaim for her punk/gothic/grunge street couture, using fashion to comment on popular culture. In 2018, I wore 33 POETS on the runway at the Perth Fashion Festival and today, I am wearing 33 POETS in WA Parliament—that is impressive. Thanks to my colleagues, Hon Shelly Payne and Hon Sandra Carr for wearing 33 POETS with me today. It is very important to support our locals. I have not forgotten Hon Dan Caddy, who is wearing his best suit to support me. I acknowledge Hon Dan Caddy and all honourable members who are fashionable today, thank you!

As members can see, Rebecca incorporates traditional clothing techniques from Japan and India, the Rabari, in her beautiful designs. She hand dyes her own shibori scarves in a vat at a rate of about two a day using a technique learnt from renowned Japanese textile designer Junichi Arai, who has worked with great Japanese designers including Issey Miyake and Rei Kawakubo. Her work plays with text and experimental textiles, and has been collected by leading museums including the National Gallery of Victoria in Melbourne, Powerhouse Museum in Sydney and Tamworth Regional Gallery in NSW. Across the globe, she has been exhibited in Japan, Korea, the United Kingdom, the United Arab Emirates, and Europe. Rebecca values originality, experimentation, and slow fashion. Her design works are not driven by trends, but rather imagination, identity, and the artistry of traditional clothes making over disposable garments. She believes deeply that the global competitiveness of the WA fashion industry, and its integrity and longevity, depends upon it.

For further examples of the great potential of WA fashion, Rebecca referred us to the past and present, to the iconic Ruth Tarvydas, whom I worked with during my young days, and Indigenous textile artists. Members may like to visit the spectacular \$400 million WA Museum Boola Bardip, reopened by the McGowan government in 2020, to see the inspirational Ruth Tarvydas collection. She was Australia's first designer to ever export or look to our state's dynamic north at a crucial time in the development of fashion and textile design in Indigenous Australia. In the Kimberley, there are frequent requests for Indigenous artists' work to print on fashion and fabrics and exciting collaborations between fashion brands such as Kirrikin, Antipodium and Gorman. With 30 years' experience in the fashion industry, Rebecca Paterson has an abundance of knowledge and a spirit of generosity. She has taught textile fashion at several universities in Australia, including Edith Cowan University and, with the right support, she could provide valuable internships to future generations of Western Australian designers.

The third person I visited most recently, is the highly talented designer Kylie Radford of the respected label Morrison, at her bustling Fremantle studio/factory. Kylie opened her first store in 2002, creating clothing from luxurious natural fibres. The label is a multi-award winner, achieving well over \$100 million in sales. Morrison employs more than 75 people, which is really impressive, and is market-focused on Australia and New Zealand. Morrison operates

nine retail outlets and an online store, into which it is greatly investing at present, plus wholesales to more than 70 retail outlets and 28 David Jones stores. It also sells through The Iconic, a leading online fashion and lifestyle retailer. Like many businesses, Morrison has faced challenges during the pandemic, having closed 75 per cent of its brick-and-mortar shops. Government payments enabled Kylie to hold onto her staff. She has since reopened her shops.

I am proud that the McGowan government has invested \$1.6 billion to assist WA businesses through the pandemic. In fact, business is booming at Morrison, which attributes its latest success to epic customer-driven online purchasing. There are big opportunities for WA's fashion industry through digital technologies and innovation. Last month's Melbourne Fashion Festival, where audiences made runway purchases from their seats, is an example. That is amazing, and something we should see here. Most of Morrison's production is based in WA, yet much of the manufacturing goes overseas. Kylie is open to manufacturing more of her garments here, should the industry develop into an economically viable option. Most clothing manufacturing in Australia is of uniforms. Promisingly, 80 per cent of customers want to support Australian-made. Proudly Western Australian, moving from Tasmania in the 1990s, and raising a family here, Kylie Radford mentors WA students with design aspirations. With the support of the government and bigger premises, she could increase her workforce substantially—sample machining, patterning, and wholesaling—and provide more local opportunities.

I am pleased to share that WA designers may apply through the Department of Culture and the Arts' commercial development category in the \$15 000-plus and under \$15 000 grants programs, to undertake a range of activities. These include, but are not limited to, attending trade fairs, the promotion and launch of new lines and website updates. I have left the best for last, a seed, an exciting example of entrepreneurial optimism that has developed during the pandemic and in the spirit of renewal.

HON SAMANTHA ROWE (East Metropolitan — Parliamentary Secretary) [11.50 am]: As the Parliamentary Secretary to the Minister for Culture and the Arts, it gives me great pleasure to rise this morning to make a contribution and give the government's response to the motion moved by my friend and colleague Hon Ayor Makur Chuot. It is really great that my friend and colleague has moved a motion on something that I know she is very passionate about; indeed, she has a wealth of knowledge and experience in this industry. The motion recognises the valuable contribution of Western Australia's fashion industry to the state as it relates to culture and the arts, trade and tourism. It also recognises our government's ongoing commitment to Western Australian jobs, innovation and entrepreneurship and encourages the further development of Western Australia's fashion industry.

Western Australia has a significant opportunity to promote the creativity of its highly-skilled and innovative local fashion designers. I am really pleased that through the Department of Local Government, Sport and Cultural Industries, a number of WA designers have been supported to promote their collections and expand their business both nationally and internationally. Some of the breadth of support that has been offered to the industry via the department comes in the form of creative ecommerce imagery and digital marketing strategies to help roll out websites to increase sales and build brand awareness, such as English Rose Bridal by Ilka. Support has also been given to C Lane Enterprises, which exhibits Take the Label, which is a spring/summer range, at the Spring Fair in Birmingham in the United Kingdom and at Scoop International in London, which was in February 2022. The Spring Fair and Scoop International are the United Kingdom's largest and most definitive wholesale marketplaces for the fashion retail industry. They provide a global platform for women's wear brands designers to meet retailers and buyers. Funding was given to the City of Albany via the Arts 15k-plus creative development category to produce 40 wearable art pieces from the gARmenT program, which will be celebrated in two gala fashion shows and exhibitions at the Albany Town Hall.

I would also to take the opportunity to recognise and acknowledge the dedicated hard work of a good friend of mine Carol Hanlon, the manager and founder of the Textile, Clothing, Footwear, Leather Resource Centre of Western Australia, which is based in Belmont in Western Australia. TCF WA provides valuable support, services, specialised resources and training for the fashion industry. The centre has been so successful that it now receives requests from across Australia and overseas from organisations and designers who wish to go be involved in its programs. I thank and acknowledge Carol Hanlon for her ongoing commitment and hard work to the fashion industry.

Western Australia's fashion design sector is innovative and marketable and it has the potential to create substantial employment. The fashion sector is a vital component of our state's creative industries and it plays a vital role in contributing to our economy. Like most creative industries, it is a job-intensive sector. It immerses human talents in meaningful, creative and sometimes well-remunerated activity at a scale that few other sectors can offer. Pre-pandemic, the state's creative industries contributed an estimated \$3.3 billion in industry value-add to the WA economy, generated an estimated \$175.9 million in service exports and employed approximately 53 000 people. There were 10 000 creative businesses here in WA, most of them sole traders. With the right investment, these creative industries can make a major contribution to our state's post-pandemic recovery effort. With innovation, the need to accelerate towards a more sustainable future is key to the development of the designer fashion industry.

I would like to finish by again thanking my friend and colleague for moving this motion. I would like to see very strong and robust fashion and creative industries here in our state, and I am sure we will.

HON SANDRA CARR (Agricultural) [11.55 am]: I thank Hon Ayor Makur Chuot for bringing this excellent motion to the house. I do note with some disappointment that the member for Cottesloe is not here because I think he has a particular interest in women's fashion. That is quite disappointing, I have to say!

It is a wonderful motion because certain comments that have been made during this debate make us realise that we sometimes forget and undervalue some of our really significant and important creative industries and the contributions they make to the state, national and global economy. A significant player is our fashion designers, industry and manufacturers.

A little known fact about me is that one of my earlier career aspirations was to be a fashion designer and I used to spend a lot of time drawing and designing clothes. I even had the wonderful opportunity of doing work experience at The Sanctuary in Nedlands with the wonderful Western Australian fashion designer Liz Davenport. At The Sanctuary in Nedlands, I watched as she designed and created clothes. I saw the whole process right through to parades, wholesale and sales. It was a really fascinating and, I have to say, quite intimidating industry. It is really nice that it has been brought out in the open and discussed in this way because so much goes into it behind the scenes. It is really quite an exciting industry. That work experience gave me pause to reflect on the significance of the Year 9 Career Taster Program, which was introduced by Minister Sue Ellery and the McGowan government. It is really important because it makes our young people career curious and they start thinking about the possibilities that are out there for them, and the fashion industry—I focus on the word “industry—is most certainly one of those.

I note that some fantastic Western Australian institutions deliver and train people in those industries. South Metropolitan TAFE's Bentley campus has been delivering excellent quality training for potential designers and manufacturers and people who want to be involved in the marketing and sales of fashion. They have been doing that very successfully for a good many years, as has North Metropolitan TAFE here in Perth.

I should also thank Hon Ayor Makur Chuot for bringing in some beautiful clothes by Fremantle-based Perth designer Rebecca Paterson of 33 Poets. She has lent us all some beautiful clothes today. What members can see above the desk probably does not do justice to these beautiful textiles—works of art that the designer has very generously allowed us to borrow to wear today.

Being a regional member, I will talk today about a regional designer and manufacturer. It also gave me pause to note Minister Cook's announcement today about the WA Buy Local policy, and that real focus on making sure that we invest our money locally and keep that regional local economy really robust, and that we look at what is available locally and make sure that we invest our money in the wonderful local producers that we have. A great example of a local producer in the fashion industry is a woman by the name of Gabrielle Woodhams. If her name sounds slightly familiar, it is perhaps because of her former partner—sorry, Grant Woodhams; I have just announced that your marriage is over! I assure members that it is not! Former member of Parliament Grant Woodhams is still happily married—I apologise—to Gabrielle Woodhams, the designer and manufacturer of a beautiful fashion label based in Geraldton in the midwest called Mixing Four. Gabrielle makes exclusively linen clothing, bespoke and handmade for her clients. Mixing Four provides four key pieces, which is a nice connection to Liz Davenport, because that was part of her fashion philosophy as well. She is known in Geraldton as the linen goddess because she produces stunning linen pieces that are made to order to the measurement, shape and size of the clients who engage with her. It is very much focused on the idea of slow fashion—the idea of putting quality, creativity and genuine heart and soul into the products that are produced. Gabrielle Woodhams of Mixing Four does that exceptionally well. She makes beautiful pieces. I had the opportunity to attend a gallery opening for the Mid West Art Prize, and one of the artists there is a friend of Gabrielle Woodhams, so Gabrielle whipped her up a beautiful linen dress—it was a gown; “dress” does not really do it justice—that she had the opportunity to wear on the night. I cannot speak highly enough of the stunning pieces that Gabrielle creates. She is very much about ethically-driven products and educating the community about the concept of slow fashion. We know there are some issues in the global fashion industry with fast fashion.

It is a shame that Hon Dr Brad Pettitt is out on urgent parliamentary business, because the fashion industry is a large contributor to part of the global warming and global waste problem that we have. Gabrielle Woodhams' Mixing Four is the antithesis of that. She is all about producing quality pieces that are designed to last a lifetime and will stand the test of time. I really encourage people to have a look at her work and support regional producers of fashion. People should keep their eyes open. There are lots of people out there in the regions creating beautiful handmade textiles and using natural bush flowers and plants to colour those textiles, and they are all around. I encourage people to support the local fashion industry and also keep their eyes open for what is out there, and perhaps look at investing in quality and slow fashion over fast fashion. I thank Hon Ayor Makur Chuot for allowing me to speak on this motion.

HON STEPHEN PRATT (South Metropolitan) [12.03 pm]: Thank you for the opportunity to speak on this important motion, and I thank again, as others have, Hon Ayor Makur Chuot for bringing this to the house today. Fashion, like many things—art, sport and other social activities—is so important for a functioning, healthy community. It is important to discuss topics like this in the Parliament. Often, we are talking about other industries like mining, which take up a big chunk of the attention, but we often talk about how important it is to diversify the economy, and one way to do that is to support local fashion and outlet stores. I am happy to make a contribution to the debate today.

WA has so much talent in this space. In fashion, we have taken the world stage on a number of occasions. Recently, I was lucky enough to jointly host an International Women's Day event with the member for Bateman, Kim Giddens. I was able to meet some really interesting local women who are running businesses. It is not quite a fashion item, but Shannon and Hayley produce candles. Their business is called The Prospect Project, and the interesting aspect of their product is that when someone purchases one of their candles, they can choose a charity to which a portion of that contribution will go. Joanne Bradbury is a director of the winery 3drops. She is also involved globally in the fashion industry, exporting products that are used in manufacture. Rose Bergmans from Leather n' Laces sells high-quality shoes from her store on the strip in Applecross. I encourage people to support these local businesses, which have really been doing it tough during the pandemic. It is a really brave step to run a shop and keep fronting up when the foot traffic has been down. I note that Hon Klara Andric is wearing some of her shoes in the chamber today. She is getting lots of compliments, too.

Another example of a success story from a local fashion industry player is Poppy Lissiman, who I understand lives in Fremantle. She made waves with her eyewear, which has been worn by celebrities such as Beyoncé and Lady Gaga. It really put her on the world stage when, through the power of social media, they were shown to be wearing her glasses. She has had a focus on making sure her items are still affordable while having such great popularity. In an interview a year ago she highlighted how important government support is for creatives and the thriving art scene. She is quoted as saying —

There's definitely creative people here, no doubt about that. The West Australian Department of Culture and Arts —

That is now the Department of Local Government, Sport and Cultural Industries —

which is our government body, is incredibly supportive of people in the arts and has a really generous arts funding system. Everyone's very supportive, and the fashion industry here is made up of really nice, beautiful, supportive people.

I think that is a testament to the support that fashion people are getting from that department.

Another well-known brand is Wheels & Dollbaby, a fashion brand that has had ongoing success on a global scale, headed by Melanie Greensmith, who I believe also resides in the south metro region. Her designs are notably being worn by the biggest names in fashion and have featured in French and Italian *Vogue*. Another designer I want to talk about who is a bit left field is former Ultimate Fighting Championship fighter Soa "The Hulk" Palelei. He has a new line of footwear coming out called the SOA1. He has done some incredible work across the mining industry raising awareness of mental health and having those difficult conversations about how to deal with issues like depression and connecting the value of physical activity with a healthier mindset and mental health. SOA1 will be very popular, I am sure, given that his Instagram post announcing the VIP waitlist has already had over 100 000 likes.

I happen to be sporting something from a local designer today. Tied to Culture is a newly established Western Australian tie design company run by Indigenous boys Isaiah, Liam and Dontay, with help from co-founder Michael. Indigenous-inspired designs are used to create eye-catching ties that stand out amongst the crowd while embracing Indigenous culture with a point of difference. It should also be noted that all three of the young men involved are also good footballers, with Liam Henry currently playing for the Fremantle Dockers. I hope to see him back out on the field performing soon. As a passionate Freo supporter, I noted their significant Derby win last weekend. I was drawn to their unique designs and the opportunity to support a local small business when I purchased the tie. I think they are sold out at the moment; I hope they will be back in stock soon. Again, it is not simply a fantastic looking tie, but also one dollar from each sale is donated to Beyond Blue and the Cancer Council, highlighting those young men's commitment to giving back to the community.

I thank my colleague Hon Ayor Makur Chuot for bringing this topic to the Legislative Council today. It is very clear that the WA fashion industry has a powerful advocate representing them in the WA Parliament.

HON ALANNAH MacTIERNAN (South West — Minister for Regional Development) [12.09 pm]: I thank Hon Ayor Makur Chuot for bringing this motion to the house today. I know how much work she has put into this issue since being elected. The diversity that she brings to this Parliament is fantastic and it shows the unique insight and interest that she has in the fashion industry. I believe that her passion and aim is to re-establish the Perth fashion festival—maybe even establish it as a WA fashion festival—because, as Hon Sandra Carr said, there is so much fantastic stuff happening in the regions as well as in Perth. I would like to mention a few things, because when we start to drill down, there is some extraordinary stuff available.

Right up and down the state, brilliant Aboriginal art is being incorporated into fashion. In the Kimberley, we have Waringarri Arts, which won accolades and prizes with its designs at the Country to Couture event in Darwin last year. Also, Waringarri artist Peggy Griffiths won a Cultural Adornment and Wearable Art Award at the National Indigenous Fashion Awards in 2020. I am not supposed to use props, but I would like members to look at this fabulous garment, which I would love to see Hon Ayor Makur Chuot wearing one day. Also Jina-Jina Designs, part of Yinjaa-Barni Art in the Pilbara, has had great success.

There are also some other young fashion artists whose businesses are really small but are using local products. One is Julia Foulkes-Taylor, who has an enterprise called Flax and Fleece, which, similar to the statements Hon Sandra Carr made, is a small clothing label, and whose aim is to create beautiful timeless garments with minimal impact on our earth. She works and sells out of Yuin station in the Murchison and has developed a beautiful and successful industry online. You cannot get much more from the market than that.

There are some extraordinary designers out there. One that attracted my attention is Stellar and The Chief, a company based in Margaret River and run by Tarlei Manners. When I saw this I thought here is a woman after my own heart, because Tarlei recently published her fashion book called *Puff sleeves are a crime*. She is doing some absolutely fabulous out-there stuff and selling online.

There are plenty of fabulous examples. Another extraordinary design house—I do not know whether Hon Shelley Payne will know this—is Brodeine and Deine, a company that established in Esperance in 2017. It has a team of 10, which includes a tailor and assistants, that, again, develops a slow fashion brand but is doing some beautiful work. There are also a number of milliners that are being successful.

One group I would perhaps like to mention is the wool industry. I know a number of woolgrowers and the Australian Wool Network is really interested in Australia once again being able to process our own wool so, rather than just selling the fleece, they can develop along the whole supply chain. There are some companies in the eastern states doing that. I am very pleased that Merino & Co has relocated into Western Australia and developed a manufacturing centre in Perth. This is a great opportunity for us. We are a major wool-growing centre and to have that opportunity to process wool, develop the yarn and design magnificent textiles from our home-grown wool will tick all the boxes for our wool industry, because we truly do produce some of the most spectacular wool.

Another great aspiration is to get the cotton gin running up in the Kimberley so we can, hopefully, look forward to some downstream processing from that as well. I would like to see us doing that.

I think Hon Ayor Makur Chuot's attention on this issue is really going to help us crystallise and focus on this industry and make sure, like other industries, it gets the support it needs because it really adds value not only economically, but also to the soul and delight of Western Australians.

HON KLARA ANDRIC (South Metropolitan) [12.16 pm]: I, too, would like to begin by thanking my parliamentary colleague Hon Ayor Makur Chuot for bringing this motion to the house today. Fashion is many things to many people. For some it can be seen as a hobby; for others it is an art form. I think for everyone, whether they recognise it or not, it is a form of self-expression. It is exciting to be given the opportunity to speak about WA's fashion industry because there are so many amazing designers in Western Australia, some of whom are internationally recognised. It is an industry that creates local jobs in WA, from the designers who sketch the clothes to the clothing manufacturers who produce them and, finally, the retailers who sell beautiful garments in stores across our state. Fashion is used for self-expression and what people show about themselves can be different. It can be used to show respect and professionalism. Many teenagers use it as a form of rebellion, as I am currently experiencing with my 15-year old. It can be used to show that you subscribe to a particular set of values, or that you are a part of a culture.

What we wear is an important part of our identity. I am so proud to say that there are many designers right here in WA who produce clothes that show off their diverse heritage. Kirrikin is an example of a WA label that promotes culture. It was founded by Amanda Healy, an Indigenous woman, who has Indigenous artists in her company. Rūpahaus is a label that was set up by Stephanie Chandra who grew up in Indonesia, Germany and Australia. Her aim is to integrate the three cultures at her label.

Empire Rose is a label based in Fremantle with yet another amazing story behind it. It was established in 1998 by designer and owner Kathryn Cizeika and has since developed a cult following for its very glamorous style. The label has always had a slow fashion approach. I know that other members mentioned this terminology when speaking on this motion today because it is very important. It has allowed Kathryn to produce more sustainable locally made pieces and listen more to her clientele during the designing process.

I could talk all day about the amazing designers we have in WA but I know that my time is limited. However, I note the multiple occasions when members have spoken about designers who are located and based in Fremantle, including one of my very favourites, Morrison, which Hon Ayor Makur Chuot mentioned quite often during her speech today. I look forward to visiting Gabrielle in Geraldton. I thank Hon Sandra Carr very much for bringing Gabrielle's business and her linen designs to my attention because I plan to visit Geraldton very soon.

Labor governments recognise the important role that the fashion industry has both culturally and in our economy. Members spoke about the importance of diversifying the economy during the motion today, including Hon Stephen Pratt earlier.

In 2002, the then Premier, Geoff Gallop, established the Premier's Fashion Industry Taskforce, which examined the best ways to promote the talented designers that we have right here in WA. In 2004, the state government committed \$250 000 per annum to the fashion grants program, which supported designers as well. The McGowan government,

through Tourism WA, created the Showroom-X partnership—a partnership between Tourism WA and a number of high calibre Australian fashion brands. Showroom-X was launched in October last year and supports the We Wear Australian campaign. The campaign went live on 27 October 2021 last year and included digital and social media activity as well as media placement in key national and international outlets, including *The Australian* and *The New York Times Style Magazine*. It is estimated that the Kimberley feature reached more than 12 million people around the world. This is an incredible promotion for both our fashion and tourism industries. The promotion of these industries will no doubt help create more local jobs. WA's fashion industry has an important role to play as consumers become more conscious of exploitation in the industry. We need to look close to home and support fashion designers who produce clothes ethically and locally. There is already a trend towards more sustainable slow fashion and consumers are looking for quality over quantity. A small wardrobe with ethically made quality pieces is much preferred over a huge fast fashion wardrobe, and rightly so.

I am very pleased to see some of my fellow parliamentary colleagues wearing WA's very own designer Rebecca Paterson, who owns 33 POETS. I am quite lucky because Rebecca's store is located down the road from me. I highly recommend members who visit the South Fremantle area to have a fantastic coffee at Roasting Warehouse and take a walk down to 33 POETS. They will have a wonderful day. Why not pop in for a swim at South Freo beach as well.

I am excited to see WA's fashion industry continuing to grow. Who knows; maybe one day Perth will be an international capital like New York, Paris and London. I am very pleased to see my parliamentary colleague Hon Ayor Mayor Chuot on the red carpet runway of the Legislative Council. We are delighted and honoured to have her here, albeit that the Council is not as glamorous as her previous job. I thank her so much for bringing this motion to the Parliament today.

HON TJORN SIBMA (North Metropolitan) [12.24 pm]: It is with some delight that I can speak to a topic close to my heart.

Hon Dan Caddy interjected.

Hon TJORN SIBMA: The incredulity and mockery is just extraordinary considering the fashion choice of Hon Dan Caddy this morning, camouflaged spectacularly well! Nevertheless, he always ensures that his contributions will make themselves known, even if he visibly disappears into the background. It might strike all members with some surprise that my own career as a male fashion model was unfortunately derailed by a lack of good looks and height.

A member: Hear, hear!

Hon TJORN SIBMA: I am glad to have established some measure of solidarity with members on the other side today. It reflects an important point about the diversity of fashion options for people. I acknowledge that members opposite have been glamorously attired by many local fashion designers. I use this opportunity to also put my services at their disposal. If they discern a market for a bloke who is overweight, middle aged and under height, I think I speak for a particularly constituency that has been silenced for far too long on these matters. Nevertheless, the point made is sound. As is customary and to be expected by members opposite, I do not fall over myself to endorse the McGowan government in congratulating itself for anything. The substance of the motion that reflects on pockets of our cultural and economic life, which often go unheralded, is actually a very good one. If there is a diversity of creative enterprises and small to medium businesses that operate at a scale beyond their capitalisation, it should be remarked on and supported. With everything that this chamber and this house does, if we think about the unique platform that we have and the opportunity to support and shine a light on members of our community who are doing fabulous things creatively, we should all be advocates for Western Australian produce, irrespective of that produce being iron ore, wheat, fashion, watchmaking, timber manufacture or whatever. We have a unique opportunity. As local members and those who are regionally based, that conceptualisation remains. I think we have a responsibility to do what we can.

There are also some very interesting aspects about how the fashion industry can conduct itself in a responsible manner. We have had a couple of reflections on fast fashion. I make the observation that there need to be accessible options for time-poor people with limited disposable income. At this point, I do not think everybody has the opportunity to commission fabulous bespoke pieces of clothing, but we have to provide people with that opportunity. I am encouraged by the fact that this matter is on the global fashion agenda because there is a waste stream that certainly has to be measured and mitigated because that global rag trade is appalling. We can unknowingly contribute to environmental externalities that are quite poor. If members have an opportunity to buy local and buy quality, absolutely take that opportunity.

I might reflect upon that, having young children of my own. I grew up in different economic circumstances. As a child, until I got to the age of eight or nine, I do not remember, outside of having a school uniform, going out and getting clothes purchased for me. I was dressed by my mother because my mother made my clothes. Sometimes it was highly embarrassing. My brother and I were trying to keep a six-metre distance at the age of five and three because we were mortified that we were dressed in matching burgundy corduroy! Perhaps my mother had a sense of prognostication: "Go out there and provoke contempt early; you'll get used to it, and there's a future for you as a Liberal parliamentarian!" She thought that if I could deal with those occasional slings and arrows, it would fortify

me for the rest of my life. I will also make this observation. Irrespective of the unbalanced composition of this chamber and the Parliament more generally in terms of party representation, there is an opportunity here to elevate a parliamentary friends group and the creative enterprises embedded around—is there one? Forgive me if I am wrong.

Hon Ayor Makur Chuot interjected.

Hon TJORN SIBMA: I think that is opportune. Once our COVID restrictions are ameliorated to a degree where we can once again host functions, I would be more than happy to accept an invitation to participate, possibly not in an active way down any catwalk—no-one needs to see that. But quite seriously we have an obligation, and it is an enjoyable obligation, to support local industry. Insofar as that is concerned, and recognising the very difficult time small businesses have had in Western Australia, I support, in the very least, the first limb of this motion and I look forward to future engagement. In acknowledging the odd juxtaposition of dealing with this motion and the Firearms Amendment Bill 2021 immediately after as things that do not necessarily run together, I will sit down.

HON AYOR MAKUR CHUOT (North Metropolitan) [12.31 pm] — in reply: I ran out of time when I first spoke to the motion. I will maybe do a member's statement on the last person whom I was going to speak on. Let me acknowledge all the honourable members. I will not mention them individually because I do not have time. I thank them for their support of this motion. It is a very important motion and it is important for us, as members of Parliament, to support our community. As Hon Tjorn Sibma mentioned earlier, it is important to support local businesses and to give them opportunities. In answer to his suggestion, I was thinking that we should actually have a parliamentary friends of the fashion industry. Hopefully, after COVID restrictions have lifted, I might have a word with the President about that.

I acknowledge Minister MacTiernan, because she has been a great support with this motion. Being a new member of Parliament, I have had to seek advice and I just want to acknowledge her for walking me through this journey, and also the relevant minister with this portfolio. I acknowledge Minister Roger Cook, Minister David Templeman and our Minister for Education and Training for helping me with some of the important information. Can I also acknowledge Hon Samantha Rowe, who gave the government's response to the motion, for her wonderful reply; I really appreciated it. We need to keep working on what we are doing now and to improve things for the fashion industry. We heard a lot of invaluable contributions from members about the Western Australian fashion industry across this state. It is a very important industry for us to promote, as we heard from some of the members. The fashion industry is based upon models being the mannequins. I wore a dress today because what we see is what we buy. That is why it is important do things such as bring back the traditional Perth Fashion Festival to Perth. We heard that in previous years there were issues, not with the government, but with the running of the festival. But I encourage the government to look at bringing it back to town. I will come back with more information on that later because I have run out of time and I do not want to start on that topic now.

To conclude, I sincerely thank Denise Whitsed, who works in manufacturing and gave me an insight into what she does. I also thank Rebecca Paterson who designed what I am wearing today. I acknowledge Kylie Radford as well, the designer for Morrison, for sharing her amazing business with me and the WA Parliament. What does a clothing manufacturer, a design artist, a retail designer and an event creator all have in common? They are an essential moving part of the Western Australian fashion industry. Lastly, I am looking forward to attending the launch of the fashion design range of Western Australian Aboriginal artist Shane Pickett next week. Thank you.

Motion lapsed, pursuant to standing orders.

FIREARMS AMENDMENT BILL 2021

Second Reading

Resumed from 6 April.

HON MARTIN ALDRIDGE (Agricultural) [12.35 pm]: I indicate from the outset that I am the member deputed for the Leader of the Nationals in my contribution to the Firearms Amendment Bill 2021. This bill was introduced into the other place in November 2021 and it received its third reading on Wednesday, 15 March 2022. Judging by recent media reports, this is the first of, in what we know of at least, a series of reforms to the firearms system in Western Australia. Members may or may not be aware that firearms reform in Western Australia has had quite a long period of gestation. Members who have turned their mind to the second reading speech, will find in it a reference to a Law Reform Commission of Western Australia report, project 105, that was presented in October 2016. It may be useful for members who are following or engaging in this debate to make themselves aware of the discussion papers of the Law Reform Commission as well as its final report. It is obviously directly relevant to what is under consideration by the house, but it is also mentioned in the minister's second reading speech. Shortly after its presentation in October 2016, there was a change of government and I wanted to make sure that this did not become a missed opportunity. I asked a question without notice of the then Minister for Police on 10 October 2017, roughly one year on from the Law Reform Commission report being presented. On this day I said —

I refer to Project 105 of the Law Reform Commission which inquired into and reported on the *Firearms Act 1973*, and I ask:

- (a) is the Government actively considering the 143 recommendations of the report tabled in Parliament in November 2016; —

Interestingly, the answer of the then minister representing the Minister for Police on that day, as he is today, Hon Stephen Dawson, was yes. My question continues —

(b) if yes to (a), does the Government have a timeline for responding to the report's recommendations; ...

The answer to (b) was "In due course." The question continues —

(c) if yes to (a), will the government's response be tabled in Parliament?

The answer to (c) was "There is no requirement to table a response." I would be interested to know whether, because I am generally uncertain, the government has formally considered the Law Reform Commission report, project 105, and whether there is an ability, perhaps in the second reading reply or during clause 1 of the bill during Committee of the Whole, to consider the government's position on the 143 recommendations, noting that the years are quickly passing since this significant piece of work was conducted by the Law Reform Commission in Western Australia.

Members may not be familiar with the genesis of the Law Reform Commission's report. Members who served in the last two Parliaments will remember a gentleman by the name of Hon Rick Mazza. He had a tendency of bringing disallowance motions on firearms regulations that were largely about fees. I recall dealing with one in 2013 and I am pretty sure again in 2014. It became obvious from those processes that in a cost-reflective environment there were significant inefficiencies built into our firearms licensing and registration system, some of which, it was argued, were a function of the Firearms Act 1973. I remember some of those briefings way back then. Western Australia takes a different approach from the other states because we have a cost-reflective system to firearms licensing and registration, whereas the other states have a cost-subsidisation system. As a result, Western Australia is probably one of the costliest jurisdictions for firearms registrations in Australia, if not the costliest.

I am raising this because I have some questions, one of which is: what pressure is there on government agencies to become more efficient and improve their processes if they are simply administering a cost-reflective system? If the system costs X amount, the consumer will pay X amount. Unless the agencies have taxing powers, they cannot charge any more for those services. What pressure is on the government agencies that are providing these services, which in this case is WA Police Force providing the firearms registry system, to improve their processes? I must say that even today in 2022, it is one of the few government services that people literally go to the WA Police Force website to pay to renew a firearms licence. Most other government agencies have streamlined a lot of the payment processes and have more options to pay, including through BPAY and other options. That is one example in which not a lot of improvement has been made in this space.

The amendment bill we are discussing does not necessarily go to the issue of fees and charges, but one point I would like to explore with the minister is whether this bill will have an impact on fees and charges. If a higher regulatory burden will be incurred as a result of the passage of this bill, who will pay that cost? Will the cost be paid for by government or will the cost be reflected in the cost that the consumer pays, the consumer being a person seeking to apply for or renew a firearms licence in Western Australia? It would be good to get an understanding of the cost and also the resourcing implications to ensure that the provisions of the bill will be adequately implemented and enforced.

I will turn back briefly to the Law Reform Commission's report. I remember a briefing in the last Parliament, the fortieth Parliament, when the then Minister for Police, Hon Michelle Roberts, took a certain approach. I also remember having a briefing on at least one occasion with WA Police Force and its representatives on a three-staged process. The first stage was described as the low-hanging fruit. It was the easy wins from the Law Reform Commission's report and the no-cost options. The second stage was the more complex reforms that would take more time to consider and perhaps more time to draft. The third stage, if I recall correctly, was the reforms that were likely to incur costs to government. Of course, that would be a greater consideration for government and potentially for the budget process when considering the implementation of those reforms. We now know, with the benefit of being in the forty-first Parliament, that none of those reforms were proceeded with over the course of that four years. With the bill before us and the commentary in the media, there seems to be a renewed interest in this matter, particularly in recent weeks and months, noting that this bill was introduced in the latter stages of last year. It was not a priority for the government in 2021 because the government had other fish to fry, including electoral reform. The second reading speech makes it clear that the bill is about the safety of the community, and it is now being dealt with in 2022. At this point I will reference the first sentence of the second reading speech, which states —

The Firearms Amendment Bill 2021 includes significant reforms that will advance the McGowan government's commitment to community safety and combating serious and organised crime in Western Australia.

The first four paragraphs go to that very issue and focus in particular on outlaw motorcycle gangs, often referred to as OMCGs. It is clear that the primary reform in this bill for firearms prohibition orders is targeted at these types of characters and persons who commit quite serious crimes. It is also important to note—I think other speakers have mentioned this—that this reform is not the first of its kind. Five other states and territories have introduced FPOs in one form or another. I am certain that the second reading speech refers to that. Given that we are not innovating in this area, I would be interested to hear from the minister in his second reading reply or perhaps during

the committee stage how closely our scheme is aligned to that of other jurisdictions and, perhaps more importantly, where ours deviates from theirs. We have the benefit of the operation of these types of provisions in the other states and territories. It would be interesting to note what benefit that has been in preparing the legislation before us.

As I said, the bill makes very clear that it is focused on community safety. In fact, the second paragraph of the second reading speech outlines three matters quite specifically: an assassination, a carjacking at gunpoint and a drive-by shooting. They are three specific concerns for which this bill has been brought forward. I will reflect on this for a moment to say that all those things in and of themselves are very serious and significant criminal offences. This is an interesting situation. I think the Leader of the Opposition spoke about this yesterday. If this is the mischief that we are seeking to address through an FPO scheme, to what extent will an FPO be effective in situations like this? For example, if a person was offering their services as an assassin, would a firearms prohibition order scheme necessarily deter them from engaging in that line of activity more so than perhaps the existing provisions of the Criminal Code?

The Leader of the Opposition asked quite a few pertinent questions yesterday that will help us understand the extent of this problem. He helpfully put a number of questions on the record yesterday—so hopefully that has given the government some time overnight to gather that information, if it did not have it already—about the extent of firearms-related crime or offences in Western Australia. There were further questions about whether those firearms, if known, were legal or illegal or whether they were stolen from licensed firearms holders and the like, so it would be interesting to get an understanding of some of those matters. That is not in and of itself a reason for somebody, in my view, to oppose this scheme. Quite often I hear people talk about whether we should only impose laws that will be enforceable. I certainly do not subscribe to that theory because we could probably shred half the statute book overnight if our test was whether a law—including speed restrictions on roads and a whole bunch of other restrictions that we place on our society—was able to be enforced. A reasonable question to ask, particularly in the context of the second reading speech, is: what is the extent to which we believe that these legislative measures will be not necessarily enforceable but effective in terms of addressing the mischief that is outlined?

The other issue that ought to be considered, beyond the effectiveness of the legislative measures, is the unintended consequences that might occur as a result. Quite often, not enough time is spent considering these issues. We spend a lot of time focusing on the problem and addressing the problem or the mischief, as I previously described it, and spend less time on some of the unintended consequences. The lead speaker for the opposition, Hon Peter Collier, and the Leader of the Opposition addressed some of those matters that we would like to test in the committee stage of the bill to make sure that those unintended consequences—even if they are invalidated—are addressed so that people can have some comfort in proceeding with this bill. Namely, those issues are around the firearms technology provisions and the repair and manufacturer provisions. As I said, I will not seek to address this in any great detail now because I think the speakers before me have done quite a solid job of doing that and it will be a matter that will be much more easily addressed when we get to the relevant clauses of the bill during the committee stage.

I now turn to the elements of the bill. Obviously, the first and primary element, in my view, is the firearms prohibition order scheme. As I said, this scheme is in response to the community safety concern that is outlined in the first five paragraphs of the second reading speech—an issue that we will explore in time. The second limb is about the illegal manufacture and repair of, and dealing in, firearms and firearms technology offences. This matter was extensively canvassed in the Law Reform Commission's report, and so, as I said earlier in my speech, if the government is not in a position to present its response to the 143 recommendations during the course of this debate, it would be good, at least, to understand to what extent we will address some of those recommendations through the passage of this bill or where we will deviate from them. There is quite a solid, quality body of work there and some of those issues are well canvassed, so it would be interesting if something could be tabled that could show the recommendations that we will be following, will deviate from, or will fulfil as a result of the passage of this amendment bill. The third limb is about increased penalties for the Criminal Code and section 23 offences. The fourth limb is about a permanent amnesty. The fifth limb is about the significant number of consequential amendments.

I turn now to the first observation that I made of this bill late in 2021. Although this bill is not a significant reform in terms of the number of things that it will do—it is still quite a significant bill at 98 pages—and although some of the substantive reforms are found within one or two clauses, which will certainly help facilitate our consideration when we get to the committee stage, it is, nonetheless, quite a weighty bill in form. One of the observations I made having read the bill for the first time late last year was that it caused me to reflect on an experience of the thirty-ninth Parliament. The minister would be aware of the Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015, which we considered in the thirty-ninth Parliament, because he and I were both members of the thirty-ninth Parliament. I am looking around the room and there were not too many other members currently present who were in the thirty-ninth Parliament. That bill received extensive consideration by the Council.

A member: Hon Martin Pritchard!

Hon MARTIN ALDRIDGE: Sorry; Hon Martin Pritchard was here. I will come to Hon Martin Pritchard in a moment.

This bill was extensively debated over hours, days, weeks. In fact, I think the bill is often referred to by Hon Peter Collier, who keeps quite a record of these types of bills from the thirty-ninth Parliament, in particular, as one of the top three classic Labor opposition filibusters.

Hon Stephen Dawson: Outrageous!

Hon Dr Steve Thomas: That's a big list of filibusters!

Hon MARTIN ALDRIDGE: It was in the thirty-ninth Parliament—I did qualify that.

Some parallels should be drawn between that bill and the bill that we are considering today, which I will come to in due course. I will read the synopsis that is found on the Criminal Code Amendment (Prevention of Lawful Activity) Bill, which is probably the easiest way to describe this bill. It states —

The purpose of this bill is to amend The Criminal Code to create the offence of “Physical Prevention of Lawful Activity”. This offence will apply in cases where a person prevents a lawful activity from occurring, via actual or by threat of physical force, the creation or maintenance of a physical barrier or the creation or maintenance of a risk of injury to any person.

Members might recall that this was a period when we had quite significant protest activities happening in the Kimberley region; I think it was around the then James Price Point development. The similarity of the bill that we are dealing with today and the bill that I am reflecting on from circa 2015 is that both bills prevented the possession of certain things and deemed certain things to be lawful or unlawful. I want to further reflect on the debate that occurred on the Criminal Code amendment in this bill because some similar concepts are going to play out in the course of the debate on this bill, particularly on the provisions surrounding the application of an FPO to certain persons.

Sitting suspended from 1.00 to 2.00 pm

Hon MARTIN ALDRIDGE: Before our recess for lunch I went over some of the history of reform, or perhaps lack of reform, of firearms regulation over the last decade. I went back over a series of disallowance motions that led to a Law Reform Commission report, a change of government and a whole sequence of other events. On the way through, I identified a number of matters that I recognise had already been quite suitably and well articulated by the opposition lead speaker, Hon Peter Collier, and the Leader of the Opposition in their contributions to the second reading debate on the Firearms Amendment Bill 2021. I will not focus on those matters beyond what has already been put on the record by those members. The opposition has signalled to the government where it is going to focus its interest in this bill during Committee of the Whole.

Before lunch I reflected on a bill of the thirty-ninth Parliament titled the Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015. I will refer to it as a “bill” because it never became an act. It is relevant to our consideration because its concepts were not dissimilar from those of this legislation. It relied, to varying degrees, on the concept of “a thing or things”. I encourage members who were not present in the thirty-ninth Parliament to examine the *Hansard* record of debate on this bill. There was extensive discussion on the concept of “a thing or things”, and I think this is one of several bills of which Hon Peter Collier has kept a quite accurate record. There was considerable debate at the time on what was a four-page, four-clause bill.

As I said before lunch, the *Hansard* record of that debate is quite extensive, but I want to quote a few small excerpts that directly relate to the bill before us, particularly with regard to the use of the words “a thing or things”. On 20 October 2015 Hon Martin Pritchard—I told Hon Martin Pritchard I would get to him!—said —

I had a quick look at how the *Australian Concise Oxford Dictionary* defines a “thing” and the description is very, very long but the most relevant part states that a “thing” is an inanimate material object or an unspecified object or item. We cannot get much broader than that. Indeed, I ask what object could not be described as a “thing”?

I have another short excerpt from the same day, 20 October 2015, this time from Hon Dr Sally Talbot, who stated —

Most of the things the bill refers to are not illegal—I am using the term “things” in its technical, legal sense, which I assume is exactly how the bill tries to use the term “things”. We are not talking about knives or weapons, we are not even talking about things that can be used as knives and weapons; at least, presumably it is not the fact that they might be used as a weapon that makes them an illegal thing under the terms of this bill. We just do not know what we are creating if we wave this bill through this chamber and it becomes law. We simply do not know what people might find on the back seat of their car or in the pocket of their jeans that suddenly becomes a thing for the purpose of this bill.

Hon Stephen Dawson: An umbrella.

Hon SALLY TALBOT: An umbrella is a good example.

Later in that debate, on the same day, Hon Stephen Dawson stated —

I looked at the penalties in the Mental Health Act 2014; a bill that we recently passed in this place. There is a penalty of \$6 000 if someone is kept in seclusion without proper authorisation, yet the bill before us creates an offence for possessing a “thing”. As a result of possessing that thing, somebody could end up in prison for 12 months and be fined \$12 000. If they use that thing in circumstances of aggravation, the penalty is \$24 000 and two years' imprisonment. That is a concern. I do not think these penalties have been looked at properly or have been given due consideration.

Further, he said —

There are a number of penalties included in this bill, but I will not read them this afternoon, or just yet; I might read them next time. I mentioned that I was concerned that the bill creates the offence of possessing a thing to be used for preventing lawful activity or trespass. Other members have mentioned this previously, but I think it is worth labouring the point: this can apply to literally anything, and it criminalises the possession of ordinary, everyday items. It is so broad it could apply to the possession of a pair of shoes or an umbrella, and I do not think members opposite have thought about this hard enough and long enough.

As I said, quite extensive consideration of that bill occurred in 2015; I think the debate actually ran into 2016. Most of the Labor Party's opposition to it was around the concept of "a thing or things" and their lawful or unlawful possession. That matter is directly relevant to the bill before us because the Criminal Code Amendment (Prevention of Lawful Activity) Bill 2015 was, as I said, a four-clause, four-page bill with three references to "a thing". The Firearms Amendment Bill 2021, a 98-page, 85-clause bill, has 88 references to "a thing or things". I will be interested to hear from government members, particularly those who are familiar with that debate from the thirty-ninth Parliament, as to how they have satisfied themselves between 2015 and now on the application of this type of language in a bill. They strongly opposed the 2015 bill on that basis.

This also goes to some of the concerns about unintended consequences when bills are perhaps not as specific as we would like them to be. In some instances they may be open-ended enough to allow for broader interpretations or applications. That certainly does not help legislators deal with the two things I talked about earlier: the extent to which we address the problem we are trying to address, and the extent to which we try to understand and, where appropriate, mitigate the unintended consequences that might arise from the passage of a bill.

A number of other things are worthy of consideration in the second reading debate, and they go directly to the two issues we are dealing with—effectively, regulation of firearms and community safety. There is no doubt from the second reading speech that they are the two primary focuses of this bill. Is it a case of to what extent—we will examine in time—will it improve or achieve those ends for community safety concern that is outlined in the first four paragraphs of the bill in particular? What are the other things that would contribute to community safety? These things do not necessarily need to be legislative instruments either. I draw members' attention to a report that is directly relevant to the substance that we are considering now—the Western Australian Auditor General's report 18 from May 2019 titled *Firearms control*. It is a considerable report, but I would like to read some excerpts from it because it goes to the very issues around the integrity of our firearms registration system, the storage of firearms and the control of firearms in Western Australia. In the overview of this report the Auditor General states —

This Office has previously reported 4 times since 2000 on WA Police's regulation and oversight of firearms. These reports consistently highlighted issues with Police's firearm application and inspection policies, procedures and activities, and weaknesses in the information systems used to carry out its regulatory responsibilities. Almost 20 years since our first audit, we have had another look at this important area of Government regulation.

In November 2016, the Law Reform Commission of Western Australia released a comprehensive report into the Firearms Act 1973 and Firearms Regulations 1974. The report included 143 recommendations aimed to improve the administration and enforcement of the firearms legislation. Limited progress since the Law Reform Commission's report provided strong impetus for another look at this area of regulation through my Office's most recent audit.

My Office tightly focussed this audit to look at the effectiveness of Police's regulatory approach to firearm licensing and monitoring, and key information systems used to support these functions. My Office received almost 200 public comments and submissions during the audit about Police's firearm licence and approval processes. These comments provided my Office with valuable insights during the audit.

It was disappointing to find that Police still has significant weaknesses in its regulatory controls and information systems, particularly given that this Office in its 2009 and 2013 audits had previously reported many of these weaknesses.

While this most recent audit did not identify instances of licence approval, or firearms kept by anyone when not eligible, Police has a sizeable task ahead to reduce these risks being realised. By strengthening its systems, processes and procedures Police will address the long-term weaknesses identified in this report, and significantly improve the effectiveness of its regulatory functions. I also encourage other licensing agencies to consider how the findings and recommendations apply to their regulatory responsibilities.

That was the view of the Auditor General in 2019. What we are doing here now is making a number of amendments to the Firearms Act 1973, with the government's view of more significant reforms to come. I am not familiar with the progress that the Western Australia Police Force has made in the past three years to improve these significant weaknesses identified by the Auditor General. In fact, she went further than that and said that they were weaknesses that were reported as far back as 2009.

The response from the Western Australia Police Force to this report was —

The majority of findings relate to inconsistencies with documentation or adherence to policies and procedures within Licensing Services (Firearms) heightened by some inadequacies within the Firearms Licensing and Registry system.

The Licensing & Registry Enhancement Project is in progress with estimated delivery in July 2019. It is anticipated this will address the issues relating to data integrity, systems reliability and business reporting.

By way of an overall response to the performance audit on firearm controls we agree with the five areas highlighted by the audit and accordingly, believe we have sufficient risk management and related controls in place, or in development, to achieve compliance.

Licensing Services (Firearms) acknowledges the audit findings and recommendations, and will focus on the implementation of improvements to administrative practices and procedures.

The Western Australia Police Force will continue its endeavour to improve its capability to fulfil its obligations under the Firearms Act 1973.

As I said, this fairly recent report not only reflected on the inadequacies of the application of the current legislative and regulatory framework for the control of firearms in Western Australia, but also criticised that agency's response to earlier reports made over the past two decades in 2009 and 2013, which the Auditor General said had reported many of these weaknesses. The audit conclusion states —

Police assess about 10,500 firearm licence applications each year, and approve over 99% of them. We found that dedicated staff with appropriate experience and knowledge carry out the work. However, weaknesses in Police controls raise significant risks.

While our audit did not find any evidence that Police approved licences inappropriately, it did find that assessments and decision making lack demonstrated rigour and transparency. This increases the risk that decisions to approve and decline applications may not be appropriate or consistent.

Further, the audit also found there is limited monitoring of compliance with licence conditions, and when Police does inspect, it is not informed by a documented risk assessment. Police is also slow to follow up when licences have expired or for deceased estate firearms. Risk-based and timely compliance activities are essential to effective regulation of firearms.

Police's key firearm licensing information system does not effectively support the entity to carry out its licensing and compliance activities. Basic licence and compliance information is unreliable and hard to get.

Police is still to address a number of findings raised in our previous audits that date back nearly 2 decades.

I will move on from this point in a moment, but it is an important question to ask as we are amending the legislation, as we are increasing, in my view, the burden on government agencies to apply the legislative amendments or legislative solutions that this house will shortly consider in greater detail. If possible, it would be a good opportunity for the minister to reflect on the progress that has been made by WA police following these very significant criticisms by the Auditor General in her 2019 report. It would also be interesting to know to what extent the resourcing capability of this division of the Western Australia Police Force has been strengthened to improve its regulatory functions, noting that we are about to increase the burden of its regulatory functions. That should not come without additional resourcing if it is to be of some effect. We must try to understand the extent to which this division is resourced and the extent to which these significant concerns around firearm controls as outlined in the 2019 report of the Auditor General, hopefully, almost three years on, have been completely resolved.

I will also comment on the issue of training and competency that has arisen in the public debate around firearms reform. I observed a press conference fairly recently—I think in the last fortnight—at which the Minister for Police compared the requirements to operate a marine vessel as a recreational skipper with the requirements to obtain a firearms licence. That comparison was not unreasonable. I am a strong believer that education can play an important role in improving firearms safety and overall community safety, but we do not necessarily need a law to do that. Obviously, a mandate is in place for the operation of marine vessels, which has been the case for many years. I am sure many members hold a recreational skipper's ticket and have been through that theoretical and practical training process. Nothing is stopping the WA Police Force from publishing materials such as online tutorials and guides. Members who have not had the opportunity or the need as yet ought to reflect on the WA Police Force website in this regard. Fortunately, for WA police and for us, this is not one of those agencies that has been forced onto the wa.gov.au platform as yet. Members will see a lot of information on the police website around compliance, largely for two things: firstly, applying for a firearms licence; and, secondly, meeting the conditions of that licence, mainly to do with storage. Members will not find much else. Members can compare the plethora of information that is available on, say, the Department of Transport's website on how to operate a marine vessel safely, such as the types of emergencies people might encounter, with the police website and they will see how the information that could be proactively provided by the WA Police Force to the firearms community or somebody contemplating applying

for a firearms licence can be significantly improved. It is not necessary for this place or a law of the land to require it. That may be a reform that is anticipated down the track and, according to the public comments of the Minister for Police, I suspect that is where we will head in some form, but I say to the government that it has an opportunity here to increase the visibility of information that is available. Even if it is in electronic form, there is a really low-cost opportunity here to try to educate and improve people's behaviour and the control of firearms in Western Australia as a result. It would not cost the government a lot of money; it could come about without legislation and is something that could be done immediately.

I want to talk about and perhaps even seek some information on another matter. I know the Leader of the Opposition put on the record yesterday a significant number of questions that he hoped the minister would be in a position to answer today. I have outlined some, although not all, of those and I agree that that would be very useful information to help us understand not only the problems, but also how the bill will address the problems. The other issue relates to the inspection and compliance regime, which I think is where the Auditor General was going in her report to some extent, and perhaps relates to the resources the police have to ensure; for example, something as simple as whether firearms are continuing to be stored safely. From my observation, I suspect this is an area of fairly low activity. Activity in this area could be increased, particularly given the WA Police Force has been and is receiving significant additional resourcing. This agency has had an enormous uplift over the last few years and it will have an enormous uplift in capacity over the next few years. I often hear government members and ministers talking about the record employment of police officers that is occurring across Western Australia, and I think it has a role to play in improving the firearms compliance regime to ensure adherence to the laws as they apply today. That is why I am concerned. If this reform and future reforms increase the regulatory burden on WA police, we need to ensure that this agency has the resources to provide the response this house expects of it.

I will conclude shortly, but not before making some remarks about the reform process overall. I think previous speakers did quite a good job of outlining the points the opposition will address when we get to the Committee of the Whole House. A significant amount of angst exists in the community around future reforms and the nature of those reforms. It is not helped when I read comments such as these in *The West Australian* on 22 March, which say —

The Labor Government gained control of both houses of Parliament at last year's election, meaning it won't need to negotiate with the National-Liberal Opposition to pass the laws.

“This is a moment in time where the State can be made significantly safer just by virtue of the fact that we have the opportunity to pass the law,” Mr Papalia said.

This is something both Hon Peter Collier and Hon Dr Steve Thomas alluded to in their contributions. This is the type of language that concerns people more than perhaps some of the legislative measures in the bill before us. That is why it is important that when we consider reform in whatever form it takes, we have to understand the problem before we consider the solution. That is why I hope that when we get to the committee stage of the bill this afternoon the government will be forthcoming in assisting members with those two issues to make sure that we are developing a legislative system that will respond to community safety concerns, but also that we do it with a full understanding of the unintended and perhaps intended consequences of those reforms; and, to the extent we can, at least understand or mitigate those consequences. That issue will come to the fore to a greater degree when the more significant reforms are introduced to the Parliament. According to the media commentary on 22 March 2022, the public consultation process will occur for one month from Tuesday until the end of April with the new act to be drafted over the next year and introduced to the WA Parliament in September 2023. It appears that at some point in the latter stages of next year, this house will deal with a much more significant legislative reform to the Firearms Act.

With those few words, I hope that the minister, with some notice, is in a position to provide some of those answers when we get to the committee stage. I would like to thank, as did Hon Peter Collier, the departmental advisers and the ministerial staff, who certainly assisted the opposition in understanding some of the issues so far.

HON WILSON TUCKER (Mining and Pastoral) [2.30 pm]: I rise to speak on the Firearms Amendment Bill 2021. I also indicate that I am the lead speaker for the Daylight Saving Party! This is the first time that I have spoken in this place about guns and firearms. It made me do some soul-searching on the issue and made me question my position on firearms and the role that I see them playing in Australia and here in Western Australia. I did some pondering on this issue and I have come to the position that I think that guns are pretty cool. To expand on that lofty statement, when I first moved to the United States—I was there for four years—I was quite shocked and surprised to discover within the first 90 days of arriving in the country that I could purchase a firearm, not as a citizen, but as someone on a working visa. All I had to do was to go down to my local friendly gun store, present my 100 points of identification or equivalent, wait for the necessary cooling-off period and I would have in my possession a firearm. I am not just talking about a .22 bolt-action rifle with a limited magazine; I am talking about a semiautomatic handgun, such as a Glock, which is something see in a Hollywood movie. At the time, I thought that was pretty cool.

While I was in the US, I also took the opportunity to visit an indoor shooting range. As soon as I entered through the front door, I was immediately presented with a wall of guns. They were the kinds of weapons that we see foreign soldiers carrying around during a war in images on the seven o'clock news. It was a pay-by-the-hour system, and

it cost about \$US40 for the hour. I basically pointed at the guns and said, “I’ll take that one, that one and that one”, and then they packaged them up and took me down to the shooting gallery. Because I was in the US, the dummy that I was shooting at had the face of Osama bin Laden, and, because I was in Washington, I could also shoot at a Donald Trump dummy if I so chose. I spent the next hour shooting. It was quite a fun and exciting afternoon. I was certainly very tempted, and I really considered purchasing a firearm when I was in the US, but, ultimately, I decided not to. I decided not to for two reasons: firstly, the accessibility of these weapons; and, secondly, the power of these weapons. When those two are combined—the accessibility and the power—it can lead to the very tragic and unfortunate circumstances that we see play out in the US in the form of mass shootings. I did not think that I would necessarily be embroiled in that type of situation, but I was not that comfortable with the idea of having a powerful firearm in the house. I thought it would burn a bit of a hole in my psyche.

I will share with members another story from when I was in the US. I went to a national park in Montana. It was an open-carry area in the mountains where there were bears, so it justified the open-carry licence. I was on a trail and I passed a gentleman who was carrying a handgun strapped to his chest. I believe it was a Desert Eagle. For members who are not familiar, a Desert Eagle is a very large and powerful handgun. The gentleman was friendly enough, but the interaction left me a little uneasy, hesitant and, dare I say, fearful. Some of the unease and fear that I experienced then followed me into other situations in which I found myself in public places with lots of people in some American cities. The accessibility to and power of these weapons, which are prevalent in the US, can mean that situations can escalate very quickly and very tragically.

I appreciate that there are different approaches to firearms in the US from those in Australia. I am sure that all members in this place are very familiar with the Port Arthur incident and the response by the then leader of this country, John Howard, which has been lauded widely for its decisiveness. The statistics on the prevention of gun-related violence and the relative safety that we appreciate in Australia speak for themselves. On the other hand, gun rights are almost a basic human right in the US. They are enshrined in the United States Constitution. Members of very powerful gun lobbies will stand in crowds and wave their weapons and make proclamations about prising them out of their cold, dead hands. It is interesting to see the two different approaches to and cultures of gun ownership in both Australia and the US. Having lived in both countries, if I were asked which country I thought had a better response and which I preferred, there would be no question in my mind. One hundred per cent of the time I would agree that Australia has the better approach. Going hard and being harsher on gun laws is absolutely the right approach. The statistics speak for themselves.

I agree with the gun laws in this country and certainly in Western Australia, even if it means giving up that very cool handgun. In saying all that, I support the bill. I support the intention of the bill and the message that the bill is trying to send about guns. However, I have some concerns about how this bill will work in actuality and some of its implications once it has achieved royal assent and is working. I fully expect that the bill will ultimately be challenged in the judicial system, as is the right of citizens living in this country. I expect that the same will happen with the recent insignia laws. Both bills unashamedly target bikies. Personally, I do not have much sympathy for bikies, but we need to be concerned about how this bill will work in actuality and some of the unintended consequences it may have for other members of the public.

Considering that this bill may be challenged in our judicial system, this is where the upper house certainly has a role to play. I am a big proponent of the upper house. I believe in the upper house. We have seen a lot of rubberstamping of some legislation recently given the numbers, but we can earn our keep and our payday by hopefully fleshing out some of the legal definitions and terminology in the bill and the intention behind the bill during the committee stage.

My first concern is around the potential short-circuiting of the existing warrant process. It is easy not to be overly sympathetic when we talk about who this bill is intended to affect—that is, bikies. I am certainly not overly sympathetic. However, we have an existing warrant system in place. There is independent oversight of warrants being issued, generally through a judge or a justice, to scrutinise the evidence and to ensure that the police are not overstepping their powers and there is merit to them executing that warrant.

This bill will give the commissioner, soon to be our new Governor, or someone appointed by the commissioner, the power to issue what is called a firearms prohibition order. Then the police will be able to execute on the FPO. In essence, the entire FPO process will be contained within the police force without independent oversight. The FPO will give the police the power to enter premises, to search anyone on the premises and also any vehicle on the premises. It would not take much imagination to get the commissioner issuing FPOs against known bikies in the community, and then once a bikie enters a clubhouse, the police will be able to enter and effectively raid that clubhouse, search anyone in the clubhouse and then search any vehicle at the clubhouse. These powers appear to be quite extraordinary. I think we need to apply an extraordinary amount of scrutiny to ensure that these laws are used in the right way and will not have an unintended consequence, given that there will not be independent oversight in the FPO process.

My other concern is around how an FPO is issued. An FPO can be issued against someone who is deemed a fit and proper person. “A fit and proper person” is a legal term and has been well defined. I do not believe it has been challenged previously. It is well established in the legal lexicon and it is used as a litmus test for someone who is

applying for a firearms licence. This bill also introduces another term: “within the public interest”. The commissioner can issue an FPO if he deems it within the public interest. There are certainly better equipped minds in the legal space than mine in this chamber, but my understanding is that that term is left intentionally vague so it can be challenged and an understanding over time can be built up in our justice system of what constitutes “within the public interest”. Until that time, it appears to give the commissioner quite a lot of latitude in his or her interpretation of what is in the public interest. It is a very wide brush. The FPOs can then be issued against someone based on a commissioner’s interpretation, which could be very concerning. To be quite flippant about this, it could take the Commissioner of Police a few seconds to sign-off an FPO and then it could potentially take someone weeks or months to fight it through the State Administrative Tribunal appeal process. Again, we have to make sure that this bill is balanced in the right way and that people who will potentially have FPOs issued against them with unintended consequences have a bit of latitude and will not have to fight these for weeks and months through the SAT process.

The last concern I have is about the lack of self-incrimination powers in the bill. My understanding is that in WA we do not have by default self-incrimination laws and that they have to be stated within the bill. As far as I can tell, they are not included in the bill. That means that when the police issue an FPO, as they search premises, they could potentially seize other evidence while they are looking for firearms and use that other evidence in a prosecution case against somebody. We put all these concerns into one scenario: the commissioner signs off an FPO without independent oversight, using a term that has not legally been tested and then issues an FPO against someone not for the purposes of seizing firearms, but potentially for other contraband. In this scenario, an FPO could be used as a Trojan Horse to get across the walls and execute a warrant in a place and look for evidence outside of how this bill was intended.

We have processes in place for a reason, and we have to ensure oversight in the process. We are removing the person, if you will, from that process and ensuring that there is not any prejudice in the system; that is removed from the use of oversight, which seems to be lacking in this bill. I admit that the scenario I described is quite extreme. I want to say I have nothing against the Commissioner of Police or the police force. I think they do a fantastic job and perform an important role in our society, and I congratulate them for fulfilling that role. Again, we have oversight for a reason and that is to remove prejudice in the system and ensure accountability. These powers appear to be quite extraordinary and we need to apply an extraordinary amount of scrutiny in this legislation before us. Those are all the bad bits.

I have some good things to say about the bill. I refer to the update on spent shell casings. I was recently in Kalgoorlie and went to a gun club and a shooting range and met with some gun suppliers and owners. One of the concerns raised by gun owners was that the ammunition that is classified as live ammunition is spent. People are, basically, taking these spent casings or shells to the armoury to get refitted. But the current act, which is admittedly outdated, treats that ammunition as live ammunition. The act is hanging over these gun owners’ heads. It will be good to get some clarity here, and I congratulate the government for including that section in this bill.

Also, I believe that the gun buyback scheme is part of another bill but is also encompassed by this one. It will allow for the police to onsell weapons that have been seized as part of an FPO, and thereby become proxy sellers. There will certainly be weapons that are antiques and that have value, and this bill will allow for them to be onsold and for the profits to go back to the original owners. That indicates a level of forethought has gone into this process, so I am very supportive of that.

In closing, I support this bill. I am certainly interested in getting some clarification in the committee phase. Firearm legislation is important, which is what compelled me to speak today. I think when we approach firearm legislation, we need to be a little bit cautious about seeing through some of the fearmongering and the rhetoric that we see in the media when the word “bikie” is uttered. We need to make sure that this bill and firearm legislation in general strikes the right balance; we protect the rights of legitimate gun owners and members of the public; and there is appropriate oversight in the police system.

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [2.48 pm] — in reply: It is my role to respond on behalf of the government to the comments made about the Firearms Amendment Bill 2021. At the outset, I thank all those honourable members who have made a contribution to the debate thus far: the lead speaker for the opposition, Hon Peter Collier; Hon Dr Steve Thomas; Hon Dr Brian Walker; Hon Martin Aldridge; and Hon Wilson Tucker. Noting that we are going into the Committee of the Whole, I will give answers to various questions now and, obviously, members will have an opportunity to quiz me further at a later stage.

The shadow Minister for Police wanted confirmation that the previous responses provided by the minister’s office and the Western Australia Police Force to questions raised in the briefing on the bill remain correct and wanted further clarity on concerns raised by the Shooting Industry Foundation of Australia in a letter to the minister dated 20 March 2020. I can say that the responses Hon Peter Collier read out to each of the concerns raised during the briefing he received on the bill remain correct. The only update is to the point the honourable member raised about the fact that he was advised the bill would not be further amended and that any issues would be resolved at a later time, with further consultation. The honourable member is correct that an amendment was passed in the other place. It was a minor amendment to correct an oversight in the drafting. It was an oversight that the manufacture of

ammunition was not included as a reason for a manufacturer to make or possess firearms technology. We know that ammunition manufacturers need the templates, instructions and programs that constitute firearms technology to manufacture ammunition, so a minor amendment was made to correct this oversight.

In relation to the letter from the Shooting Industry Foundation of Australia, I have been advised that SIFA is an organisation that is based over east; it is not the local shooting association in Western Australia. In the letter referred to, SIFA raised two main concerns, both of which were covered in the other place as well as in correspondence with WA industry representatives. The first concern raised was that the bill will somehow put further restrictions on firearm owners so that they cannot replace certain parts of their firearms themselves. The repair and manufacturing of firearms, including adjustments that alter the function of a firearm, have always necessitated a licence under the legislation, and this will not change under the bill. These activities are restricted to ensure the safety of the firearm owner and anyone else who might have approval to use the firearm. Activities that do not alter the function of a firearm, such as stripping and assembling in accordance with manufacturer's guidelines, cleaning, minor adjustments and changing like for like grips, are considered maintenance and are therefore permitted. The WA Police Force has provided this information to WA representatives, such as the Sporting Shooters Association of Australia, to reassure firearm owners about what they can do to their firearms. The Minister for Police reiterated that in the other place. This information will also be provided on the WA Police Force website, along with further guidance to support firearm owners to know what they can and cannot do.

The second concern raised by SIFA related to innocent items, such as encyclopaedias, potentially being captured by the firearms technology offences introduced by the bill. As has already been outlined, the intention of the technology offences is to target those who access blueprints and firearm designs with the intention to build an unlicensed firearm. It is to also ensure that individuals are not in unauthorised possession of firearms technology. Possession of a manual for a firearm owned by that individual is considered part of responsible firearm ownership and is therefore not an offence. As with all offences, police will use common sense and discretion when applying the technology-related laws and will not be targeting people for placemats and other items that are clearly not being used to manufacture firearms.

I refer to the concerns raised by Hon Dr Steve Thomas. Most of the honourable member's concerns related to reforms that sit outside of this bill and are therefore external to the debate before us at the moment. He also asked for some statistics on a number of firearm-related crimes. In response to the comments and concerns that are relevant to the bill before us, I can provide the following information. The firearm used in the public murder of an outlaw motorcycle gang member last year was a licensed firearm. The task force and police officers involved in that case did an exceptional job in identifying the perpetrator. I am advised that this bill would potentially have made that job easier. In regard to the statistics required by the honourable member, the WA Police Force has provided the following. For the calendar year 2021–22, a total of 298 firearms were stolen. This equates to almost six firearms being stolen each week. Approximately 10 per cent of the stolen firearms were handguns. WA police also provided the following example to illustrate these incidents generally. In early 2021, a licensed firearm owner allowed a number of people to attend his home, where he showed them his handguns and storage locker at the property. The owner subsequently left the property unattended for a number of days. A few weeks later, police attended his premises after one of his handguns, which had not been reported stolen, was recovered during a search warrant. The storage locker was located open and undamaged, and all his handguns were missing. Other handguns that were taken during this theft were used in a drive-by shooting involving organised criminal groups and were subsequently recovered during the execution of another search warrant in a metropolitan suburb.

Hon Martin Aldridge asked some questions in his contribution to the debate. One of those questions was: what progress has been made since the Auditor General's report? This bill is about disrupting organised crime and improving community safety, so any potential efficiency improvements for the WA Police Force regulator will be looked at in the next tranche. He also asked: what resourcing has been provided to the regulator for this bill? All resources for the bill will be provided through the program that will deliver the 950 extra police, who will be added to the police force by this government, and the reallocation of internal resources. These will predominantly be to support and enforce the firearms prohibition order scheme. There was a question from the honourable member about whether the bill will impact fees and charges for firearms registration. The answer is no; this bill will have no impact. Another question asked how closely aligned the WA FPO scheme will be to those of other jurisdictions and how it will differ. The WA scheme is largely based on the schemes in New South Wales and Victoria and also incorporates lessons learnt in those jurisdictions. For example, in 2019, the Victorian inquiry into its firearms prohibition order legislation recommended an amendment to allow for cross-jurisdictional recognition of FPOs. This bill incorporates that recommendation at proposed section 29O.

Hon Martin Aldridge also asked about the extent to which this bill will address the Law Reform Commission's recommendations. The bill actions 13 of the Law Reform Commission's recommendations—recommendations 5, 6, 9, 10, 11, 12, 18, 19, 24, 127, 134, 138 and 141. The priority for this bill was always to implement the FPO scheme and provide police with this much-needed tool to disrupt serious criminals by disrupting their access to firearms. The FPO scheme is recommendation 127. The remaining 12 recommendations were selected in consultation with the Parliamentary Counsel's Office, with the intent of allowing a fast and achievable drafting and implementation

process. As we know, and as has been alluded to by at least Hon Martin Aldridge, an announcement was made by the government since this bill was introduced into the Parliament that relates to a process that will modernise Western Australia's Firearms Act generally. The minister issued a press release on that issue on 22 March 2022.

I thank Hon Wilson Tucker for his contribution. I have to say that elements of it sounded very similar to things that a bloke who used to sit in that area, who represented the Liberal Democrats in the last Parliament, would have said.

Hon Wilson Tucker: Minister, it was created solely by me, without any input from anyone.

Hon Alannah MacTiernan: I thought it sounded a bit better.

Hon STEPHEN DAWSON: Notwithstanding the member's comments, obviously by having spent some time with him, his views might have rubbed off on him or seeped into him.

Hon Wilson Tucker: I thought you might think that he was influencing me, but I solely sat down and did it.

Hon STEPHEN DAWSON: I believe the honourable member.

Hon Alannah MacTiernan: I think it was much more reasonable.

Hon STEPHEN DAWSON: It brought back memories from the last Parliament.

One of Hon Wilson Tucker's questions was around why the bill gives police powers of search and seizure without a warrant under the FPO scheme. With FPOs, it is integral that police can immediately go to a place and seize firearms without a warrant, before the prohibited person has a chance to move the firearms. Thresholds must be met. The search must be reasonably required for the purposes of determining whether a prohibited person has committed an offence. The seizure powers need to be broad to account for circumstances in which a police officer comes across evidence against another part of the act, such as evidence of manufacturing illegal firearms or possession of a prohibited firearm accessory. Noting that a number of members want to go into committee, we will do that shortly. I commend the bill to the house.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chair of Committees (Hon Dr Brian Walker) in the chair; Hon Stephen Dawson (Minister for Emergency Services) in charge of the bill.

Clause 1: Short title —

Hon PETER COLLIER: I thank the minister very much for that clarification of the issues that I raised in my second reading contribution. As I said, the concerns that were raised came from a broad cross-section of the gun lobby—that is, from various organisations, not exclusively the Shooting Industry Foundation of Australia—and from individual farmers and gun owners. The concerns are not specific to one particular group; they represent a broad cross-section. I am delighted that the minister was able to confirm that the clarification on those points that was provided by WA Police Force stands and that that is now in the *Hansard* of both the Legislative Council and the Legislative Assembly.

Having said that, I want to create a scenario for the minister. Let us assume, for the sake of complete clarification, that I am a gun owner. If this bill were to pass the Parliament today and get royal assent tomorrow, on Saturday—that is, in two sleep's time—what would I not be able to do as a gun owner that I would be able to do on Friday; and what must I do on Saturday that I would not have to do on Friday?

Hon STEPHEN DAWSON: The change is essentially that a person cannot access firearms technology. There is also the amnesty. There are other changes, such as that the penalties will be bigger, but essentially they are not changes to the existing act.

Hon PETER COLLIER: I thank the minister for that. The reason I brought that up is that, as I have said, the contributions to the debate on this bill were unanimously supportive of the intent of the legislation. The alliance is very supportive of the intent of the bill. It is the unintended consequences that we are looking at. We have no care at all about taking guns off bikies. The overall intent is to ensure that outlaw motorcycle clubs cannot access firearms illegitimately. We have no issue with that whatsoever. The minister can have that any day of the week. We are concerned about the unintended consequences. That is why I wanted that clarification again. I do feel that to the minister's credit, and to the credit of the Minister for Police, we have more than adequately covered that. That is, a lot of the concerns that exist outside of this chamber are probably not as serious as perhaps has been identified. I get the point with regard to manuals et cetera. That is not an issue. The amnesty is not an issue either.

I will make just a few comments on clause 1, and I will not have much else to say on this clause. I have a couple of minor issues, and if other members have issues with regard to the particular clauses, go for it. I want to create a scenario for the minister, and he can tell me whether this concern has any merit. Previously, firearm holders could engage in multiple activities with the same firearm by changing certain components themselves—for example, the

stock or the grip. The proposed amendment will prevent licensed firearm holders from using their firearm for multiple activities, with certain time frames, because they will no longer be allowed to change the components of their firearm. The unintended consequence—which would appear to be a change that I will have to endure on Saturday but would not have to endure on Friday—is that this could encourage licensed holders to purchase additional firearms, because taking their firearm to a repairer to make a simple adjustment is not a viable option in many situations. Therefore, it will be easier for them to simply switch to a different firearm whenever they need to do so. Is that in fact a change? Is that something that I would have to do on Saturday as a legitimate firearm owner that I would not have to do on Friday?

Hon STEPHEN DAWSON: It has always been the case that people cannot do repairs on their own firearms. It has been suggested by one member—I cannot think which member it was, or it might have been in some correspondence that I have seen—that somehow people would use their firearm to shoot a kangaroo one day and the next day would go and shoot at a firing range or at another different setting. I am told that that would not happen with the same firearm without the firearm holder going to some sort of repairer, because they have to practise and check the accuracy et cetera. A great deal is involved if they want to change from shooting for one purpose one day to another purpose the next day. Certainly, people have always had to go to a repairer if they want to change the use of their gun.

Hon PETER COLLIER: That pretty much touches on the point that has been raised in the information that has been provided to me. I will put this to the minister, because it seems to contradict what the minister has just said. I am not saying that this is right; I am just saying I want some clarification. Many licensed firearm holders engage in multiple forms of shooting—it might be hunting or target shooting. These different forms of shooting require different firearm configurations or parts. They might require, for example, that the stock of the firearm be changed to comply with the rules for a specific competition or to adapt to new conditions. The same firearm can be used for both recreational and competitive shooting, provided that certain parts are changed. Under the new legislation, each time a stock needs to be changed, the firearm will need to be taken to a licensed repairer, following an administrative process that might take a number of days. From what the minister has just told the chamber, that is not the case at the moment. Is that right?

Hon STEPHEN DAWSON: I am told that it is currently not a practical consideration for a firearm holder to make a change so quickly from one use of the gun to another use.

Hon PETER COLLIER: If we take away the practical considerations, is it legal to do it at the moment and will it be illegal to do on Saturday?

Hon STEPHEN DAWSON: It is illegal now and it will be.

Hon PETER COLLIER: I just want to confirm once again that that current practice about changing is illegal and nothing in this bill will change that.

Hon STEPHEN DAWSON: Yes, that is correct. People can make minor adjustments to accessories but what the member has outlined is currently not able to be done.

Hon PETER COLLIER: That is interesting because that has come through a few times. To finish on that; is that widely known? Because this is an issue that has come to me from a number of organisations and a couple of individuals and I want to make sure that that aspect of the law is readily known. I do not know what happens when a person gets a gun manual. As I said in my contribution to the second reading debate, I do not have a gun. If I were to have a gun, surely we have very strident regulations I would have to adhere to as a gun owner. If that is the case, the lack of clarity of understanding of that by a number of gun owners in Western Australia is a bit concerning. So, is it well known?

Hon STEPHEN DAWSON: I am told that in relation to the bill before us it became apparent during the last little while, it is probably fair to say, that there is a widespread misconception and people do not know what they should be doing now. As a result of that, it is the intention of the Western Australia Police Force to update the guidance on its website to make clear what people can do and more importantly what they will be able to do under the new legislation.

Hon PETER COLLIER: In effect, we are saying that a lot of people have been breaking the law up to this point.

Hon STEPHEN DAWSON: My advisers say yes.

Hon PETER COLLIER: That puts a different complexion on it, I have to say. It was not a Nigel no-friends, or a number of them, who came to me and gave me that information. I think we have an issue and the government needs to get out there and explain that situation because I promise it has been raised with me on a number of occasions from a number of different sources. We are now being told that obviously a number of people—a pile of gun owners out there—have been breaking the law. I assume there is no retrospectivity involved with this legislation. All I am saying is that the government probably needs to get out the message that this is nothing new and it has always existed; it just has not been enforced. I guarantee the minister that at the moment a lot of legitimate licensed gun owners do not know what he has just confirmed in this place.

Hon STEPHEN DAWSON: The Western Australia Police Force and the minister's office have recently met with peak bodies to go over this stuff. As I indicated earlier, it is the intention of the Western Australia Police Force to

put this information on its website and make sure that licensed gun owners have the information. I will also say, honourable member, that it happens from time to time. I am dealing with a few issues in my own portfolio at the moment whereby the current law says something but the practice is something different, and it has become apparent that people are not doing what they should be doing under the current law. So it happens from time to time. Certainly, both the police and the minister's office have raised this issue with the representative bodies and we will be changing the guidance provided to licensed firearms holders.

Hon PETER COLLIER: I appreciate that because, as I said, particularly the organisations and the associations that have been very forthcoming with their concerns about this issue say they are adamant that this is a shift. Particularly after hearing what the minister said in the other place and seeing the information provided by the Western Australia Police Force, which I provided to all the groups that contacted me, they were saying to me, "No, no, no. That's not right." There is very much a misconception that exists in the community at the moment. There is no point going over and over it; it may be a misconception but it is very, very widely held misconception. Somehow, please underline or put in bold somewhere on the website that this is the existing law so I do not have people coming to my office and saying, "This is rubbish", because I promise that they will. People were watching yesterday and people will be watching right now and they will be phoning my office tomorrow to say, "That's wrong", because that is the way they have been dealing with things for years.

I do not know how else I can emphasise how important this is. I am not being difficult. I want to expedite the passage of this legislation but, as I said, I do not care about the bikies—I want to get this bill through to ensure they do not have guns—I care about the legitimate gun owners who feel disaffected by this legislation. Legitimate gun owners feel that this legislation is targeting them, and it does not help that the government has another piece of legislation coming hot on its heels, which, as Hon Dr Steve Thomas said yesterday, somehow miraculously made its way onto the front page of *The West Australian*. They feel they are being targeted when, in fact, we know that is not the case. Unless the government wants to eradicate all guns from the community, it can say, "We understand that there are some legitimate gun owners", and give them some solace by saying, "This has always been the case and we are not targeting you; the intent is with bikies. There is no shift or change in the current legislation."

I do not know whether the minister wants to add anything to that. It was just a comment. The reason I am saying it is because I know I will be lambasted tomorrow. I know people will be phoning my office and emailing me tomorrow. I know it. I want to be able to say to them hand on heart, "Guys, I promise you this is not a shift in the legislation and this will not put any more onerous responsibility on you that did not already exist; it is just a situation whereby, for want of a better term, it has not been enforced. The current act on this aspect of gun ownership has not changed." I thank the minister for that.

I will finish my comments on this point. I mentioned the consultation on the regulations, minister. Are we right there? The minister is not getting any late advice.

Hon Stephen Dawson interjected.

Hon PETER COLLIER: On the issue of consultation et cetera, I mentioned the implementation. I asked whether there had been any amendments made since the bill was read in to the Legislative Assembly and the deliberations involved with that bill in the LA. There was a minor amendment, but it was more of a technical issue than anything. I will refer in part to the minister's comments in the other place. He said —

I want to add that we will consult further with the Director of Public Prosecutions, the Department of Justice and the State Administrative Tribunal on how the bill will be enacted or will play out. However, during the second reading reply I pointed out that should some unforeseen complication or implication arise once the bill has been enacted, we will have the capacity to adjust the response with regulation. Obviously, we will consult with those people who are subject to the legislation. If the Sporting Shooters' Association or any individual legitimate and responsible licence holder finds some unforeseen implication, we will have the capacity to respond by regulation.

That brings me back to the comprehensive list of points that I raised with the minister's office, to which I got a very comprehensive response. As I said yesterday, and I cannot say it enough, I am very, very grateful for the amount of time that went into that response. I think it was answered in a very forthright, honest and comprehensive fashion, so I am grateful for that. But as I said, I just want to confirm something yet again. We have actually discovered something today that I can use in any consultation I have with the people who communicate with me. The minister pointed out —

Obviously, we will consult with those people who are subject to the legislation. If the Sporting Shooters' Association or any individual legitimate and responsible licence holder finds some unforeseen implication, we will have the capacity to respond by regulation.

For those who are a little concerned or still not convinced by that very, very transparent and honest response, there will be an opportunity to rectify those situations through regulation.

Hon STEPHEN DAWSON: The government stands by the minister's comments. I will say further that since that time, we have also announced an update of the consultation process for the act generally, so there is also that. But certainly, the government still stands by the comments that the responsible minister put on the record.

Hon PETER COLLIER: I am delighted to hear that. I will be writing to and communicating with all the people who have consulted with me. I will ask them to communicate with the minister's office, my office and the offices of any other member who has been involved in this process, to ensure that if there are unintended consequences or implications with regard to this piece of legislation that will have a direct impact on them as legitimate gun owners, they can take comfort in the fact that the minister has stated that he is willing to make changes through regulation. That is the best way forward. That is the best process we could possibly ask for. If we have that flexibility and transparency, and the government's commitment to go down that path, I will be satisfied with that. That is the message I will provide to all the individuals and groups who have consulted with me, so I thank the minister for that.

Hon MARTIN ALDRIDGE: I want to follow on from where Hon Peter Collier left off on this issue. I draw the minister's attention to page 183 of the Law Reform Commission's discussion paper, which states —

Western Australia does not require licensing or registration of firearm parts; indeed the *Firearms Act* does not contain any definition of firearm parts.

I think the minister suggested that there has been an interpretation change that has recently come to the government's attention, or words to that effect. I understand that clause 6 of the bill before us defines "major firearm part", which is not defined in the current act. Can the minister confirm whether his response to Hon Peter Collier was that there is a new legal interpretation of the existing act? What will arise from the passage of this legislation, and particularly the definition found in clause 6?

Hon STEPHEN DAWSON: Hon Peter Collier's issue was around what people can and cannot repair. We have introduced a definition of "major firearm part", which came out of the Law Reform Commission's recommendations.

Hon MARTIN ALDRIDGE: If I followed Hon Peter Collier correctly, he was talking about a scenario in which a firearm owner has two or three different types of receivers or stocks for a firearm. The changing of those receivers would therefore constitute a repair under the current act. I think the minister said that was a new interpretation of the existing law, which seems to be at odds with the Law Reform Commission —

Hon Stephen Dawson: By way of interjection, that is the existing law, not a new interpretation.

Hon MARTIN ALDRIDGE: Right. That is interesting, because there is no definition of "major firearm part" in the current act. I am struggling to understand how the government has arrived at that interpretation, particularly in light of the Law Reform Commission's view that Western Australia does not require licensing or registration of firearm parts, and that indeed the Firearms Act does not contain any definition of firearm parts. I understand and appreciate that the government is addressing that situation in this bill. Is the minister able to offer anything further in terms of how that interpretation of the existing act has been arrived at?

Hon STEPHEN DAWSON: I am told that they are two different issues, although they are linked. Someone cannot currently repair a firearm part or do any repairs on their firearm unless they are a repairer. We are introducing a provision under which, in certain circumstances, people will be able to potentially do some repairs if it is on their licence. Sorry, to clarify that: people will be able to possess major firearm parts that are approved by the commissioner.

Hon MARTIN ALDRIDGE: I now understand the distinction that the minister was trying to convey, which is about the possession of a part. It may currently be lawful to possess a part, because "part" is not defined under the current act, but if someone were to deploy that part by changing it with another firearm part, that would trigger the definition or interpretation of what it is to repair a firearm, if I am following it correctly.

Hon Stephen Dawson: That's correct.

Hon MARTIN ALDRIDGE: Okay. If I had surplus firearm parts that I am currently allowed to possess but not use, once this new legislation is proclaimed, whenever that occurs—that is an issue we will come to under clause 2—what will I do with the surplus firearm parts that I am no longer able to possess and that can no longer be used? Will that be subject to the amnesty, and will I be expected to surrender those parts to my nearest police station?

Hon STEPHEN DAWSON: Two things: you could get an approval from the commissioner or, as the member indicated, you could give them back under the amnesty.

Hon STEVE MARTIN: I have a slightly similar issue. This is something that is not in this bill and is not in the current act. It is about reloading. A response to a question from Hon Peter Collier in the briefing note said that the act is silent on reloading ammunition, as it always has been, and that proposed section 16A specifies that a licensed holder is entitled to possess, carry and lawfully use ammunition for that firearm. It then refers to what WA police interpret that to mean. I have read in *Hansard* the response in the other place to this issue, which was quite clear that reloading was fine for someone's licensed weapon—not someone else's, but their own. I ask the minister to humour me because I am new to this. The act is silent on reloading ammunition. Let us assume that hardworking police go about their business. I will give a scenario: an outlaw gang member who can legally possess a weapon—I assume there will be some who can—is reloading their ammunition. Could police have a change of heart—it is silent in the act—and then prosecute that outlaw motorcycle gang member for reloading? I hope I have not made too much of a mess of that question.

Hon STEPHEN DAWSON: There is no change to the current situation. Although the act is silent on the matter, it says on a licence that the person can do certain things. One of those things is that under the licence conditions they can reload ammunition into their gun. So although the act is silent, the licence itself allows people to do certain things, and that is one of those things. There is no change, as the member has pointed out and as has been pointed out previously.

Hon STEVE MARTIN: Just to clarify: I am a licensed firearm owner. On the piece of paper for my licence will it say that I can reload ammunition for my weapon?

Hon STEPHEN DAWSON: It says that the licence holder can possess it and use it. WA police see that part of that use is that the licence holder can reload, and that is on the licence.

Hon STEVE MARTIN: I will not labour the point, but is that interpretation, which if not the word the minister is using, is the word I am using to categorise that description of that process, flexible? If it is not in the act and it is an interpretation of use, is there no possible way that could be reinterpreted?

Hon STEPHEN DAWSON: The answer my adviser has given me is that the WA police position is that a person can reload their licensed gun with ammunition, and that is not going to change.

Hon PETER COLLIER: I thought I had finished with this point, but I have opened up a bit of a hornet's nest here with the industry. Can the minister confirm that changing a stop on a gun is currently illegal?

Hon STEPHEN DAWSON: That is currently considered to be a repair that has to be done by a licensed repairer.

Hon PETER COLLIER: It is considered a repair, so currently a farmer cannot do it—it would be illegal to do so in the legislation's current form?

Hon STEPHEN DAWSON: Yes, by the strict letter of the law, it is currently illegal.

Hon PETER COLLIER: I will finish on this. As I said, there are people watching and I must say, we have an issue here. The minister definitely has an issue in terms of people's understanding of that aspect of the law. I cannot say any more than that, suffice to say that what I have just been told now completely contradicts what a lot of people feel. The minister cannot respond to that. All I am saying is that if that is the case, the government really needs to conduct a broad education program once this bill is passed to ensure that people understand that this is nothing new and is something that existed previously.

Hon STEPHEN DAWSON: As I said, there is widespread misconception on this issue.

Hon Peter Collier: There is.

Hon STEPHEN DAWSON: A normal licensed gun owner probably has not read the act. Regardless, there is a widespread misconception and it is the government's intention to make sure that we educate.

Hon WILSON TUCKER: I just want to make sure that I spoke correctly in my contribution to the second reading debate when I described the scenario of a commissioner signing off on a firearms prohibition order and the police executing the FPO and as part of their duties when they execute the FPO, searching a premise, other items are potentially taken during that search process and used in a separate prosecution against that person. Is that an accurate scenario? Can it happen?

Hon STEPHEN DAWSON: Honourable member, do you mind repeating yourself, please?

Hon WILSON TUCKER: Sure; I was just talking about the scenario of the commissioner signing off on an FPO and then the police searching premises and finding other illegal items and using that as part of a separate prosecution case.

Hon STEPHEN DAWSON: If items are found relating to an offence under this bill, then yes. However, I am also told that under the Criminal Investigation Act 2006, police can already do a limited search.

Hon WILSON TUCKER: By a limited search, they can then take other items and prosecute them?

Hon STEPHEN DAWSON: The Criminal Investigation Act states in section 68, "Searching people for things relevant to offences"—

- (1) If an officer reasonably suspects that a person has in his or her possession or under his or her control any thing relevant to an offence, the officer—
 - (a) may do a basic search or a strip search of the person; and
 - (b) may, subject to section 146, seize any thing relevant to an offence that the officer finds, whether or not it is a thing that the officer suspected was in the possession or under the control of the person; and
 - (c) whether or not the officer seizes the thing, may do a forensic examination on it.

That currently exists in the Criminal Investigation Act.

Hon WILSON TUCKER: I thank the minister for the explanation. Given that, is there any oversight or assurance from the commissioner, or included in this bill, that an FPO will not be issued against a gun owner for a different purpose, other than seizing a firearm?

Hon STEPHEN DAWSON: Again, I will have to ask the honourable member to ask that question again—not because I did not hear him this time, but because my advisers did not understand the question.

Hon WILSON TUCKER: The question is: is there any oversight or assurance from the commissioner included in this bill that the FPO will not be issued against a gun owner for a different purpose, other than seizing a firearm?

Hon STEPHEN DAWSON: An FPO can be issued in only three circumstances: if they are not a fit and proper person; if they are a danger to another person or property; and if it is not in the public interest. An FPO cannot be issued in the example the member gave.

Hon WILSON TUCKER: I mentioned during the second reading debate that “in the public interest” is a vague term. I believe it has been left intentionally vague and is open to interpretation. Given there is some fuzziness in that interpretation, is it possible the commissioner could create an FPO using the circumstance of “in the public interest” for a purpose other than seizing a firearm from a Western Australian?

Hon STEPHEN DAWSON: Firstly, I am told it is a recommendation of the Law Reform Commission. Secondly, the commissioner can delegate the power only to a commander or above in the WA Police Force, which is a very senior position and is not an ordinary police officer. There are only about 15 of those positions in the WA Police Force. I am further told this is about targeting, essentially, serious criminals, so there are multiple levels and layers to this.

Hon WILSON TUCKER: I appreciate the insight; however, I do not believe the minister answered the question. Is there any assurance or oversight in this bill that an FPO can only be issued for the sole purpose of seizing firearms?

Hon STEPHEN DAWSON: I am told FPOs will not be used to seize firearms and people can have their FPO reviewed by the State Administrative Tribunal and the Supreme Court.

Hon MARTIN ALDRIDGE: The Law Reform Commission’s report, *Project 105 discussion paper*, at page 183 states —

Relevantly, it should be noted that the *Firearms Act* provides that it is an offence to alter a firearm ‘from the design or characteristics of its original manufacture’ or ‘so that its calibre, character or kind differs from what it was when any current licence or permit relating to it was issued’, or to be in possession of a firearm that has been altered in this way. This offence appears broad enough to include the addition of any firearm parts which substantially change the nature of a firearm. The Act contains no definitions of ‘character’ or ‘kind’, so Western Australia Police has advised that it would refer to the dictionary definitions of these words in applying this section of the Act.

This is relevant to what we discussed before about the definition of “repair” of a firearm. I assume from what the minister said today that the current view of WA police was formed sometime since this 2015 Law Reform Commission report, because it seems to be at odds with that view. I can understand that, but if that is the case, what section of the current act is the minister referring to in the interpretation of “repair” the minister referred to this afternoon?

Hon STEPHEN DAWSON: In relation to the definition of “repair” and the difference between a minor repair and a major repair, the bill does not change the concept of repair or manufacture from what it has always been in the act, with the exception of including major firearm parts and firearms technology to the scope of what can be added to certain licences. In cases like the activity of welding items to a firearm such as replacement of stocks, the firearm should be dealt with by a licensed, suitably qualified professional. This ensures the safety of the firearm owner and anyone else who may have approval to use the firearm. The WA Police Force recognises that licensed firearm owners may want more clarity on what maintenance activities they are able to do on their own firearms without constituting a repair or manufacture under the legislation, so WA police will update information on its website to provide guidance to licensed firearm owners.

Hon MARTIN ALDRIDGE: Although “repair” is not a defined term, it has been recently interpreted to include these types of activities that Hon Peter Collier outlined, for example, changing the stock of a rifle. I assume that will be captured under current section 19(4), which states —

A person who —

...

(b) repairs on behalf of another;

(c) manufactures,

or is concerned in repairing or manufacturing, any firearm or ammunition otherwise than in accordance with a licence under this Act authorising him to do so, commits a crime and is liable, on conviction ...

Would that be the relevant offence somebody would commit by changing a stock on a firearm without a repairer’s licence?

Hon STEPHEN DAWSON: Section 19(4) is the correct part. The stock has been added under the bill as a major firearm part. That did not exist before. Hopefully, that will provide clarity to that grey area we spoke about previously.

Hon MARTIN ALDRIDGE: We are making some good progress on this issue. To round this off, the minister said there was a recent re-examination of this issue. Is the minister able to give me some perspective on when it was determined that the definition of “repair” would extend to these types of activities? Clearly, it was not the case in 2015 when the Law Reform Commission was examining this issue and a different view has been taken sometime between then and now. I know it is unlikely, but has anyone been prosecuted for an offence of this nature?

Hon STEPHEN DAWSON: The answer to the second part of the member’s question is no. I go back to the first part of the question; it was not a recent definition or consideration but the issue has come to light only recently as a result, essentially, of the bill coming before the Parliament and consultation with stakeholders.

Hon WILSON TUCKER: I will just jump back to my previous line of questioning; I just needed a second to process it. The minister mentioned a State Administrative Tribunal process. Will the SAT process that the minister mentioned encompass any other illegal items that were inadvertently seized during the execution of a firearms prohibition order?

Hon STEPHEN DAWSON: The SAT can review any decision under the act.

Hon WILSON TUCKER: I will use the example of a marijuana plant that is found at someone’s house when an FPO is executed and it is used as evidence in a different prosecution case. Would the SAT appeal encompass the prosecution case involving the marijuana plant that was seized during the execution of the FPO?

Hon STEPHEN DAWSON: No.

Hon WILSON TUCKER: Given that answer, I am going to go back to my original question, and I am just looking for a simple yes or no answer. Is there any oversight or assurance provided by the bill that an FPO will not be issued against a gun owner for a different purpose other than seizing firearms?

Hon STEPHEN DAWSON: The answer is yes. I have answered that previously. I have set out the three thresholds that need to be met.

Hon WILSON TUCKER: Other than those three steps, is there any other assurance or oversight that it will not be used for any other purpose?

Hon STEPHEN DAWSON: It cannot be issued for any other purpose, honourable member.

Hon PETER COLLIER: I knew this would happen; I have now had four emails come through from people who are watching. I have the permission of this person to read this in, and it goes to the heart of the issues that were raised about the lack of understanding of the current legislation. I would not mind the minister’s response to this, please. He says —

I am a licensed firearm owner, I have been since 1983.

I am watching the LC live today 7th and the information being provided to you by the opposition minister is incorrect. We are not repairing when changing stocks, grips or barrels. We also do “maintenance”.

It does happen when people change from recreational hunting activities to target shooting. There is a discipline called hunter class that is held at the same range, WARA Pinjar range that the police/government used for the media two weeks ago. And other WARA leased ranges.

We shoot thousands of rounds in competition around the WA state and Australia and sometimes we need to remove barrels to clean, make safe minor repairs.

We need to reload to make “precision” ammunition for our target shooting, you can’t buy factory made ammunition to this standard.

The act simply needs to refer lawful excuse to the approved license holder and subsequent firearms.

Hon STEPHEN DAWSON: I am told that some of the things that the member read out are lawful and some are not lawful. People can still reload, but they cannot fix loaders and barrels without a licence. I am happy to put this on the record today, because this information has already been provided to the Sporting Shooters’ Association of Australia, to reassure firearms owners of what they can do to their firearms. They can strip and assemble. This is considered part of the normal cleaning and maintenance of a firearm when done in accordance with the manufacturer’s guidelines. They can make minor adjustments. Changing the alignment of sights, accessory rails and similar attachments to a firearm does not require a repairer’s licence. The like-for-like replacement of grips on a firearm does not require a licence; however, any changing of grips that will alter the function of a firearm from when it was originally licensed should be checked with the regulator to determine whether an approval or licence is required.

People cannot adjust a factory-adjustable trigger assembly. Changing or adjusting the operation of a trigger assembly is an action that requires a repairer’s licence. People cannot make repairs involving fixing or rectification of broken functions of the firearm that require more than simple field stripping and cleaning. Repairs to firearms have always necessitated a licence to undertake them. This will not change with this bill. If licence holders are unsure of the extent to which they can go in maintaining their firearm, they should refer to the user’s manual that relates to that firearm as provided by the original manufacturer, refer to a licensed repairer for advice or contact the regulator.

The WA Police Force recognises that licensed firearms owners may want more clarity on what maintenance activities they are able to do on their own firearms without it constituting a repair or manufacturing under the legislation. As I have previously indicated, the Western Australia Police Force will be updating information on its website to provide guidance to licensed firearms owners.

Hon PETER COLLIER: I thank the minister for that; I appreciate it very much. I will definitely leave it at this, because I have had another email come in. It is not the way to handle debate—on the run. I will conclude on this whole issue. There is sufficient disquiet out there to show that there is a lot of uncertainty about and, dare I say it, lack of understanding, for want of a better term, of the existing legislation. That is something that the government will have to do—try to get through to the industry the structure of the current legislation and the fact that this bill will in no way, shape or form alter what already exists.

Having said that, I take the comments of the Minister for Police in the other place and this minister's clarification of the minister's words that in the process from assent to implementation, if there are any issues with unintended consequences, they can be ideally ironed out, rectified or assisted during the process of consultation in the lead-up to making the regulations. If anyone contacts me or any of our colleagues on this issue, we will most definitely provide information to the minister's office to assist with that process. I thank the minister for that information.

Hon MARTIN ALDRIDGE: The minister provided some helpful data during his second reading reply. I think it was in response to Hon Dr Steve Thomas. There are some confusing numbers in media reports about the number of firearms licences and the number of licensed firearms currently in Western Australia. Is the minister in a position to provide the accurate number, just because a few different numbers have been reported in the media and I wonder which is the correct one?

Hon STEPHEN DAWSON: The most up-to-date information I have on hand is from January 2022. The information provided says that as at that date there were 89 247 firearms licences and 349 492 licensed firearms.

Hon MARTIN ALDRIDGE: I thank the minister for that clarification. In the minister's second reading reply, he said that 298 licensed firearms were stolen in the 2021 calendar year, which averages six a week, and 10 per cent of those were handguns. If the minister has it available, I am interested in whether the minister has data on crimes that are related to firearms. I think Hon Dr Steve Thomas asked: what proportion of offences were committed with licensed firearms versus unlicensed firearms?

Hon STEPHEN DAWSON: We do not have that information. We have not been able to get it. I have asked whether it exists and I am told that the WA police computer systems do not spit that out. It would take manual work to find out what the member has asked for.

Hon MARTIN ALDRIDGE: I thank the minister. I think we have had this difficulty before, to be honest, which goes to the police systems more generally. It is unfortunate because I was hoping to understand the extent to which gun-related crimes are committed with licensed firearms versus unlicensed firearms. I assume that quite a significant proportion of them would be stolen or unlicensed firearms. The second reading speech identified three instances. One was an assassination that occurred at the Kwinana Beach motorplex. I think in the minister's reply, he confirmed that the offence was committed with a licensed firearm. The other offences were a drive-by shooting and a carjacking at gunpoint. Is the minister in a position to confirm whether those offences were committed with a licensed firearm or otherwise; and, if so, was the licensed firearm stolen?

Hon STEPHEN DAWSON: Yes, the member is correct. In my second reading reply speech I referred to the Kwinana incident, and I indicated that it was committed with a licensed firearm. The gun used in the drive-by was licensed and recently stolen and the one used in the carjacking was also licensed and recently stolen.

Hon MARTIN ALDRIDGE: All three of those offences that were identified were with licensed firearms, and at least the last two were with stolen firearms. In the first offence, the assassination, was it a stolen firearm even though it was a licensed firearm?

Hon STEPHEN DAWSON: No, that was a licensed firearm being used by the licensed owner. I also put on the record, as I indicated, the WA Police Force does not readily have those statistics. I want to say that the perception that licensed firearm owners do not commit crimes is incorrect. I did not say the member has that perception but the perception exists. As mentioned by the Minister for Police in his second reading reply, the worst mass shooting since Port Arthur happened in WA at Osmington near Margaret River and the perpetrator who murdered his wife, daughter and grandchildren, before turning the gun on himself, was a licensed gun holder.

In June 2021, the Western Australia Police Force executed a search warrant in Helena Valley where an illegal firearms manufacturing facility was located. Police discovered multiple 3D-printing machines, a computer-controlled printing machine, a commercial lathe and multiple tools that are used in the manufacturing process. Digital diagrams and printing files related to firearms manufacture, including semiautomatic rifles, were located along with 3D-print components, rifled and chambered barrels and other components. These items were found alongside homemade sound suppressors, so silencers, and thousands of rounds of ammunition. A 31-year-old man was charged with multiple offences and he was a licensed firearm holder.

In September last year, the WA Police Force executed a search warrant in Warnbro where five illegally manufactured firearms were located, including a pen gun. I am told in that case a 48-year-old man was charged with multiple offences. He was a licensed firearm owner.

In addition, I am told that police are revoking the licence of at least one licensed firearm holder each week because of a violence restraining order coming into existence.

Hon MARTIN ALDRIDGE: Thanks, minister. That is helpful information. My preference is not to delve too much into the FPO side of the bill until we get to those clauses because I have a few questions about the application of that when we get to it; I think it is almost at the end of the bill.

In the second reading debate, I asked some questions about the Law Reform Commission report. The minister mentioned that this bill will implement a number of recommendations of the Law Reform Commission report. I want to make sure that I transcribed those correctly. I do not know whether the advisers have them easily to hand, but they were recommendations 5, 6, 9, 10, 11, 12, 18, 19, 24, 127, 134, 138 and 141.

Hon Stephen Dawson: That is correct.

Hon MARTIN ALDRIDGE: It is almost like checking the lottery numbers on a Saturday!

Obviously, there may be varying degrees of implementing those recommendations because some of those recommendations are quite detailed and have sub-recommendations within them. Is the minister in a position to perhaps table something? I can obviously look up those recommendations; that is no problem. But it would be helpful to understand which clauses of the bill link directly to those named Law Reform Commission recommendations.

Hon STEPHEN DAWSON: We will name them when we get to the clauses.

Hon MARTIN ALDRIDGE: The only downside of that is that I do not expect to ask a question on every clause, so we may miss some on the way through. Has the government formalised a response to the Law Reform Commission's recommendations or is that an active matter that is still under consideration?

Hon STEPHEN DAWSON: It is an active matter as we consider the recently announced changes to the act.

Hon MARTIN ALDRIDGE: I think that will be a key matter that is part of the consultation process. I think the expectation is that we will have a bill in Parliament in September 2023, and when we get to that point, there will be some more clarity around the government's position on the LRC's recommendations.

Hon STEPHEN DAWSON: My advice is that the answer is yes.

Hon MARTIN ALDRIDGE: I refer to the findings in the 2019 report by the Office of the Auditor General on firearms controls. The minister touched on that in his reply to the second reading debate, or perhaps he did not, because I did not write down any notes in that regard. Is there any update that the minister could provide on how the WA Police Force is addressing the concerns raised in the Auditor General's 2019 report?

Hon STEPHEN DAWSON: There is not.

Hon MARTIN ALDRIDGE: The next issue I want to ask about is the resourcing of the WA firearms licensing branch, if that is what it is even called. The minister mentioned that the regulatory burden or cost of these reforms will not be borne through firearms licence fees. That is good to hear. The minister also mentioned the 950 extra police officers who are being recruited or have been recruited, and he also talked about the reallocation of the internal workforce, mainly for the operation of the FPO provisions. Is the minister in a position to provide us with some understanding of the current resourcing of the firearms branch and what might be anticipated with respect to the requirements of this bill?

Hon STEPHEN DAWSON: No, I am not; I do not have that information. I am further told that this bill will not impact that branch; a separate group of people will deal with the FPOs.

Hon MARTIN ALDRIDGE: I thank the minister. Could that be something that the minister takes with some notice, with respect to us getting an understanding of the resourcing of the branch?

Hon Stephen Dawson: By interjection, it is not relevant to the bill before us. I am very happy to get an answer for you if you ask that question during question time, but I am not going to take it as part of this bill because it is tangential to this bill. It will not be that unit or that branch that will deal with what is in the bill.

Hon MARTIN ALDRIDGE: Just to confirm, there will be no additional burden on any officer or person in the firearms branch arising from the application of this bill?

Hon STEPHEN DAWSON: I am told that it will not be significant enough to warrant more resources.

Hon MARTIN ALDRIDGE: The operation of the FPO will not be a function of the firearms branch. What section or division of WA police will be responsible for the application of these new powers?

Hon STEPHEN DAWSON: It will be dealt with by the state crime portfolio.

Hon MARTIN ALDRIDGE: Is there an understanding of the resources that the state crime portfolio will require to effectively operate the FPO provisions?

Hon STEPHEN DAWSON: I am told it is being scoped currently.

Hon MARTIN ALDRIDGE: I said a short time ago that I wanted to leave any detailed assessment of the review provisions and the FPO provisions until we get to those clauses, but the minister mentioned in his reply to the second reading debate that five jurisdictions in Australia have an FPO scheme or a similar scheme and that our model is based on the New South Wales and Victorian models, with some improvements. The minister mentioned the cross-jurisdictional application of FPOs, which I think was identified as a deficiency of the New South Wales version of the scheme.

Hon Stephen Dawson: Victorian.

Hon MARTIN ALDRIDGE: Sorry, Victorian; I thank the minister for that correction. Does the minister have something that could be presented to the Council as a comparison of those five schemes, and particularly where our scheme mirrors or deviates from the New South Wales and Victorian schemes?

Hon STEPHEN DAWSON: I am told that we do not have such a document, honourable member.

Hon MARTIN ALDRIDGE: That is unfortunate, because I think that would have expedited the debate when we get to that clause. We may just have to do it the hard way. Other than the cross-jurisdictional issue that was identified in a review of the Victorian scheme, could any material differences be identified between particularly the New South Wales and Victorian schemes and ours?

Hon STEPHEN DAWSON: I have information here on the New South Wales Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020, which was introduced to that Parliament in February 2020. The New South Wales bill includes some provisions that are similar to those in our Firearms Amendment Bill 2021, such as offences for taking part in the unauthorised manufacture of firearms. I am told that the NSW bill was referred to a committee and has not progressed since the committee released its final report and recommendations in April 2021. The Firearms Amendment Bill 2021 already incorporates many of the recommendations made by the NSW committee, such as having exemptions to manufacture and repair offences if the person has a valid licence or approval to partake in those activities; proportionate offences, including either-way offences, which this bill introduces within the firearms technology offences; and a standard of reasonable suspicion to be met prior to searching persons in the company of a prohibited person. A prohibited person is a person who has been served with a firearms prohibition order. That is all I have got.

Hon MARTIN ALDRIDGE: I will have a quick scan to see whether there are any other questions. I have only a limited number of clauses that I want to consider, but it would certainly be helpful in expediting the passage of this bill if when we resume, we could be given some understanding of which clauses, perhaps in the first part of the bill, relate to which Law Reform Committee recommendations. The only other way around that is literally to ask the question on every clause of the bill. Having said that, are the Law Reform Commission recommendations that the minister identified—I cannot remember how many there were—being fully implemented or implemented in part?

Hon STEPHEN DAWSON: I listed 13 Law Reform Commission recommendations. They are mostly being fully implemented. Some of them are being implemented in part, and that is because they refer to the regulations. Obviously, the regulations have not yet been made.

Hon MARTIN ALDRIDGE: That makes sense. Subject to regulations, those that will be partly implemented by this bill will be fully implemented when regulation-making powers are exercised.

Hon STEPHEN DAWSON: That is generally correct, with the exception of recommendations 127 and 134—that is what I know of at this stage. We are just checking whether there are others. I can give a further example. Part of recommendation 138, for example, relates to the WA police website promoting the amnesty et cetera. It is mostly in terms of the legislation, and partly in terms of the regulations. There are others like that one that relate to things like websites and stuff that will be done down the track.

Hon MARTIN ALDRIDGE: The minister mentioned recommendation 137, and was it 24?

Hon Stephen Dawson: It was 134.

Hon MARTIN ALDRIDGE: What was the second number?

Hon Stephen Dawson: It was 127.

Hon MARTIN ALDRIDGE: Sorry. That makes sense now. They will be the partly implemented recommendations.

I have one more question, minister; sorry to finish on this question. Does the Labor government have any concern about the persistent use of the word “thing” in this bill?

Hon STEPHEN DAWSON: Having sat through the debates in 2000 in whatever it was—the thirty-ninth Parliament—the member’s side was very convincing on the need for the use of the word “thing” in the legislation before us, so the member can see what has occurred in the bill before us.

Clause put and passed.

Clause 2: Commencement —

Hon MARTIN ALDRIDGE: I do not think I need to ask the minister whether clause 2 implements a recommendation of the Law Reform Commission, because I am pretty sure that it does not. Clause 2 is the commencement clause. Clause 2(b) refers to the new Firearms Act and Criminal Code offence penalties. As I understand it, those higher penalties that the minister talked about will come into force on the twenty-eighth day after assent day. I have two questions at clause 2. Is 28 days a kind of standard when penalties are increased, in order to give people 28-days' notice so that they can avail themselves of the revised act? Clause 2(c) states that the rest of the act—which is most of the act—will come into operation on a day fixed by proclamation. I assume the reason for that is to allow the government and WA Police Force to do certain things. Is the minister able to provide me with some information about what those things are and how long they might take?

Hon STEPHEN DAWSON: I am told in relation to clause 2(b) that 28 days after assent is the standard. In relation to clause 2(c), it refers mostly to regulations that will need to be made over the next few months. As we have spoken about in this place previously, Parliamentary Counsel's Office will draft regulations only once a bill has passed the Parliament, except in extraordinary circumstances. It also relates to IT upgrades that will need to be done as a result of the passage of the bill. The intention, if everything goes right, is to proclaim the bill in the second half of the year, but closer to Christmas.

Hon MARTIN ALDRIDGE: That is all right. The minister is in a representative capacity so I will not hold him to it, especially if it will be reliant upon WA Police Force and IT systems. I understand that in the last Parliament, it was often the case that uncertainty was associated with bills and amendments, and that was for good reason, namely the construct of that Parliament. The construct of this Parliament is quite different, and amendments are almost never tolerated, which is why they are often not suggested. I would have thought that the government could get on with the regulation-making functions with a greater deal of certainty than perhaps it could have done in the last Parliament.

Hon Stephen Dawson: By way of interjection, it is up to PCO, regardless of the make-up of the Legislative Council.

Hon MARTIN ALDRIDGE: Yes, PCO is respecting the supremacy of Parliament and waiting until Parliament has its way and then it can start the drafting process. I have no further questions on clause 2.

Clause put and passed.**Clauses 3 to 5 put and passed.****Clause 6: Section 4 amended —**

Hon MARTIN ALDRIDGE: Clause 6 seeks to amend section 4 of the act, which relates to definitions. I would like to get some clarity about a couple of those definitions. Does clause 6 give effect to any of the 13 recommendations of the Law Reform Commission?

Hon STEPHEN DAWSON: I am told yes; most of them are definition-based.

Hon MARTIN ALDRIDGE: I refer to the definition —

thing relevant to an offence has the meaning given in the *Criminal Investigation Act 2006* section 5;

Is this a new definition that is proposed to be inserted or will it replace an existing definition, and what clauses of the bill relate to this new definition?

Hon STEPHEN DAWSON: We believe it has been in the Criminal Investigation Act since 2006 and, obviously, we are putting it into this act. I am told it can be relied upon if the police seize something.

Hon MARTIN ALDRIDGE: If something is seized, would that be in the context of the execution of a firearm prohibition order or warrant? A “thing” is largely undefined, so I assume it would allow an officer executing a warrant to determine whether a thing is relevant?

Hon STEPHEN DAWSON: Yes.

Hon MARTIN ALDRIDGE: I think the minister said it would allow them to seize something. I assume he is relating that to the FPO provisions—if someone was subject to an FPO, or someone was executing an FPO search, it would allow an officer to make a determination around what is a relevant thing?

Hon STEPHEN DAWSON: I draw the member's attention to page 9 of the explanatory memorandum, which states —

“*thing relevant to an offence*” refers to the definition given in section 5 of the CIA. The concept is intended to include things in any way connected to any offence or which may provide evidence relevant to any offence or alibi. The term is relevant in this Bill to what police may seize when searching places, vehicles and persons in relation to FPOs.

Committee interrupted, pursuant to standing orders.

[Continued on page 1761.]

QUESTIONS WITHOUT NOTICE
IRON ORE ROYALTY REVENUE

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

I note that it is a Thursday, so I expect a performance!

I refer to the rivers of cash flowing into the government's coffers thanks to the 2019–22 iron ore price boom.

- (1) What is the current spot price of iron ore as measured by Treasury?
- (2) What was the average price of iron ore to date for the 2021–22 financial year to the end of the third quarter at 31 March 2022?
- (3) What is the iron ore royalty income to date for the 2021–22 financial year to the end of the third quarter at 31 March 2022?
- (4) How much GST revenue has the state received in the 2021–22 financial year to the end of the third quarter at 31 March 2022?
- (5) How much taxation revenue has the state received in the 2021–22 financial year to the end of the third quarter at 31 March 2022?

Hon STEPHEN DAWSON replied:

I thank Hon Dr Steve Thomas for some notice of the question. The following answer has been provided by the Treasurer.

- (1) It is \$US160.10 a tonne.
- (2) It was \$US138.30 a tonne.
- (3)–(5) This information is published in the *Quarterly financial results report*, released within 60 days of the end of each quarter.

MYALUP–WELLINGTON WATER PROJECT

323. Hon Dr STEVE THOMAS to the Minister for Regional Development:

I refer to the Myalup–Wellington water project and to my question without notice 720, asked on 11 August 2020.

- (1) Has the project proceeded or progressed since my question on 11 August 2020, and what progress has been made?
- (2) Are the required commercial agreements identified in question without notice 720 now in place; and, if not, why not; and when will they be in place?
- (3) Is the original budget of \$190 million in federal funds, \$37 million in state funds and \$169 million from the proponent still budgeted and available?
- (4) If no to (3), what funding changes have occurred from each of these sources?
- (5) Is this project still on track to be delivered; and, if so, when will it be so?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. I am sure it has something to do with a chat I had with the member's old boss yesterday.

- (1)–(5) As the member will be aware, the Barnett government announced this project in January 2017. The project was trading as Collie Water Pty Ltd and it was part of an expressions-of-interest process. So that was announced. We came into government, and although we were concerned about the complexity of the project, we at all times kept the \$37 million that had been allocated to that project and tried to make it work. But it was predicated on a series of complex and ambitious commercial agreements to be negotiated between multiple parties by the private sector proponents. Particularly because of the uncertainties and complexities in the corporate structures and financial positions of Griffin Coal Mining Company and Bluewaters Power, the project as conceived just has not been able to go forward, and we have formally terminated that project. We are, of course, now working on alternatives and we have maintained the money in the budget. We are working, in particular, with Harvey Water to look at those alternatives.

In relation to the commonwealth funding—I suspect this might be what had perhaps disturbed Hon Nola Marino—the Deputy Prime Minister has advised that he has taken the federal government money from that project. It is still in the budget but designated more broadly for water projects in Western Australia. We are still working very hard to get, as I say, a number of projects up utilising those funds. Our money will remain in the budget allocated to that area.

JURIEN BAY BOAT HARBOUR

324. Hon COLIN de GRUSSA to the Leader of the House representing the Minister for Transport:

I believe this question was redirected from the Premier. I refer to the ongoing environmental issues with the marina at Jurien Bay.

- (1) Please detail how much has been spent on this project to date.
- (2) Given the project was costed at \$7.8 million in 2020, what are the updated costs for the proposal to dredge the marina?
- (3) Since the minister has had an engineering solution and a final business case since at least July 2020, when will the residents of and visitors to Jurien Bay finally see this project completed?

Hon SUE ELLERY replied:

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

- (1) Since 2016, \$1.64 million has been spent dredging the Jurien Bay boat harbour.
- (2) A typical maintenance dredging campaign costs about \$800 000.
- (3) The state government will continue to seek funding opportunities for the proposed extension to the harbour's northern breakwater.

COMMUNITIES — CORPORATE EXECUTIVE LEADERSHIP TEAM — COMPLAINTS

325. Hon PETER COLLIER to the Leader of the House representing the Minister for Community Services:

- (1) Have any sexual harassment complaints been made against any member or members of the corporate executive leadership team within the Department of Communities since 1 January 2022?
- (2) If yes, how many complaints and against which member or members of the corporate executive leadership team?

Hon SUE ELLERY replied:

I am sorry; it is not in my file. I am sure somebody will pick it up.

CLIMATE CHANGE — ACTION PLAN

326. Hon Dr BRAD PETTITT to the minister representing the Minister for Climate Action:

I refer to the pilot sectoral adaptation plan in the 2020 *Western Australian climate policy*.

- (1) Is the pilot sectoral adaptation plan complete and could the minister please table this plan?
- (2) If no, has the priority sector been identified yet; and, if so, what is the expected time line for the pilot sectoral adaptation plan?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) Consultation with state agencies is underway to identify priority sector and partner agencies to participate in the pilot sectoral adaptation plan.

CORONAVIRUS — CONTACT TRACING

327. Hon WILSON TUCKER to the Minister for Education and Training:

How many Western Australian primary and secondary school students are subject to isolation due to being a COVID-19 close contact; and, if possible, please provide a breakdown by year group?

Hon SUE ELLERY replied:

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

I cannot give the member the information in the format that he is seeking. As of 10 March 2022, students who are close contacts, other than household close contacts, are allowed to attend school. Schools do not report the number of close contacts. As of 6 April 2022, 916 schools had reported a positive case in the previous seven days.

MENTAL HEALTH — PERINATAL SERVICES

328. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Mental Health:

I refer to mother and baby units providing specialist perinatal support and treatment services.

- (1) What is the total number of inpatient beds currently available within the mother and baby units located at the following hospitals —
 - (a) King Edward Memorial Hospital; and
 - (b) Fiona Stanley Hospital?

- (2) For each mother and baby unit referred to in (1), will the minister table a copy of the boundary intake areas where patients can be admitted from?
- (3) Can the minister advise whether similar mother and baby units are currently available to mothers in any other public hospitals throughout the state?
- (4) If yes to (3), can she please provide a list of those hospitals?

Hon SUE ELLERY replied:

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

- (1)
 - (a) There are eight.
 - (b) There are eight.
- (2) I table the attached document. The King Edward Memorial Hospital patient intake area is metropolitan suburbs north of the river. The Fiona Stanley Hospital mother and baby unit accepts patients from the South Metropolitan Health Service and East Metropolitan Health Service catchments, as well as south rural—that is, great southern, south west, goldfields and southern wheatbelt. WA Country Health Service residents have access to both the King Edward Memorial Hospital for Women mother and baby unit and the Fiona Stanley Hospital mother and baby unit.

[See paper [1220](#).]

- (3) There are no other public facilities.
- (4) Not applicable.

METRONET — ARMADALE RAIL LINE

329. Hon TJORN SIBMA to the Leader of the House representing the Minister for Transport:

I refer to the minister's response yesterday in relation to the closure of the Armadale line and the importance of providing access to documents for transparency purposes.

- (1) When was the minister first aware of the need to consider closure options for the Armadale line?
- (2) Which organisations provided the minister with the options concerning the closure of the Armadale line—for example, was this the Public Transport Authority's advice or Main Roads' advice, or did the minister rely on the guidance of any non-government entity; and, if so, which?
- (3) When did the minister receive this advice?
- (4) How many options were considered by the minister?
- (5) When did the minister make her decision?
- (6) On what date did the government make the decision to close the Armadale line for 18 months?

Hon SUE ELLERY replied:

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

- (1)–(6) For every project, rail or road, there is often disruption to the users of the existing infrastructure. This is particularly the case for many of the Metronet projects, where work is often being undertaken on live train lines. Contractors work with the department in relation to these shutdowns, and the department in particular will seek to ensure that commuters have access to replacement services and alternative routes, and that disruptions are kept to a minimum. Advice is received throughout the procurement process, and as stated yesterday, this process is still ongoing, with the contract for the Victoria Park–Canning level crossing removal project yet to be awarded. Ordinarily, the operational impact of these contracts, such as shutdowns, are not announced until after the contract is awarded. However, in the interests of transparency, the government deemed it appropriate to inform the community of the shutdown early. As a result, we now have the opportunity to undertake significant community consultation on replacement services.

CHILD PROTECTION — PRIORITY ONE CASES

330. Hon NICK GOIRAN to the Leader of the House representing the Minister for Child Protection:

I refer to an article titled "In Harm's Way", published by the ABC on 28 March 2022, which refers to a WA case that was marked as priority one, meaning it was required to be dealt with within 24 hours, yet was not dealt with for at least a month.

- (1) How many cases were marked priority one for the month of March?
- (2) How many of these cases were not dealt with within the required urgency period of 24 hours?

Hon SUE ELLERY replied:

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

- (1) In March 2022, a total of 17 priority one safety investigations were commenced.
- (2) None. All 17 investigations commenced within 24 hours.

LIVE EXPORT

331. Hon Dr BRIAN WALKER to the Minister for Agriculture and Food:

I refer the minister to a media release issued by the RSPCA yesterday, Wednesday, 6 April 2022, expressing its grave concerns about the federal government's decision, announced earlier this week, to slash the prohibited northern summer period for live sheep export, which will see, in the words of the release, thousands more sheep placed at unacceptable risk of heat stress on long voyages to the Middle East from as early as this May.

- (1) Did any consultation occur between the federal government and the WA state government on the reduction of the prohibition period prior to the announcement being made?
- (2) Does the McGowan government share the concerns of the RSPCA that established animal welfare science is being ignored and the basic welfare of animals degraded on the eve of a federal election, when members in Canberra will have little or no opportunity to scrutinise these last-minute changes?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question.

- (1)–(2) This is an issue of concern. I think it is important to understand that it is really around the margins; it is not a massive change that is proposed. Nevertheless, I think it is a backwards step. We introduced the moratorium after a series of horrific incidents right up until 2018. Since the introduction of this moratorium, plus, in the post–Barnaby Joyce era, the re-establishment of some animal welfare infrastructure at a federal level, we have not had a single mortality incident that has attracted attention. This moratorium has worked. It has worked to reduce the risk of severe incidents to these animals. From the agriculture sector's point of view, it has reduced the reputational issues that were impacting on Western Australian agriculture from the international coverage that was given to these episodes.

Certainly, our department made submissions to the commonwealth earlier this year, and no-one expected a result to come out so quickly, because the review is not actually due to be completed for a number of months. The department certainly expressed concerns about the proposed changes. It does not agree that the Kuwait port microclimate provides safeguards to sheep transported through the Straits of Hormuz and offloaded in Kuwait. The Department of Primary Industries and Regional Development considers the sheep risk suffering heat stress, and offloading at Kuwait does not mitigate heat stress. In respect of the reduction of the length of the moratorium by two weeks, going into vessels that travel through the Red Sea, the Department of Primary Industries and Regional Development does not agree with it. The data provided by the federal department is insufficient to provide confidence that the risk of heat stress is being sufficiently mitigated. From an animal welfare point of view and from the point of view of the reputational issues for our sheep industry, this is not good. Our sheep industry is doing really well. Since this moratorium was introduced, prices for our sheep and sheep meat have steadily increased and I am very concerned that this measure will now put into the mix all of this controversy around this industry.

The PRESIDENT: I again remind members of standing order 105 in relation to the concise nature of questions, and standing order 106 in relation to the concise nature of responses.

CORONAVIRUS — STATE OF EMERGENCY — PLANNING

332. Hon NEIL THOMSON to the Leader of the House representing the Minister for Planning:

I refer to the answer to question without notice 318, answered on 6 April 2022, regarding clause 78H of the Planning and Development (Local Planning Schemes) Regulations 2015, in which the Leader of the House stated —

The Department of Planning, Lands and Heritage regularly monitors the effectiveness of the clause 78H notice in consultation with the local government sector.

How is the effectiveness of clause 78H measured by the Department of Planning, Lands and Heritage, given that it “does not keep records of such decisions”, as per the answer to question without notice 255, answered on 24 March?

Hon SUE ELLERY replied:

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

As outlined in the answer to the member's question on 5 April 2022, the department monitors the effectiveness of the provisions of clause 78H as well as any issues arising with them through consultation with the local government sector. If the member is seeking records relating to proposals exempted under clause 78H, the member should direct that question to the relevant local government.

STATE EMERGENCY MANAGEMENT COMMITTEE —
FIRE AND EMERGENCY SERVICES ADVICE

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

I refer to pages 23 and 24 of the 2020–21 annual report of the State Emergency Management Committee, which states —

DFES provided analysis of the use of the EM Act and Public Health Act 2016 to assist with management of the COVID-19 response, 7 May 2021.

- (1) Will the minister please identify the person or persons who provided the advice to SEMC?
- (2) Will the minister please table the advice provided by DFES to the SEMC in relation to this matter?
- (3) Noting the annual report's reference to the SEMC monitoring the use of powers under the EM act, will the minister please table any relevant report, advice or document in regard to this?

Hon STEPHEN DAWSON replied:

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

Given the detail required, it is not possible to provide this information in the time provided. The honourable member may wish to place his question on notice.

SOFTWOOD PLANTATIONS

334. Hon STEVE MARTIN to the minister representing the Minister for Forestry:

I refer to the Minister for Forestry's announcement to spend \$350 million over 10 years to expand Western Australia's pine plantation.

- (1) What is the establishment cost per hectare used in the budget figure?
- (2) What is the purchase price per hectare used in the budget figure?
- (3) What assumptions does the budget make about the rise in the purchase price of land over the 10-year life of the purchase program?
- (4) With the current rapid escalation in land prices, does the minister expect that the \$350 million will achieve a plantation program of at least 33 000 hectares?
- (5) If not, how many hectares will be achieved?

Hon ALANNAH MacTIERNAN replied:

I thank the member for the question. The Minister for Forestry has provided the following information.

- (1)–(3) The \$350 million investment over 10 years does not require a specific quantity of plantation to be established each year. This allows the Forest Products Commission the flexibility to make commercial decisions to buy, or not, in any given year.
- (4)–(5) The purchase of land is not the only mechanism for plantation establishment. The Forest Products Commission can also enter into sharefarming arrangements as well as co-investment with industry.

BUNBURY OUTER RING ROAD

335. Hon Dr STEVE THOMAS to the Leader of the House representing the Minister for Transport:

I refer to the federal budget announcement last week of an additional \$320 million for the Bunbury Outer Ring Road project.

- (1) Is the state government providing matching additional funding for the project?
- (2) If yes to (1), how much?
- (3) Will the new total budget of over \$1.15 billion deliver the project to the original scope and specifications agreed between the state and commonwealth governments when the major contract was awarded in October 2020?
- (4) If no to (3), what changes have now been implemented?
- (5) If no to (3) but the changes to the scope have not yet been agreed, when will they be announced?

Hon SUE ELLERY replied:

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

- (1)–(5) As the member well knows, funding decisions are confirmed and announced as part of the state budget process.

ESPERANCE PORT — IRON ORE EXPORTS

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

I refer to question without notice 281.

- (1) As at 28 February 2022, how many wet tonnes of iron ore have been shipped since the commencement date?
- (2) When does the Southern Ports Authority expect 30 million wet tonnes of iron ore to be shipped?
- (3) Have negotiations commenced for renewal of the agreements set out in l(b) to (i) in the minister's answer?
- (4) In respect of those negotiations —
 - (a) has the Southern Ports Authority undertaken the relevant due diligence processes as set out in the minister's response to question without notice 257; and
 - (b) have those negotiations taken into consideration other potential iron ore exporters through the port of Esperance?

Hon SUE ELLERY replied:

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

- (1) An amount of 24.071 million tonnes has been exported from the commencement date until 28 February 2022.
- (2) In December 2022.
- (3) Yes.
- (4) Discussions are ongoing with current and potential iron ore exporters through the port of Esperance.

CRIMINAL CODE AMENDMENT (COVID-19 RESPONSE) BILL 2020

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

I refer to the Criminal Code Amendment (COVID-19 Response) Bill 2020. Since assent of the bill to today's date, relating exclusively to COVID-19, I ask the following.

- (1) How many arrests have been made under this provision?
- (2) How many charges have been laid under this provision?
- (3) How many people have been fined under this provision?
- (4) How many people have been imprisoned under this provision?

Hon STEPHEN DAWSON replied:

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

- (1) One arrest has been made under section 338B of the Criminal Code, where the offence description specifically refers to COVID-19.
- (2) Two charges have been laid under section 338B of the Criminal Code, where the offence description specifically refers to COVID-19.
- (3) A response to this question cannot be provided within the required time frame. The honourable member may wish to place the question on notice.
- (4) This question should be directed to the appropriate minister as imprisonment does not fall within the responsibility of the Minister for Police.

BIODIVERSITY, CONSERVATION AND ATTRACTIONS — FIRE MANAGEMENT

338. Hon Dr BRAD PETTITT to the minister representing the Minister for Environment:

- (1) For what —
 - (a) ecosystems;
 - (b) types of geological formation;
 - (c) species of fauna;
 - (d) species of flora;
 - (e) issues regarding firefighting; and
 - (f) fire management

does the Department of Biodiversity, Conservation and Attractions have fire management guidelines or fire management information notes?

- (2) On what date was each of these documents completed and published?

- (3) Are these documents readily available to members of the public on request?
 (4) If no to (3), why not?

Hon STEPHEN DAWSON replied:

I thank the honourable member for some notice of the question. The following answer is provided on behalf of the Minister for Environment.

The answer to (1) and (2) is in tabular form and it contains the answers to (a), (b), (c), (d), (e) and (f), the title and the completed date. I seek leave to have the response incorporated into *Hansard*.

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

(1)–(2)

	Title	Completed
(a)	Fire Management Information Note E1 Organic-Rich Soils (Peatlands)	08/06/2017
	Fire Management Information Note E2 Tingle Forest	28/07/2016
	Fire Management Information Note E3 Habitat Protection (Birds) within Reeds and Rushes	12/06/2008
	Fire Management Information Note E4 Tuart Woodlands	12/06/2008
	Fire Management Guideline No. E7 Coastal Heath Woodlands	12/06/2008
	Fire Management Information Note E8 Southern Forest and Shrubland Mosaic	01/06/2017
(b)	Fire Management Information Note E5 Granite Outcrops	10/08/2016
(c)	Fire Management Information Note S1 Nornalup, White-Bellied & Orange-Bellied Frogs	16/2/2017
	Fire Management Information Note S2 Honey Possum	12/06/2008
	Fire Management Information Note S3 Malleefowl	16/2/2017
	Fire Management Information Note S4 Noisy Scrub-Bird	12/06/2008
	Fire Management Information Note S5 Quokka	13/08/2019
	Fire Management Information Note S6 Sunset Frog	12/06/2008
	Fire Management Information Note S7 Tammar Wallaby	12/06/2008
	Fire Management Information Note S8 Western Ringtail Possum	12/06/2008
	Fire Management Information Note S10 Black Cockatoos	26/06/2009
	Fire Management Information Note S13 Western Ground Parrot	04/03/2021
	Fire Information Note Black Cockatoos	15/10/2021
	Fire Information Note Malleefowl	15/10/2021
	Fire Information Note Numbat	15/10/2021
	Fire Information Note Quokka	15/10/2021
	Fire Information Note Western Ringtail Possum	15/10/2021
d.	Fire Management Information Note S9 Cypress	12/06/2008
	Fire Management Information Note S11 Geophytes	18/04/2016
	Fire Management Information Note S12 Buffel Grass and Fire Management	03/10/2008
	Fire Information Note Banksia Woodlands of the Swan Coastal Plain	15/10/2021
	Fire Information Note Geophytes, including Orchids	15/10/2021
(e)	Nil specific to firefighting noting that most Fire Management Information Notes and Fire Management Guidelines are also relevant to bushfire suppression.	
(f)	Fire Management Guideline -1 Aboriginal Interests in Fire Management	01/08/2017
	Fire Management Guideline -2 Smoke and Wine Grapes	10/01/2019
	Fire Management Guideline -3 Predicting Fire Behaviour using the Field Guide Fuel Assessment and Fire Behaviour Prediction in Dry Eucalypt Forest	06/03/2019
	Fire Management Guideline No 4 Measurement of Profile Moisture Content	26/06/2019
	Fire Management Information Note G5 Vegetation Structure Modification and Fire Management	01/08/2018

- (3) Seven fire information notes are available to the public on the Department of Biodiversity, Conservation and Attractions external website. These have been created specifically for private property owners and cover the following topics: banksia woodlands of the Swan Coastal Plain; black cockatoos; geophytes, including orchids; malleefowl; numbats; quokkas; and western ringtail possums.
- (4) The remaining documents predominantly provide guidance to DBCA fire managers. They have previously been provided to organisations that undertake similar roles or land management operations. They are not generally available to the public.

HEALTH — CHILD HEALTH NURSES — STAFF

339. Hon DONNA FARAGHER to the Leader of the House representing the Minister for Health:

I refer to the response to question on notice 241 provided on 13 October 2021 regarding child health nurses, which states —

WA Health funded a number of NGOs (predominately Aboriginal Community Controlled Organisations) over \$5 million to provide child health services from 1 January 2019 to 31 December 2021.

- (1) Has a new funding agreement been entered into with non-government organisations to provide child health nurse services?
- (2) If yes to (1), what is the duration and total amount of funding that has been allocated to this new agreement?
- (3) If no to (1), why not?

Hon SUE ELLERY replied:

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

- (1)–(3) Not applicable. The existing agreement applies until 31 December 2023.

ENVIRONMENTAL PROTECTION (COST RECOVERY) REGULATIONS — FEES

340. Hon TJORN SIBMA to the minister representing the Minister for Environment:

I refer to the operation of the Environmental Protection (Cost Recovery) Regulations 2021, which charges proponents for assessments made under Part IV of the Environmental Protection Act 1986. What is the total value of fees collected to date?

Hon STEPHEN DAWSON replied:

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

The total value is \$336 000.

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE —
PROGRESS REPORT**341. Hon NICK GOIRAN to the Leader of the House representing the Minister for Child Protection:**

I refer to page 38 of the WA Government's *A safer WA for children and young people: 2020 Progress report*, which, in reference to survivors of child sexual abuse and young people with harmful sexual behaviours, states —

The Department of Communities is leading the development of a framework which will guide and support the implementation of a new multi-agency, coordinated approach to the design and delivery of a sustainable and effective therapeutic service system in Western Australia. Consultation will occur in the first half of 2021.

- (1) When did the consultation occur?
- (2) When was the framework finalised?
- (3) Will the minister table the framework?
- (4) If no to (3), why not?

Hon SUE ELLERY replied:

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

- (1)–(4) As indicated in the *2020 Progress report*, consultation to scope the project for therapeutic service system reform occurred in early 2021. Key components of this reform are developing a framework for understanding and guiding responses to harmful sexual behaviours in children and young people, undertaking a jurisdictional scan of harmful sexual behaviour intervention models operating in other states and territories, and conducting an analysis of available data about community need. Extensive consultation occurred in the second half of 2021 to inform this body of work. The harmful sexual behaviour framework will be tabled when finalised in the second quarter of 2022.

CORONAVIRUS — ST JOHN AMBULANCE — SELF-ISOLATION

342. Hon Dr BRIAN WALKER to the minister representing the Minister for Health:

I refer the minister to media reports earlier this week suggesting that she had taken senior managers at St John Ambulance to task for opting out of the government's amended rules for close contacts. Given that ambulance staff are extremely mobile across the course of any shift and come face to face with some of our most vulnerable Western Australians, will the McGowan government concede that St John Ambulance is more than justified in taking a cautious approach, which has the potential to limit transmission, and that it is the expert in this space to whom we should be listening?

Hon SUE ELLERY replied:

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

The WA government follows the expert advice of the Chief Health Officer. The COVID Transition (Healthcare Critical Worker) Directions was implemented based on health advice in a very high case load environment. The direction permits healthcare critical workers, including ambulance officers, who are asymptomatic close contacts to temporarily attend work during their isolation period to facilitate the continuity of essential operations. However, they must be requested to return to work by their employer and agree to do so. Strict conditions apply for critical workers who attend work under these settings, including providing daily negative rapid antigen tests; being fully vaccinated, including a third dose if eligible; wearing a mask at all times; and self-isolating when not at work. WA hospitals have implemented a furlough guideline that is consistent with the direction and it is expected St John Ambulance would be in line with the public health system. This policy strikes the right balance to protect vulnerable people from COVID-19 and ensure that essential services such as St John Ambulance are maintained.

GOVERNMENT REGIONAL OFFICERS' HOUSING — KIMBERLEY

343. Hon NEIL THOMSON to the Leader of the House representing the Minister for Housing:

I refer to the availability of government worker accommodation in the Kimberley.

What was the cost of private rental subsidies for eligible public servants for the financial years 2019–20 and 2020–21 and the 2021–22 financial year to date for the following agencies —

- (a) the WA Police Force;
- (b) corrections;
- (c) the Department of Education;
- (d) the Department of Health; and
- (e) the Department of Communities.

Hon SUE ELLERY replied:

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

- (a)–(d) Under the Government Regional Officers' Housing program, the Department of Communities charges rent to government agencies for the lease of an allocated GROH property. Each individual client agency holds the information requested, and the honourable member should redirect his question to the relevant minister for these agencies.
- (e) For the Department of Communities, the information requested is not possible in the time required, and I therefore ask the honourable member to place this question on notice.

CORONAVIRUS — RAPID ANTIGEN TESTS — PROCUREMENT PROCESS

344. Hon MARTIN ALDRIDGE to the minister representing the Treasurer:

I refer to the Under Treasurer's certification that appears in the *Government mid-year financial projections statement* of December 2021.

- (1) On what date did the Under Treasurer or Treasury first become aware of an order or an intention to order rapid antigen tests by the Department of Finance and Department of Health?
- (2) On what date did the Treasurer first become aware of an order or an intention to order rapid antigen tests by the Department of Finance and Department of Health?
- (3) Has the Under Treasurer or Treasury expressed any concern in relation to the procurement process relating to the almost \$600 million procurement; and, if so, can the minister please table any correspondence regarding this matter?

Hon STEPHEN DAWSON replied:

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

- (1)–(2) Initial purchase orders for rapid antigen tests were made in mid-December. The Department of Treasury was made aware of the first order on 21 December 2021. The *2021–22 Government mid-year financial projections statement* was released on 16 December 2021.

RATs form an important part of Western Australia's management of COVID-19. It is disappointing to see the Liberal and National Parties continue to oppose the McGowan Labor government's efforts to procure RATs for the Western Australian community in a time when there was an international shortage of RATs.

- (3) No.

GOVERNMENT REGIONAL OFFICERS' HOUSING

345. Hon STEVE MARTIN to the Leader of the House representing the Minister for Housing:

I refer to question without notice 796 asked on 13 October 2021.

- (1) What is the total number of Government Regional Officers' Housing properties in WA; and, of those —
 - (a) how many are currently tenanted;
 - (b) how many are untenanted; and
 - (c) how many are currently undergoing repairs or maintenance?
- (2) What is the breakdown for those properties by region?

Hon SUE ELLERY replied:

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

President, bearing in mind your advice to us earlier, it is quite a lengthy answer and part of it is in tabular form. Given the time, I seek leave to have the response incorporated into *Hansard*.

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

- (1)–(2) As at 28 March 2022, there were 4,992 properties in the GROH Portfolio across the State, of which 4,265 are occupied as at 28 March 2022. Of the unoccupied properties as at this date, 571 are allocated to client agencies and 156 were vacant and unallocated. Some of these properties may have been occupied by tenants since this time. It is not uncommon that client agencies may have allocated vacant properties as this enables them to recruit and deploy suitable employees, or for operational reasons such as relief teachers.

Unallocated GROH properties may be vacant for a number of reasons, including public sector employees seeking private housing rather than GROH; aged stock; being poorly located in the district/town; the district/town being in decline due to economic factors resulting in lower demand; and, awaiting refurbishment or earmarked for redevelopment.

The Department of Communities is currently assessing all vacant properties, including long-term vacant GROH properties with no demand from client agencies, with a view to bringing these properties back online as soon as possible. Where appropriate, GROH properties that no longer meet the requirements and demand of client agencies are being considered to be made available for clients on the public housing wait list.

GROH housing as at 28 March 2022

Region	Currently tenanted	Awaiting new tenant/ Currently unallocated and Region tenanted unoccupied
North Metro		1
South Metro	24	5
East Metro	2	
Great Southern	220	35
Southwest	179	31
Goldfields	685	108
Midwest/Gascoyne	468	101
Pilbara	1163	180
West Kimberley	697	108
Wheatbelt	466	105
East Kimberley	361	53

COMMUNITIES — CORPORATE EXECUTIVE LEADERSHIP TEAM — COMPLAINTS*Question without Notice 325 — Answer Advice*

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.03 pm]: Hon Peter Collier asked a question earlier today, which I did not have an answer for. I now have an answer.

- (1) Yes.
- (2) Consistent with published guidance material, matters of this type are confidential. In the interests of fairness to all parties and the integrity of the process, it is not appropriate to disclose details.

**CORONAVIRUS — HOTEL QUARANTINE
LIQUOR RESTRICTIONS — KUNUNURRA
CORONAVIRUS — CONTACT TRACING**

Questions without Notice 294, 306 and 312 — Answer Advice

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.04 pm]: I would like to provide answers to Hon Dr Steve Thomas's question without notice 294, Hon Neil Thomson's question without notice 306 and Hon Wilson Tucker's question without notice 312, and seek leave to have the responses incorporated into *Hansard*.

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

Question without notice 294 —

- (1) Six hotels are currently requisitioned by Public Health Act Emergency Officers in support of the State's response to COVID-19. Rooms are not booked but are included as a component of the requisition order under the Public Health Act 2016 (WA), s.182. Currently three hotels are being used as three are in the transition phase out of the quarantine program. In addition, the Department of Communities provides emergency accommodation for the purpose of self-isolation.
- (2) The number of rooms being used changes daily based on arrivals, departures, maintenance requirements, air flow assessments and rooming principles. As of 6th April, there are 462 rooms available for quarantine.
- (3) No rooms are booked, all hotels are under requisition. The individual hotels have supported the States Quarantine Program for between 17–24 months.
- (4) Specific quarantine facilities cost is commercial in confidence information. Rates were individually commercially negotiated for accommodation and meals. Price ranges for room costs is \$150-170 per day.
- (5) Breakdown of hotels booked
 - (a) 56 guests (as at 1500 hrs, 6th April 2022) are accommodated across the State Quarantine Facilities.
 - (b) 46 rooms are occupied.
 - (c) Price ranges for room costs is \$150-170/ day

	Holiday Inn	Hyatt	Novotel Murray
Rooms Occupied	13	22	11

Question without notice 306 —

- (1) The Minister for Health was made aware on 28 March 2022 that WACHS staff had worked with the WA Police on short-term liquor restrictions.
- (2) I am aware that staff were concerned about the spread of COVID in the community at that time.
- (3) Less than ten patients with COVID-19 have been admitted to Kununurra Hospital for treatment of COVID-19 or another medical condition since the beginning of the pandemic.
- (4) No.
- (5) Not applicable.
- (6) This question should be directed to the Minister for Police.

Question without notice 312 —

- (1) Yes. A positive PCR or RAT (when reported to WA Health) triggers an SMS notification to the case. The case is asked to complete a survey which assists contact tracing. In view of high case numbers, contact tracing resources are prioritised towards high risk exposure settings such as residential aged care facilities.
- (2) Yes, where appropriate.
- (3) Where applicable.
- (4) Under very high case load settings, close contacts are not always contacted by WA Health. Where possible, cases are advised to notify their own close contacts. The Healthy WA website provides advice on how individuals, and specific industries and settings can manage their own contact tracing. Close contacts associated with high-risk settings may be more actively managed by WA Health.
- (5) WA Health does not differentiate when a paper-based record is used as opposed to SafeWA.
- (6) This question should be directed to the Minister for Police.

FINANCIAL MANAGEMENT ACT — SPECIAL PURPOSE ACCOUNTS

Question without Notice 295 — Answer Advice

HON STEPHEN DAWSON (Mining and Pastoral — Minister for Emergency Services) [5.04 pm]: I would like to provide an answer to Hon Dr Steve Thomas's question without notice 295 asked yesterday, which I seek leave to have incorporated into *Hansard*.

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

- (1) Special purpose accounts comprise of the Treasurer's special purpose accounts (TSPAs) and agency special purpose accounts (ASPAs). As at 4 April 2022, there are currently 24 TSPAs. The Department of Treasury does not maintain a record of the number of ASPAs.
- (2) Section 20 of the Financial Management Act 2006 applies to ASPAs and TSPAs except if expressly provided for in another written law. For example, section 4E of the Western Australian Future Health Research and Innovation Fund Act 2012.
- (3) As at 4 April 2022, the balance of the 24 TSPAs is \$19.1 billion. Treasury does not maintain a record of the balances of other agencies' ASPAs.

PERTH MINT — JEWELLERY RETAIL

Question without Notice 308 — Answer Advice

HON KYLE MCGINN (Mining and Pastoral — Parliamentary Secretary) [5.04 pm]: I would like to provide an answer to Hon Dr Steve Thomas's question without notice 308, asked yesterday, and I seek leave to have it incorporated into *Hansard*.

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

-
- (1) Yes. Gold Corporation is unable to ascertain the exact start date but it has retained jewellery since at least 1990.
 - (2) Sections 10 and 11 of the Gold Corporation Act 1987, noting that per Section 3(2) “a reference in this Act to gold shall be construed as including a reference to silver, other precious metals, precious stones and other minerals”.
 - (3) See response to (2) above.
 - (4) Yes
 - (5) As a retailer of jewellery the Perth Mint competes with other retailers of jewellery.
-

LEGISLATIVE COUNCIL STANDING COMMITTEES

Statement by President

THE PRESIDENT (Hon Alanna Clohesy) [5.05 pm]: Today is the fortieth anniversary of the establishment of the first Legislative Council standing committee. On 7 April 1982, the Standing Committee on Government Agencies was appointed by the Council and tasked with inquiring into the activities of government agencies. It was the forerunner to the Standing Committee on Public Administration. Surprisingly, the motion to create the standing committee, which had been recommended by a report of a select committee, was not supported by all Council members. Four members from across the chamber voted against the motion. During a sometimes heated debate, the proposal was referred to as a publicity stunt, and one member even went so far as to compare it to the Spanish Inquisition.

The committee was extremely busy during its first year and tabled its first committee report in November 1982. Interestingly, the first report of the committee contained a long list of agencies that were exempt from the committee’s jurisdiction. The report highlighted the need for agencies to be accountable and the committee detailed the ways in which it would be improving government agency accountability. In addition to its work on accountability, the committee also commenced an inquiry into the acquisition and resumption of land for public purposes and examined the system of occupational regulation by a number of statutory boards.

The creation of this first standing committee 40 years ago paved the way for the establishment of the current Council system of seven standing committees, which are supported by highly professional staff. The Legislative Council’s committee system is much lauded and copied amongst Westminster-based Parliaments and continues to provide an important parliamentary oversight function.

FIREARMS AMENDMENT BILL 2021

Committee

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

Clause 6: Section 4 amended —

Committee was interrupted after the clause had been partly considered.

Hon MARTIN ALDRIDGE: When we were interrupted by question time, we were dealing with the word “thing”. I am going to ask my question here, but not another 87 times where the word “thing” occurs within the bill. It was great to hear during the debate on clause 1 that the Labor government has seen the light and I will make sure that I inform Hon Michael Mischin that his tireless efforts in 2015 did not go to waste, and that he did, in the end, convince all members.

The definition states —

thing relevant to an offence has the meaning given in the *Criminal Investigation Act 2006* section 5;

Section 5 of the CIA reads —

- (1) For the purposes of this Act, a thing is a thing relevant to an offence if it is reasonably suspected that —
 - (a) the thing has been, is being, or is intended to be used for the purpose of committing an offence;
 - (b) the thing has been obtained by the commission of an offence;
 - (c) an offence has been, is being, or may be committed in respect of the thing;
 - (d) the thing is or may afford —
 - (i) evidence relevant to proving the commission of an offence or who committed an offence; or
 - (ii) evidence that tends to rebut an alibi.
- (2) For the purposes of this Act, a thing relevant to an offence may be material or non-material, animate (other than human) or inanimate.

So that members are aware, that is the definition that will be used for every one of the 88 references to “thing” in the bill. Earlier during the second reading debate, I read some direct quotes from members in 2015 and one of those was whether a thing could be an umbrella. I am obviously not going to put such a nonsensical suggestion to the minister, unless of course somebody has modified an umbrella to be a firearm, and then perhaps it could be a thing. I want to understand the operation of this definition, which refers to the Criminal Investigation Act. As I understand it, it would be confined by the long title of the Firearms Act, which states —

An Act to make provision for the control and regulation of firearms and ammunition, the licensing of persons possessing, using, dealing with, or manufacturing firearms and ammunition, the repeal of the *Firearms and Guns Act 1931*, and for incidental and other purposes.

Of course, this is not the umbrella act of 1973. Am I correct in my assumption that although the definition of “thing relevant to an offence” as contained in the CIA is rather broad, it would be confined quite considerably by the long title of the act?

Hon STEPHEN DAWSON: I am advised that the answer is no, because anything relevant to the offence can still be seized. I also draw to the member’s attention clause 43 of the Firearms Amendment Bill 2021 and subsection (2) of proposed section 23AG, “Firearms technology”, which states —

The reference in subsection (1)(a) to a thing is a reference to any machinery, equipment, object or device, including the following —

- (a) a 3D printer or other similar additive manufacturing technology;
- (b) a moulding device;
- (c) a milling device;
- (d) a remote controlled device (for example, a drone);
- (e) an electronic firing mechanism;
- (f) railgun technology;
- (g) any other prescribed thing.

Hon MARTIN ALDRIDGE: That is obviously only one of the 88 references to “thing” in the bill. There is a whole range of other things, including in relation to a firearms prohibition order offence, that perhaps do not provide the detail in terms of seizure that is provided for the firearms technology offence. Perhaps that is something we can contemplate when we get to those provisions.

On my assumption about the long title, the minister’s answer to my proposition was that no, that is inaccurate. I would have thought that the scope of the bill would be constrained by the long title of the act. The act does not have objects. I think it was a recommendation of the Law Reform Commission that it should have. Can I just confirm that the long title will play no role in confining the application of the definition of “thing”? Effectively, would it be up to the person who is involved in the seizure of said “thing” to make a determination of whether that thing is relevant to the offence?

Hon STEPHEN DAWSON: Under this legislation we can seize things only if we use the powers under this act, but we can seize things under the Criminal Investigation Act, too.

Hon MARTIN ALDRIDGE: I understand that, but this bill refers to a definition in another act. I understand that it is not utilising the CIA powers but using a definition in the CIA to enforce, with reference to the powers in this bill, which will become an act. For example, if it relates to a seizure under part 8 of this bill, with is the firearms prohibition order part, how can we necessarily define or confine what can or cannot be seized during the utilisation of such powers?

Hon STEPHEN DAWSON: There is a difference of opinion at the table about what the member is asking for. Can the member ask his question and be as specific as he can?

Hon MARTIN ALDRIDGE: Let us consider this scenario: someone is served with a firearms prohibition order. Under proposed section 29I, “Failure to surrender firearms and other things when firearms prohibition order served”, proposed subsection (6) states —

If the prohibited person cannot surrender a thing referred to in subsection (2), (3) or (4) (for example, because the thing is located or stored at a different place) —

- (a) those subsections do not apply; and
- (b) the member of the Police Force —

A “thing” is obviously a defined term and that definition is contained in the CIA. How will the definition of “thing” apply in that circumstance?

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

CHILD DEVELOPMENT — LANGUAGE DEVELOPMENT CENTRES*Statement*

HON SUE ELLERY (South Metropolitan — Minister for Education and Training) [5.21 pm]: I will be quick. Last night, Hon Donna Faragher sought clarification about language development centres and whether they have catchment areas. I confirm that they do not have local intake areas, and that is clearly stated on each of their Schools Online pages. However, it is clear that there is conflicting information because the school overview section of some of the LDCs is misleading. For example, the North East Metro LDC page includes the phrase “students need to be living within the North East Metropolitan suburbs”. I have sought advice on this matter and I have been advised that the areas the LDCs describe themselves as servicing relate to bus transport. Students attending LDCs are entitled to bus transport and each LDC has a notional bus zone. Students who live within that zone are entitled to travel on the bus. However, that does not preclude a student who lives outside the zone from applying to enrol in an LDC that is not close to their home, but they need to provide their own transport. All public schools in WA can be serviced by one of the LDCs, but are most likely to refer students to their local LDC. This may well provide some clarification to the member this evening, but I have asked the department to update its Schools Online pages to provide better clarification on this issue.

1998 AUSTRALIAN WATERFRONT DISPUTE*Statement*

HON KYLE MCGINN (Mining and Pastoral — Parliamentary Secretary) [5.22 pm]: I rise today to bring to the house a reminder of what happened on this day, 24 years ago. On this day, 24 years ago, the government in charge had an agenda to destroy the working class in this country, and it did that by sending balaclava-wearing security guards, with dogs, down to the waterfront to drag union workers off the job. That was Patrick —

Hon Neil Thomson interjected.

Hon KYLE MCGINN: Sorry, continue. What was that?

Hon Neil Thomson interjected.

Hon KYLE MCGINN: Sorry; I cannot hear the member.

The PRESIDENT: Order!

Hon Neil Thomson interjected.

Hon KYLE MCGINN: Some people do not understand what workers’ rights are, and that would be those on the other side of the chamber. They should listen up because they are about to get an education —

Hon Neil Thomson interjected.

Hon KYLE MCGINN: It is quite amusing that we talk about workers’ rights and the John Howard era of kicking wharfies off the job and I have to listen to the baffle from the other side of the chamber. Honestly, members on the other side of the chamber, and particularly Hon Neil Thomson, have no clue on what has happened in this country with workers’ rights and they should listen instead of baffle. I will continue.

Hon Neil Thomson interjected.

Hon KYLE MCGINN: I would like to continue —

The PRESIDENT: Order! It would be really good to hear this statement and any member’s contribution in silence.

Hon Neil Thomson interjected.

The PRESIDENT: Order! It is not cross-chamber chatter. It is members’ statements. Member, please continue.

Hon KYLE MCGINN: I will try my best not to entertain the circus. I want to get on with this.

At 7.00 pm, 24 years ago, we saw the Howard government show its true colours on workplace relations. It sent security guards wearing balaclavas down to the waterfront and dragged wharfies off the job. It was in cahoots with Patrick’s, the stevedoring company at the time, which was training wharfies in Dubai who would be brought in to replace Australian workers with a workforce that was non-unionised. What happened? We saw the workers of Australia unite. We saw them fight back against a government that did not care about Australian jobs then and, quite frankly, I do not think they care about Australian jobs now. The Liberal government’s industrial relations agenda has not changed since 1998, and I do not think it will change because it tends to lack the ability to see that local employment is critical. In 1998, unions, workers and communities supported the waterfront workers in every port across Australia. I know there are members in this chamber who supported the wharfies in Fremantle.

Hon Alannah MacTiernan: Those of us who stayed the night down there.

Hon KYLE MCGINN: That is right. They were down there supporting workers. In the end, they won and they were returned to the job. They got back in there. They did not listen to Corrigan and Howard, sitting there destroying workers’ rights—the Liberal agenda.

I always remember one really infamous story. I believe that police were sent down to Melbourne to bust up the picket line. Men, women and children all locked arms. The coppers came in to break it up. Their goal was to rip them off the job, chuck them in the back of the paddy wagon and get them out of there. Whilst they were doing that, the construction workers joined forces in the city and came in behind the police officers. We had a picket line at the front of the gate, with men, women and children all linked in arms, and then the police came in and the construction union came in behind them. The police had to be escorted out. The picket line remained.

Later, the court decision came down, which clarified that the government was acting corruptly and the wharries were returned to the job. I am proud to stand here today and say that Patrick's tried to do it again. It tried to get rid of the agreement in the current round of the negotiations. I believe that just last week, Patrick's signed a new enterprise bargaining agreement—a union agreement, once again—containing fair rates of pay and conditions. Even after 1998, we are still seeing the same attacks occur under the current industrial relations regime.

To all the Maritime Union of Australia members, their families who were on the picket line and to all the supporters, I say thank you. What you did in standing up for workers' rights showed what should be done in this country, not the agenda that a federal Liberal government is so easily swayed to impose, which is to destroy workers' rights. Well done to the MUA. The slogan is always "MUA, here to stay".

HEALTH — CHILD HEALTH NURSES — STAFF

Statement

HON DONNA FARAGHER (East Metropolitan) [5.28 pm]: I want to take a couple of minutes. I thank the Leader of the House for the information that she provided. It is certainly helpful, and I hope it will help clarify the situation.

I have another question. Perhaps the Leader of the House might take it on during the break. Earlier today, the Leader of the House will recall that I asked her a question in her capacity as the Leader of the House representing the Minister for Health. I asked it in the context of child health nurses. An answer that was provided to me on 13 October 2021—I am referring to *Hansard*—stated —

... in addition to above directly employed FTE, WA Health funded a number of NGOs (predominantly Aboriginal Community Controlled Organisations) over \$5 million to provide child health services from 1 January 2019 to 31 December 2021.

I referenced that quote in a question to the minister today. I asked whether a new funding agreement had been entered into; and, if so, what was the duration and total amount; and, if not, why not. The answer provided to me was —

(1)–(3) Not applicable. The existing agreement applies until 31 December 2023.

I seek some clarification from the Leader of the House. Either there was an error in the original answer provided to me on 13 October 2021, in that it perhaps should have referenced 1 January 2019 to 31 December 2023—that could explain the issue, but if that was the case, I would have thought the Minister for Health would have provided that information to the Leader of the House in answering this question—or there has been an extension to the existing funding agreement. That was the purpose of my question today. I ask whether the Leader of the House can take this up with the Minister for Health. A correction may be required to the original *Hansard* of 2021 or additional information may be needed in answer to the question I asked today. I ask whether the Leader of the House would be happy to do that for me.

MANNING PARK

Statement

HON STEPHEN PRATT (South Metropolitan) [5.30 pm]: Earlier today, I was privileged to table a petition on behalf of signatories in relation to protecting the natural amenity around Manning Park. A few weeks back, when I was handed the petition, I met with descendants of the Manning family, whom the park is named after, and they requested that I table a letter that they have all signed. The letter outlines some of the history around Manning Park, the homestead and the ridge, and also addresses some of the concerns that they have raised about the proposal to include mountain bike trails there. I committed to doing this for them on the day, so I now seek leave to table this letter on their behalf.

[Leave granted. See paper [1221](#).]

BROCK BURSTON — POLICE PROSECUTION

Statement

HON NEIL THOMSON (Mining and Pastoral) [5.31 pm]: I am concerned for workers who are in the workforce at the moment. One of the most despicable cases of institutionalised bullying that I have seen in my long career in the public service I am now witnessing in the Department of Education, and that is the very sad case of an employee called Brock Burston from Kununurra. I will give members a bit of background about Brock, because it is in the

public domain. Brock is a participation officer with the Department of Education. He was part of a well-publicised case that went to court, and he was acquitted. Brock continues to be on suspension, even though that case was finalised in early December. For me, that is completely unacceptable.

I will give some background on this case to the house and to those who have not been following it. I think it is important to provide a little bit of a time line. We all know that in 2019, a coroner's inquest was held into the deaths of 13 children and young people in the Kimberley region. We also know that the minister made quite a large statement in *The Kimberley Echo* in November about the amazing improvements in truancy rates in the town of Halls Creek. This all came out in the case that has now been finalised. We also know, including as a result of some questions that I have placed before this place, that the data that was provided to the minister was actually incorrect. This officer—again, this was all laid out in the case—then provided some information to Margaret Glass, whom I actually know, who is a program manager at the Shire of Halls Creek. That would seem to be quite a normal thing to do. The court made a comment about the manner in which it was provided, and that is on the public record. In essence, all this officer did was to provide the correct advice—the correct numbers on attendance at school—to an officer in the Shire of Halls Creek. That is all he did. What happened to that officer? That officer —

Several members interjected.

The PRESIDENT: Order! Thank you, member. Can the member be heard in silence as all other members have had the same opportunity to do so.

Hon NEIL THOMSON: Thank you, President. That officer had a police raid on his workplace. How many police turned up to his workplace? Seven police officers turned up to his workplace. How many police turned up to his home? Five officers turned up to his home.

Hon Sue Ellery interjected.

Hon NEIL THOMSON: I am speaking the facts.

Several members interjected.

The PRESIDENT: Order!

Hon NEIL THOMSON: The officer was then taken to court and the outcome of that court case was that the first charge of unlawful use of a computer was dropped. This occurred from 8 to 10 December 2021. We had the raid in May. The officer was then suspended in May on full pay while he was living in Kununurra, waiting for outcome of a court case for the alleged crime of providing correct data to another officer from another tier of government, which I thought would have been in the public interest. The charge of unlawful use of a computer was dropped and he was acquitted of the charge of disclosing official secrets. Quite a bit was said in the press and people can avail themselves of those outcomes, but the fact is that all this officer did was provide information in the public interest. Six months after this officer's house was raided, which was a very traumatic experience for the officer to go through, we had a court case. It has been nearly four months since that court case and the officer is still on suspension. He has not returned to work.

At the beginning of my presentation I said that this is the worst case of institutionalised bullying that I have experienced or seen in my long career in the public sector. I am not accusing the minister, by the way, of being partisan to this; I want the minister to know that. I think that there is an opportunity here for the minister to actually speak to the director general and resolve this matter. We know what the definition of bullying is. It is the ongoing and deliberate misuse of power through repeated verbal, physical and social behaviour that intends to cause physical, social and psychological harm. I could think of nothing worse than a well-meaning officer being put on suspension for almost a year, not knowing the outcome of his career or his future, simply because he was concerned about the future of children in Halls Creek. That is disgraceful and it needs to be addressed with the greatest focus. We need to show that we are not mean. We need to show that we care about the children in Halls Creek and that we will not tolerate the institutionalised bullying of an officer in the Department of Education.

As to Statement

The PRESIDENT: Leader of the House.

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.39 pm]: A matter was raised just now directly related —

A member interjected.

Hon SUE ELLERY: Perhaps I could address the President, honourable member.

A member interjected.

The PRESIDENT: Order! If all members of the chamber would allow me the opportunity to chair, I will do so and indicate that under standing order 5(5)(a) the member is unable to make a second contribution. If the member is making a point of clarification, I will accept the point of clarification. However, the member is unable to make a second member's statement.

Hon SUE ELLERY: President, if you would count this as a point of clarification, it is not fair to the house, when the house has genuinely raised issues, that I was able to respond to one that was raised yesterday but I am now not able to respond to this one for at least a month, and I have got something to say. Perhaps we can address that through the standing orders, but I do not think it is fair to members that I cannot provide a response when they raise an issue.

The PRESIDENT: Thank you, Leader of the House. Unfortunately, I am unable to amend the standing orders on a whim, even though I recognise your point of fairness. Are there any further members' statements?

Statement

HON NICK GOIRAN (South Metropolitan) [5.40 pm]: I rise very briefly to acknowledge the member's statement by Hon Kyle McGinn earlier this afternoon. In doing so, I want to acknowledge at the outset the member's longstanding advocacy for workers' rights. I recall that when he first came into the Parliament, including in his maiden speech, he nailed his colours very firmly to the mast. Regardless of whether any of us agree or disagree with him at various points in time, I think we can all acknowledge that he has had a longstanding genuine passion for workers' rights, and he reiterated that again this evening in his member's contribution. However, what I found a little disappointing was the constant interjections during the contribution made by my colleague, who is also —

Hon Kyle McGinn: He was interjecting on mine!

Hon NICK GOIRAN: I acknowledge that, honourable member. What the member is saying is quite fair, but I will address that in a moment. The difference is that when my honourable colleague was speaking, he was also addressing an issue of workers' rights. I would have thought that Hon Kyle McGinn would have listened with interest to that contribution. Hon Kyle McGinn quickly retorts and says, "Hang on a second; the other member was interjecting on my speech." That is true. The record will reflect that. The honourable member here was asking some questions, whereas the injections that were made were not questions, which is part of the debating process, but were more a process of mocking and ridiculing the member. I think that is poor.

Hon Kyle McGinn: That's ridiculous!

Hon NICK GOIRAN: That is okay. The honourable member can think that.

Hon Kyle McGinn interjected.

Hon NICK GOIRAN: They certainly were not questions. The member might want to reflect on what the *Hansard* says.

The PRESIDENT: Order! Again, it is not cross-chamber chatter. It is members' statement.

Hon NICK GOIRAN: Since Hon Kyle McGinn is very interested in questions, I have one for him. I am interested to know what he thinks about the Brock Burston case and the rights of that worker, who I understand from the contribution made by the honourable member still has not been reinstated in their position, despite the fact that they have been acquitted in a criminal case. I would be interested to know the latest stage. Hon Kyle McGinn can go away over the next four weeks and research that worker's case and then come back and deliver a passionate speech about that particular worker's rights. While he is investigating and researching that case, he might also like to look into another worker's case. That is the case —

Hon Kyle McGinn: Is it the first one that I have to look into?

Hon NICK GOIRAN: This is the case—which I would encourage the honourable member to research over the next four weeks—of the former Labor staffer of the member for Kwinana, who is currently just trying to get an opportunity to be heard. I say again, with all seriousness, that I know that the honourable member is passionate about workers' rights. I acknowledge that. I know that he will continue to be passionate about that for the entirety of his career in the Legislative Council, albeit that I wish it to be a short career. Nevertheless, for however long that is, the member is quite entitled to continue to prosecute that matter, but he should do it with consistency. The member cannot just dismiss and ridicule the Brock Burston case.

Hon Kyle McGinn: I didn't ridicule. Take that back. I didn't ridicule that case at all.

Hon NICK GOIRAN: So what was the member doing?

Hon Kyle McGinn: I was questioning him. That is exactly what I was doing.

Hon NICK GOIRAN: I look forward to seeing the *Hansard*. I am asking the honourable member to do a bit of research into the Brock Burston case over the next four weeks, and, when we get back, to let us know his view about it. If the member already has a view about it, he has never expressed it before.

Hon Kyle McGinn interjected.

The PRESIDENT: Order! Perhaps if interjections are not welcome, they should not be solicited.

Hon NICK GOIRAN: President, you make an outstanding point; my contribution really should be through you. Through you, President, I am encouraging Hon Kyle McGinn to do a bit of research over the next four weeks into the Brock Burston case, which he said just few moments ago that he was not ridiculing. I am just asking him to

research it and, in due course, advise us what his position on it is. While he is at it, he can find out about the former electorate officer of the member for Kwinana. Hon Kyle McGinn is passionate about workers' rights, and I think that is an extraordinary case. Why is it left to Hon Neil Thomson to have to defend the workers' rights of Brock Burston?

Hon Kyle McGinn interjected.

Hon NICK GOIRAN: Through you, President, why is it left to me, honourable member, to have to defend the rights of a former Labor staffer? The staffer never worked for me or my party, yet the Attorney General of Western Australia has intervened in that case. That worker cannot seem to get a fair hearing. I would have thought that the passionate members for workers' rights would have fired up about that, but not one of them has said a single thing about it. Not once have I heard any of them say anything about it. It has been left up to me and my colleagues to raise it. It is absolutely ridiculous. As I said at the outset, I acknowledge that Hon Kyle McGinn is passionate about workers' rights, and I commend him for that passion. I am simply asking for consistency. Hon Kyle McGinn can spend some time over the next four weeks during the recess to find out more about the Brock Burston case and then come back and give a speech in reply to the budget and tell us what he thinks about that one. While he is at it, he can tell us about the case of the member for Kwinana's former electorate officer. I do not know much about the Brock Burston case, but I am learning about it because I am actually listening to Hon Neil Thomson. The case of the member for Kwinana's former electorate officer is an unfair dismissal case and the Attorney General is intervening in it. Do members know why he is intervening in it? He is intervening to make sure that the member for Kwinana, who is the Deputy Premier of the state and should be a model litigant, will not have to give evidence.

We have this extraordinary situation at the moment in which the Attorney General, as far as I understand it, is absent from Western Australia on urgent parliamentary business; he is certainly absent from Parliament on urgent parliamentary business. I suspect that is because he is on the other side of the country getting ready to give his sequel performance tomorrow. The most experienced legal officer in the McGowan Labor government is about to give evidence in a court of law, not for the first time, but for the second time. Why? It is because he made mistakes the first time. Is that why government members do not want the Deputy Premier to give any evidence? They have no confidence in the Deputy Premier to speak the truth when he goes and takes the oath, because we cannot expect that of the Attorney General; he is going for a redo tomorrow, much of which is at the cost of the Western Australian taxpayers, interestingly enough.

I note that earlier this week the honourable Leader of the House virtually chastised me for not granting leave while she was busy responding to the very intelligent question asked by Hon Wilson Tucker. What was he trying to find out? He was trying to find out whether the Attorney General is having the taxpayers cover the cost of all these things, because they are very expensive. Queen's Counsels are very expensive. We know that the Attorney General has retained his own special QC, David Grace, to assist him in this matter. That is in addition to the other QCs and solicitors involved in the case. Hon Wilson Tucker is just trying to find out how much it is all costing. Apart from the fact that the Leader of the House could not tell us the answer on the first day because the government needed to check some further information, on the second day, which was yesterday, we were told that, in effect, we do not need to worry about this because it is all in accordance with the normal conventions that ministers of the Crown can access taxpayers' funds to defend themselves. What the Leader of the House said is not incorrect. That is the convention. But I find it highly unconventional that the first law officer of Western Australia has been caught and exposed for telling wrong answers in a case before the courts, so much so that he has to go and give a sequel performance. Although the convention might cover the first scenario of the Attorney General having to give evidence, should it really cover the second scenario? Should the taxes of the people of Western Australia—those workers whom Hon Kyle McGinn is very passionate about—be used to fund this sequel performance after the mistakes and wrong answers? I would love somebody from the WA Labor Party to rise and tell us whether they think that is fair and reasonable. I think it is fair and reasonable with respect to the first situation because Mr Quigley is not actually a litigant; he has just been summoned as a witness, so I do think it is fair that his costs have been covered for the first time he had to go over, but not for the second time. This is outrageous!

I conclude simply by acknowledging Hon Kyle McGinn's passion in respect to workers' rights. I simply call on him and his colleagues to be consistent in this respect, to have a closer look at the Brock Burston case, to have a little bit of a closer look at the member for Kwinana and his behaviour with respect to his former electorate officer and, when we get back in four weeks, rise and give us their view on these matters.

Statement

HON PIERRE YANG (North Metropolitan) [5.50 pm]: I have been listening very intently to the debate and I have to say that I am very, very disappointed by certain behaviours exhibited by members from the other side. Honourable members who are not sitting in the chamber should certainly not be interjecting—for example, as they are leaving the chamber for urgent parliamentary business. I agree with Hon Nick Goiran that Hon Kyle McGinn is passionate about workers' rights —

A member interjected.

Hon PIERRE YANG: There we go again!

The PRESIDENT: Order!

A member interjected.

The PRESIDENT: Order!

Hon PIERRE YANG: I listened very, very closely to Hon Kyle McGinn when Hon Neil Thomson was on his feet, and I have to say that I disagree with Hon Nick Goiran's assessment that Hon Kyle McGinn was ridiculing him. He was asking a question. I just want to put that on the record because Hon Kyle McGinn has already made a contribution; he does not have another opportunity to defend himself tonight, and I just wanted to rise to put that on the record.

PARLIAMENTARY COMMISSIONER AMENDMENT (REPORTABLE CONDUCT) BILL 2021

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Sue Ellery (Leader of the House)**, read a first time.

Second Reading

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.52 pm]: I move —

That the bill be now read a second time.

The introduction of the bill is a critical milestone in delivering on the McGowan government's commitments to implement the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse and will help keep children safe. The royal commission found that organisations need to improve their responses to allegations of child sexual abuse and recommended that state and territory governments set up schemes that oblige heads of organisations to notify an independent body of reportable conduct by their employees, volunteers and contractors.

The development of the bill has been informed by extensive consultation with government and non-government stakeholders. This included the tabling of a green bill in Parliament in November 2020 after which stakeholders and the public were invited to provide submissions until the end of January 2021. The bill incorporates amendments to the green bill arising from the public consultation process, with feedback showing strong support for the establishment of a reportable conduct scheme undertaken by the Ombudsman of Western Australia.

The bill seeks to establish a reportable conduct scheme, as recommended by the royal commission, which will compel heads of organisations to notify the Ombudsman of reportable allegations or reportable convictions involving the organisation's employees, volunteers and contractors. The Ombudsman can then review investigation findings or undertake investigations of their own motion. The reportable conduct scheme will also allow the Ombudsman to provide scrutiny of the policies and procedures put in place by organisations to prevent child abuse and for handling and responding to reportable allegations or convictions. Significantly, the bill will provide that the Ombudsman, and any other person performing functions under the scheme, must regard the best interests of children as the paramount consideration. The types of conduct that will be required to be notified to the Ombudsman will include a sexual offence or sexual misconduct against, with, or in the presence of a child; physical assault committed against, with, or in the presence of a child; significant neglect of a child; any behaviour that causes significant emotional or psychological harm to a child; and other prescribed offences.

An estimated 4 000 government and non-government organisations in Western Australia will be covered by the reportable conduct scheme, including accommodation and residential services; religious institutions; childcare services; child protection and out-of-home care services; disability services; education services; health services; and justice and detention services. The scheme will not apply to organisations that do not exercise care, supervision or authority over children.

The scheme will be phased in, with childcare services, child protection and out-of-home care services, education, health, justice and detention services covered in the first year, and the remaining services after 12 months of operation of the scheme. The type of conduct will also be phased in, with sexual offences, sexual misconduct, physical assault and other prescribed offences covered by the reportable conduct scheme in the first year and the remaining types of conduct after 12 months of operation of the scheme. The phased commencement of the scheme over two years will assist organisations to prepare for the new requirements.

The scheme will require affected heads of organisations to have certain systems in place. That will include systems for preventing, notifying and dealing with any allegations or convictions of child abuse involving an employee; notifying the Ombudsman about any allegations or convictions of child abuse involving an employee; investigating any allegations or convictions of child abuse involving an employee and providing a report to the Ombudsman at the end of the investigation on any findings made and actions taken; and reporting to other bodies, such as the WA Police Force, the Department of Communities or professional bodies as required.

The Ombudsman will work with organisations covered by the scheme to build on existing procedures and reporting requirements. The Ombudsman will assist organisations to identify, notify and investigate reportable conduct by

their employees; provide oversight of the organisation's investigation of reportable conduct by an employee and the action taken if a finding of reportable conduct is made; and, if it is in the public interest to do so, undertake its own investigation and make recommendations to the organisation. The Ombudsman will also monitor the organisations' systems for preventing, notifying and dealing with reportable conduct and report to Parliament on the scheme.

Importantly, the reportable conduct scheme will be complementary to, and not replace, the obligations for the head of the organisation to notify the WA Police Force and the Department of Communities of child abuse. The bill provides for the Ombudsman to consult and share information with police and key institutions to better protect children from abuse and harm. The green bill included a provision that a finding of reportable conduct will trigger an assessment or reassessment under the Working with Children (Criminal Record Checking) Act 2004. This is still the intention, but the government proposes to deal with it as part of the forthcoming reforms to the working with children act.

The introduction of the scheme will also complement the recently passed Children and Community Services Amendment Act 2021, which implements a recommendation of the royal commission to require ministers of religion to report child sexual abuse, including when information is gained during confession. Safety of children is at the heart of the mandatory reporting reforms, which will better protect children by increasing the number of people who are legally required to report child sexual abuse.

As well as ministers of religion, the changes will extend mandatory reporting laws to early childhood workers, out-of-home care workers, registered psychologists, school counsellors, youth justice workers, Department of Communities' officers, and assessors appointed to visit residential care services and secure care. The establishment of the reportable conduct scheme will implement a key recommendation of the royal commission. It will establish a scheme in Western Australia that will enhance the existing child safety framework by providing oversight of organisations in the best interests of children.

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

[See paper [1222](#).]

Debate adjourned, pursuant to standing orders.

House adjourned at 6.00 pm

QUESTIONS ON NOTICE

Questions and answers are as supplied to Hansard.

FORESTRY — TIMBER HARVEST

539. Hon Dr Steve Thomas to the minister representing the Minister for Forestry:

- (1) Please list the Western Australian forest coupes harvested for the calendar years 2017 and 2018?
- (2) For each coupe harvested, and by each year of 2017 and 2018, what was:
 - (a) the expected yield of sawlog for each harvested species; and
 - (b) the actual yield of sawlog of each harvested species?

Hon Alannah MacTiernan replied:

- (1) Refer to table listed in answer (2).
- (2)
 - (a) The expected yield of sawlog figure is calculated by the Department of Biodiversity, Conservation and Attractions through the strategic inventory figures used for volumes in the Forest Management Plan. The strategic inventory figure is at a landscape level not at a coupe level.
 - (b) This table lists coupes recorded as harvested for jarrah and karri sawlogs in the calendar years 2017 and 2018, irrespective of the year they were first listed in the published annual harvest plans. Minor volumes of sawlogs of other species (such as marri and wandoo) have not been included as coupe-level estimates are not forecast for these species.

Calendar Years 2017 Forest Block / Compartment	(b) Actual Jarrah sawlog volume (cubic metres)	(b) Actual Karri sawlog volume (cubic metres)
Arcadia 01	4508	0
Big Brook 02	0	8016
Boyndaminup 01	3044	0
Catterick 05	3005	0
Ernest 05	4551	0
Graphite 02	0	2515
Kearney 01	0	0
Kearney 02	4986	0
Lewin 08	52	3972
McCorkhill 01	3133	0
McCorkhill 02	498	0
Mooralup 02	2231	0
Nairn 06	0	0
Thornton 04	2664	0
Tone 04	4405	0
Treen Brook 06	0	16062

Calendar Years 2018 Forest Block / Compartment	(b) Actual Jarrah sawlog volume (cubic metres)	(b) Actual Karri sawlog volume (cubic metres)
Abba 02	3775	0
BigBrook 03	0	3057
Channybearup 02	785	4338
Denham 01	11711	0
Ernest 01	1463	0
Ernest 06	5248	0
Harrington 01	4616	0

Hoffman 03	3535	0
Inglehope 03	2443	0
Kearney 02	2665	0
Lewin 03	977	227
Mccorkhill 01	888	0
Munro 04	4641	0
Nanga 02	2558	0
Palmer 07	13192	0
Pindalup 02	7373	0
Towers 01	4233	0
Treen Brook 01	0	7457
Treen Brook 05	0	8061

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Calendar Years 2019 Forest Block /Compartment	(b) Actual Jarrah sawlog volume (cubic metres)	(b) Actual Karri sawlog volume (cubic metres)
Bombala 04	9630	0
Bowelling 03	3531	0
Channybearup 01	0	5924
Court 04	0	3130
Darrell 02	385	0
Darrell 02	9718	0
Edward 03	5841	0
Hadfield 03	3897	0
Kinkin 01	1103	629
Murtin 01	2851	0
Thornton 06	8911	0
Thornton 05	12041	1405
Tone 06	4926	0
Urbrae 03	850	0
Wilga 01	4717	0
Woop Woop 02	10138	0

Calendar Years 2020 Forest Block / Compartment	(b) Actual Jarrah sawlog volume (cubic metres)	(b) Actual Karri sawlog volume (cubic metres)
Bristol 01	2179	0
Darrell 02	1412	0
Denham 03	5138	0
Edward 04	1523	0
Hadfield 02	3091	0
Hedges 04	8951	0
Helms 01	3398	0
Holyoake 04	4580	0
Inglehope 01	6365	0
Kearney 02	2149	0
Kennedy 02	822	0
Kent 03	4863	0
Leach 04	1541	0
Nelson 01	2203	0
Palmer 01	4134	0
Towers 03	1198	0
Towers 02	4283	0
Towers 03	1853	0
Treen Brook 08	0	18486
Treen Brook 09	0	13490
Upper Capel 03	6837	0
Warrup 07	4255	0
Wilga 04	2042	0

GERALDTON HEALTH CAMPUS — STAFF

555. Hon Martin Aldridge to the Leader of the House representing the Minister for Health:

I refer to reports from ABC Mid-West and Wheatbelt on 18 January 2021 regarding significant staffing shortages at Geraldton hospital's emergency department, and I ask:

- for the month of December 2021, on how many days was the emergency department roster able to be filled;
- for the month of January 2022, on how many days was the emergency department roster able to be filled;
- is the Minister aware of any specific issues impacting recruitment at Geraldton Health Campus and, if so, please outline these issues;
- what specific measures is the State Government undertaking to address staff shortages at Geraldton Health Campus; and
- please table any correspondence from the WA Country Health Service in relation to staffing shortages at Geraldton Health Campus?

Hon Sue Ellery replied:

- (a)–(b) The following table provides details of nursing and medical rosters that were filled between 90–100%, over the traditionally difficult to staff Christmas period.

	December 2021	January 2022
Medical	22 days	23 days
Nursing	18 days	23 days

- (c)–(d) Like most hospitals and health services, we’re working in the context of state, national and international workforce shortages that have been exacerbated by border restrictions and the ongoing demands of a global pandemic. Several strategies are being employed to ensure additional staff are able to be deployed to regional areas:

Established an Operations Hub with daily oversight of workforce shortages across country WA

Enacted the State Business Continuity Leadership Team to provide system wide oversight of regional workforce challenges

Deployment of staff from other WACHS sites and metropolitan Health Service Providers

Priority deployment of nursing staff by NurseWest

Promotional social media recruitment campaign

Direct engagement with recruitment agencies

Engagement with local government

Incentive payments for staff deployed to priority sites.

- (e) Not applicable.
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